

BURLINGTON CITY COUNCIL REGULAR SESSION OCTOBER 19, 2016

City of Burlington Governing Body met in Regular Session at City Hall, 301 Neosho Street, Burlington, Kansas at 6:00 p.m. Wednesday, October 19, 2016. President of Council Lewis Lenard called the meeting to order.

ROLL CALL: Stan Luke, Mayor

Council Members present:

Lewis Lenard (President of Council) Dallas Scothorn Jerilyn Curtiss
 Jane M. Griffith Thomas P. Tschantz Sharon Hall

Superintendents Present:

Kevin Boyce (Parks) Alan Schneider (Electric) Doug Mast (Street)
 Doug Jones Chief of Police) Danny Hawkins (Water/Wastewater)

Also Present:

Regina Kewley (City Clerk) Anne Brown (Deputy City Clerk)
 Tom Robrahn (City Attorney) Jimmy Hugunin (Zoning/Grants Clerk)
 Philip Wright (Assistant City Attorney) Susan Stroh (Administrative Assistant)

Media Present: Mark Petterson (Coffey County Republican)

VISITORS: Jay Hale

AGENDA: *Council Member Curtiss, "I move to approve the agenda as modified." Council Member Griffith, "I'll second." Motion unanimously carried.*

MINUTES Regular Session 10-5-2016: *Council Member Curtiss, "I move to accept the Draft Minutes of Regular Session on October 5, 2016 as presented." Council Member Tschantz, "I second." Motion unanimously carried.*

MINUTES Special Session 10-17-2016: *Council Member Curtiss, "I move to accept the amended Draft Minutes of Special Session on October 17, 2016." Council Member Hall, "I second." Motion unanimously carried.*

PUBLIC COMMENTS: None

ELECTRIC DEPARTMENT: Distribution Updates

General: Electric Distribution personnel are still doing normal duties, customer service requests, work orders, line locates, setting power poles, and tree trimming.

ELECTRIC DEPARTMENT: Power Plant/Production Update

General: Electric Production has been doing required reports and generator maintenance.

DNR Catalyst Units 1, 4, and 6 Recertification: Superintendent Schneider reported, "On our R.I.C.E./NESHAP recertification testing, we did get all of our documentation back from Olsson & Associates. There were some documents that needed signed and mailed to KDHE and EPA Region 7. That's is complete, so we are in compliance for another three years when we will do this all over and retest again."

Power Outage: Superintendent Schneider reported, "On Saturday, we had a power outage when we lost our 69kv line coming into Burlington at about 10:25 a.m. After some communication with Westar to determine an estimated length of outage, we made the determination to fire up our own generator in the Power Plant; and after going through the safety processes we need to do before firing up, we started putting power back to our citizens at about 11:21 a.m. At approximately 12:11 p.m., the 69kv service coming into Burlington was restored. At that point, we were able to go back and serve off of our 69kv coming back into town."

Superintendent Schneider added, "Lewis Lenard did come and got a little tour of the action, and we did a little switching down in the industrial substation; so he observed for a little while." President of Council Lenard inquired about the breaker issue. Superintendent Schneider explained, "No, we investigated that before we went home, as we told you we would. It turned out to be that we had a breaker out in the substation so it wasn't wanting to close. Maintenance is scheduled to find the true cause. I'm guessing that with everyday weather and dust that gets in those it was just a little sticky. We did get it to go shortly after you left. The syncing issue that you observed in the Power Plant - everything was doing what it was supposed to, and it was sending the signal out to that breaker; but like I said, the breaker was just sticking, and we did get that addressed."

ELECTRIC DEPARTMENT: Personnel - Hire Austin Birk as First Year Apprentice Lineman

Superintendent Schneider stated, "On Tuesday, October 11, Gina (City Clerk Kewley), Stan (Mayor Luke), and I did interviews for the lineman position. After doing the interviews, I would like to recommend that we hire Austin Birk as Apprentice Lineman I, starting at a salary of \$16.19 per hour, with a start date of October 24th, which would be next Monday."

(continued)

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Council Member Scothorn, "I move to extend an offer of employment as First Year Apprentice Lineman to Austin Birk, as the starting hourly salary of \$16.19, with a start date of Monday, October 24, 2016." Council Member Curtiss, "I second it." Hearing no discussion, President of Council Lenard called for a vote. Motion unanimously carried, 6:0. Superintendent Schneider, "Very good, thank you. I did talk to him to make sure he was still interested. He was very excited and is looking forward to starting."

ELECTRIC DEPARTMENT: Additional Power Plant Generation - Hire Engineer to do Life Cycle Study

Superintendent Schneider stated, "On the life cycle study we discussed last council, I did get with our engineering firm, Allgeier Martin & Associates, about doing the life cycle study. They have never conducted a life cycle study. They said they could probably fumble through it, but they would prefer not to take on the project, and recommended that we get with another consulting or engineering firm to handle that side of the project for us. So, I've done a little preliminary work; and Gina (City Clerk Kewley) went out on Listserve (*an electronic mailing list*) to reach out to all the city clerks in Kansas to ask them for recommendations of engineers they have used in their cities. She has received four responses back so far. I would like permission to reach out to some other firms and be able to bring back to the governing body three quotes for recommendation to conduct the life cycle study."

Council Member Curtiss stated, "I move to authorize Superintendent Schneider to go out for quotes for an engineer to do a Power Plant Life-Cycle Study." Council Member Tschantz, "I'll second." Hearing no discussion, President of Council Lenard called for a vote. Motion unanimously carried, 6:0. President of Council Lenard, "I would say if you want to do more than three quotes, you don't have to limit it." Superintendent Schneider, "Yes, and some of the recommendations of firms we got back we already do some business, and I will definitely reach out to them. I know two firms that we deal with regularly just to be helpful; and there are a couple of others I will talk to, as well."

WATER DEPARTMENT: Distribution Update

General: Superintendent Hawkins reported, "We've been doing normal duties, line locates, work orders, and customer requests, reading meters, and doing rereads. We also attended KMU safety training."

Waterline Replacement Project - update: Superintendent Hawkins said, "We began installing our water meter services on Niagara Street between 6th and 4th."

New Water Services: Water/Wastewater personnel have also been doing services and relocated a water meter at 608 Kansas; and have a couple more coming up at the end of the week that they will be working on as well.

WATER DEPARTMENT: Production Update

Chlorine Burnout completed: Superintendent Hawkins reported that the chlorine burnout begun in September to clear out nitrification or anything in the waterlines is now completed. The Rural Water Districts and surrounding towns are pleased we did the burnout. It really helped them out, and they were very appreciative.

Water Plant - Sludge Press Realignment: Superintendent Hawkins stated, "At the Water Plant, we realigned our sludge press. We had a chlorine cylinder on it that leaked; so we had to call Brenntag Southwest, and they brought their hazmat team in and got it chambered and out of there within an hour of our call. I was really pleased with that. There was no harm done to anything."

STREET DEPARTMENT: Updates

City-wide Cleanup - Trash/Junk: Superintendent Mast stated, "After the other departments finished with the brush cleanup, we did trash cleanup. It took approximately three days of our four day week to get that done, which is similar to what we've done in the past."

Street Improvements - Asphalt 2016: Superintendent Mast reported, "We did get Killough Construction back here, and they did start the asphalt project. They are bouncing back and forth between us and a bridge project they're doing in the Garnett area. I expect to see Killough back, at least in part, tomorrow morning; and then their laydown machine back the day after. They've had some struggles over at Garnett, I guess, with the project."

"Our asphalt project has been started; and with that, our crews have been following behind and we've added rock to the driveways of the people who have new asphalt on their roads. I did have a request not to put any gravel in a certain gentleman's driveway; and now he has requested to have rock put in his driveway; so I'm guessing now that we're going to head in that direction, I was originally asked not to put anything there; now he's followed one of my workers home and asked him to put some rock in there - so I guess we'll go put some rock in there and see if we can keep him happy. So, if you hear of us putting rock there, it's because we've been asked."

"We've also been working on a lot of alleys while we're trying to take care of these things. With some of the milling that goes on with the asphalt project, we can take those millings and utilize those in some alley areas where we have some bad spots and fix up some alleys at the same time. We're kind of trying to kill two birds with one stones. That's where we're spending the majority of our time."

President of Council Lenard said, "They came over and milled last weekend on our end of town; but when they change the levels of the streets, how long do they typically leave them?" Superintendent Mast, "Typically, it's not for very long - a day or two; but they got caught in a bind and got called back over to Garnett to a previous project that they thought they were completed with - and I guess the project was supposed to have been completed over a year ago, but it seems there is an on-going issue over there. I don't know exactly what it is that's going on over there - if they're changing the project, adding more things to it; but the contracted length of that project was supposed to be a full year, and it's past a full year and it's still not complete. Normally, we expect to see a couple

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of days, but you're probably going to see a couple of more days over there. They try to tape back in (from the street to the driveway). They will cut it right along the edge of the road and put a small taper so you can get in and out of your driveway without a big bump - there will still be a bump, but at least it's not a jar. That will start happening in more places around town. They should be finishing up your end of town this week, is my guess."

President of Council Lenard asked, "Does anybody let you know when they're leaving town?" Superintendent Mast, "Yes, they try to contact us in advance and let us know. We've worked with them on that in the past - it's not an issue."

POLICE DEPARTMENT: Update

General: Chief Jones stated, "It's been pretty much our normal run of calls - a lot of them, but they're normal calls: domestics, accidents, juveniles, dogs. We did have city court last Thursday, started on time and still took three hours. We were there from 4:40 p.m. until 7:30 p.m. - that's how many people we had."

Training: Chief Jones said that today Blake Hanson, Deb Klenda, and he attended training in Topeka. It was a pretty good class taught by the FBI.

BES Halloween Parade: Chief Jones reported that the grade school's Halloween parade is actually on Halloween Day this year, so it will be at 2:15 the afternoon of Monday, the 31st.

Nuisances - Update: No update to report.

POLICE DEPARTMENT: Personnel - Devin Haines' One-year Evaluation

Chief Jones stated, "Devin Haines has been back with us a year as of Monday, the 17th. His evaluation was due; I got that done, and gave it to my committee last council meeting. It's a good solid evaluation. I'm very happy with Devin, happy to have him back; and I'm recommending Devin for a 2% merit." (*Devin had been with the BPD from 8-2002 to 11-2010, resigned, and was rehired in 10/2015.*)

Council Member Hall stated, "I move to approve Devin Haines' employee evaluation, with a 2% merit increase to \$20.12 per hour, effective October 29, 2016." Council Member Tschantz, "I'll second." Hearing no discussion, President of Council Lenard called for a vote. Motion unanimously carried, 6:0.

PARKS DEPARTMENT: Update

General: Parks Department personnel have been doing normal duties: cleaning public buildings and restrooms, mowing, weed eating, spraying weeds, and equipment maintenance. They also helped for two days with the city-wide cleanup of the trash.

FINANCE: Claims Ordinance & Payroll Ordinance

a.	Claims Ordinance	2016-20	\$ 356,619.09
b.	Payroll Ordinance	2016-21	\$ 78,863.42
		TOTAL	\$ 435,482.51

CLAIMS 2016-20: Council Member Hall stated, "I move City of Burlington pay Claims Ordinance 2016-20 in the amount of \$356,619.09 for payment of city bills, as presented." Council Member Curtiss said, "I'll Second." President of Council Lenard called for discussion. City Clerk Kewley, "Some of the bigger expenses were: Brenntag for \$6,556.84; HD Supplies for 3,515.83; Kansas Power Pool for \$233,367.44; and Trenary Tree Care for \$2,325." Hearing no additional discussion, President of Council Lenard instructed City Clerk Kewley to poll Council for a vote. All votes were in favor. President of Council Lenard declared Claims Ordinance 2016-20 approved by unanimous vote, 6:0.

PAYROLL 2016-21: Council Member Hall, "I move City of Burlington pay Payroll Ordinance 2016-21 in the amount of \$78,863.42." Council Member Scothorn, "Second." Hearing no discussion, President of Council Lenard instructed City Clerk Kewley to poll Council for a vote. All votes were in favor. President of Council Lenard declared Payroll Ordinance 2016-21 approved by unanimous vote, 6:0.

PLANNING & ZONING: Update

General: Zoning Clerk Hugunin has been doing normal duties, maintaining our Facebook page and the webpage, working on permits, etc.

Rural Development Loan: City Clerk Kewley explained, "One of the requirements for our Rural Development loan/grant money is that we need to make sure we follow ADA requirements for our meeting rooms here in the building because it is a government mechanism grant." Zoning Clerk Hugunin is working on that.

KACE Training: Zoning Clerk Hugunin attended Kansas Association of Code Enforcement training last Wednesday in Manhattan.

Tree City USA: Zoning Clerk Hugunin started preparing the Tree City USA application.

Street Vacate: Zoning Clerk Hugunin reported he has been working with an individual on vacating a small area on Kansas Street. He has talked with Superintendent Mast about it, and it may be ready for the next meeting.

City Hall - Vehicle Bid Invitations: Zoning Clerk Hugunin obtained vehicle bids, which City Clerk Kewley will report on later tonight.

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OTHER COMMITTEE/COUNCIL BUSINESS: Proclamation - Veterans Day, November 11

Mayor Luke has signed the Veterans Day proclamation which states, 'I, Mayor Robert S. Luke, and the City Council of Burlington, Kansas, do hereby call upon all citizens to commend America's veterans and to observe Veterans Day with solemn pride on November 11th. Citizens are encouraged to honor the deceased by giving service to the living victims of war.'

LEGAL DEPARTMENT: Update

Attorney Robrahn reported, "We've had several legal issues that Philip (Assistant City Attorney Wright) has been helping me with. The last couple of days, we've been working on one issue pretty extensively. I'll just say that the League of Kansas Municipalities has been very helpful, and it's nice also to network with other city attorneys in the state." President of Council Lenard thanked him for all he does.

PERMITS: Permits issued by Zoning Clerk Hugunin:

2016-035 Brian Maclaskey - 1201 S. 10th - Fence

2016-038 Loy Hall - 601 Hudson - Carport

CITY CLERK: Audit Contract for Audit of year ending 12/31/2016

City Clerk Kewley referred the Council to the agenda attachment of the proposed contract from the City's auditors, Mize Houser & Company P.A. gave us a proposal to do our 2016 City Audit. I am asking for a motion to approve the contract so they can proceed with doing our 2016 Audit.

Council Member Curtiss stated, "I move to accept Mize Houser & Company's proposal as presented to perform City of Burlington's Financial Audit for Fiscal Year ending December 31, 2016, at a cost not to exceed \$12,620.00." Council Member Griffith, "Second." President of Council Lenard called for discussion. Council Member Curtiss asked, "These are the people we have always had?" City Clerk Kewley said they are." **Hearing no further discussion, President of Council Lenard called for a vote. Motion unanimously carried. 6:0**

CITY CLERK: City Vehicle Bids for a 2017 8 Passenger SUV/CUV

City Clerk Kewley referred Council to the bid sheet for a 2017 8 Passenger SUV/CUV for the City.

	CROW MODDIE CHEVROLET (Burlington, KS)	BECKMAN MOTORS (Garnett, KS)	Longbine Auto PLAZA (Emporia, KS)
TOTAL LIST PRICE	34,195.00	34,195.00	34,195.00
LESS TRADE IN	5,000.00	5,500.00	N/A
TOTAL BID WITH TRADE	21,631.00	21,330.00	
TOTAL BID WITHOUT TRADE	26,631.00	26,830.00	26,531.00
DELIVERY DATE	6-8 Weeks	60-90 Days	65-75 Days

City Clerk Kewley stated, " Jimmy (Zoning Clerk Hugunin) prepared the invitations to bid and sent them out. All three dealerships submitted bids." Zoning Clerk Hugunin said, "We did the bids with trade-in (2002 Ford Ranger) and without trade-in, which is reflected on the bid sheet. We did not get a with trade-in bid from Longbine simply because they did not come to Burlington to look at the truck. All the bids were very close." City Clerk Kewley, "After looking over the bids, Jimmy and I and some of the Council Members, agree that it would be ideal to keep the truck and not take the trade-in, and to go ahead and purchase the vehicle from Crow-Moddie Chevrolet for \$26,631. That is what I am recommending to the Council."

Council Member Curtiss stated, "I move to accept the bids as presented for the City Vehicle as bona fide." Council Member Tschantz, "I second." Hearing no discussion, President of Council Lenard called for a vote. Motion unanimously carried, 6:0.

Council Member Scothorn stated, "I move to accept the bid of \$26,631.00 from Crow-Moddie Chevrolet for the 2017 Traverse, without trade-in, as being in the best interest of the City of Burlington." Council Member Curtiss, "I second." Hearing no discussion, President of Council Lenard called for a vote. Motion unanimously carried, 6:0.

CITY CLERK: Update

General: City Hall personnel have been busy preparing meter readings for utility billing this month, work orders, vouchers for bill paying tonight, payroll, and minutes for the two council meetings; and have been handling normal calls and inquiries.

Kansas Public Employers Retirement System - Audit: City Clerk Kewley said, "Before the meeting, I passed out a report from the KPERs Audit Team, which is an overview of their audit results. With all the numerous and complex changes to KPERs over the past three to four years, the KPERs Audit Team is auditing all the cities of Kansas. Rick Rowe, one of the KPERs Team, did the audit and came down and met with Anne (Deputy City Clerk Brown) and myself. They commended us because they did not find even one issue with our audit. They have been dealing with a lot of cities with a lot of issues; and they have to go all the way back four years to make it right; so they were really pleased ours was so smooth."

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Code of the City of Burlington Kansas - Recodification update: City Clerk Kewley reported, "Sue (Administrative Assistant Stroh), Eric Smith with the League of Kansas Municipalities, and representatives of American Legal Publishing Corporation participated in a conference call last Thursday (October 13th) in regards to our recodification of our City Code. We did have some issues and concerns, but we worked though all of that, and we're going to proceed forward with completing the review of the draft we received from American Legal Publishing. We sent an email out to the superintendents to please have their review done by October 31st, and then we will get it to Tom (Attorney Robrahn). After his review, we will send it back to the publishing company; they will do a final draft and return it to us, after which we will have thirty days to review it and get it back to them. They will then incorporate any additional changes and return the completed recodification of the Code to us. So we're hoping we will be done with the recodification within the next three months." Chief Jones has completed his review and the other superintendents are working on theirs.

Interviews for Lineman: City Clerk Kewley participated in the interviews for a lineman.

LEPC Meeting: On October 12th, City Clerk Kewley attended the Local Emergency Planning Committee meeting at the courthouse.

Financials for 3rd Quarter: City Clerk Kewley, "I did hand out the third quarter financials. If you have any questions, please come and talk with me. I know last meeting the Mayor talked about watching what we spend - that is mainly in the general fund, which is low right now. We've just got to watch it."

City Hall Furnace - Problem fixed: City Clerk Kewley, "I want to thank Kevin (Superintendent Boyce) for fixing our heater. The heater was turned on because it was getting colder, and evidently the drain line was clogged. He fixed that. Thank you, Kevin."

City Hall - breakroom area flooring: Superintendent Boyce and Zoning Clerk Hugunin have been trying to eliminate the bow in the flooring of the 303 Neosho breakroom area. Zoning Clerk Hugunin said, "If what we are trying to do does not correct the problem, we have talked about replacing the carpet and underlayment with laminate flooring. Right now, there are concrete blocks back there, so please be careful."

REPORT BY CITY OFFICER(S): League of Kansas Municipalities Conference

Council Member Curtiss said, "Thank you for allowing me to go to the League conference. It was good. Some of the roundtable discussion were good. Frank White - listening to him was amazing; quite a guy. I really enjoyed it. I bought three of his books for Christmas presents." President of Council Lenard inquired whether they had a session for on-boarding new council members. Council Member Curtiss said they did have new council member workshops at the beginning.

FUTURE AGENDA ITEMS:

GENERAL City Debt – How to fund projects City Code Recodification (LKM and American Legal Publishing) Service/Allied Waste Agreement Renewal Water Rate Study / Potential 2% Increase for 2017 City Hall - Purchase 2017 Traverse	Actuaries – GASB-45 Financial Program Software (CIC) MT Wireless - Fiberoptics to City Buildings GAAP – Infrastructure Capitalization
ELECTRIC DEPARTMENT: Emissions Standards Compliance/EPA KPP Operating Agreement/Contract Amendment (updates) Power Plant - Add Generator Power Plant - Life Cycle Study Parallel Generation/Net Metering Power Generation f/Renewable Energy	Automatic Meter Infrastructure for Electric (AMI)-updates Conger Addition - Underground utility damages/MT Networks Arc Flash Study - Mapping Update Bucket Truck - delivery from ETI (within 270 days from 6/1/2016)
PARKS DEPARTMENT:	Riverbank Fill Permit - Prepare and apply
LEGAL DEPARTMENT: Municipal Court	KG&E Pollution Control Bond - Updates
PLANNING AND ZONING Industrial Park Lots - for Sale, etc. Work with NexTech and City Departments to improve Cyber Security Work w/PD on Nuisance Structure regulations Quarterly Construction Valuation Report	Prepare Easements for any City-owned property without one GIS Mapping - Address Corrections - south part of town Commercial Property at 4th and Potomac for Sale
POLICE DEPARTMENT Nuisance Updates	Personnel – Vacancy and Training Updates
STREET DEPARTMENT: Heather Street - Concrete Panels Sidewalk Replacement Cost-Share Program - Update Pricing Sidewalk Repairs on City Rights-of-Way Asphalt Grinding Machine for 2016 Trackhoe Repairs - update Rebuild/Repair Kennedy Street and 14 th Street	Pavement Management System/Asset Management System Mohawk Street Improvements between 14th & 15th) Street Rebuild Project 2016 - Elmwood Lane issues Street Project Testing by PSI - updates 2016 Asphalt Project 2015 Asphalt Project - APAC used Faulty Materials
WATER & WASTEWATER DEPARTMENT: Southwest Sewer Project Waterline Replacement Project Pump Repairs in 2016 (Clearwell/River Intake) Sewer Lagoons - Analysis (KRWA/funds for dredging)	Neosho Riverbank Stabilization SCADA System-updates Water Meter installations John Redmond Reservoir – Dredging Testing - LT2 Monitoring/E-Coli in river Bulk Water Storage - Hose/Hoop Water Plant Improvements–Efficiency Testing: Lead & Copper Lift Station #1 - Surge Protection repair Plumbing Violations

President of Council Lenard declared the meeting adjourned.

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