

## BURLINGTON CITY COUNCIL REGULAR SESSION JUNE 1, 2016

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

Anne Brown (Deputy City Clerk)  
 Tom Robrahn (City Attorney)

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

**Media Present:** Mark Petterson (Coffey County Republican)

**VISITORS:** none

**AGENDA:** *Council Member Curtiss moved to approve the amended agenda. Council Member Hall, "Second." Motion unanimously carried.*

**MINUTES: May 18, 2016:** *Council Member Tschantz moved to accept the Draft Minutes of regular session May 18, 2016 as presented. Council Member Scothorn, "I'll second." Motion unanimously carried.*

**APPOINTMENT:** None

**PUBLIC COMMENTS:** None

**ELECTRIC DEPARTMENT: Distribution Updates**

**General:** Electric Distribution personnel have been doing normal duties, work orders, line locates, and customer service requests. The men changed a power pole since last council, and are tree trimming pretty regular.

**Power Outages:** Superintendent Schneider reported, "We had three outages since last council meeting. They were caused by squirrels - a terrible problem, and I don't see it getting any better. I guess the big thing is last Saturday's outage. I'd like to explain it to everybody. The power went out at 9:08 a.m.; came back on at 10:06 a.m.; so we had a 58 minute outage. The whole thing, like I said, was caused by a squirrel that had gotten into the power plant substation and got into our gridwork. When it got into the gridwork, it tripped our tie-breaker for our incoming transformer - it did exactly what it was supposed to do. It is a safety feature, not only for personnel, but for our equipment in there, as well; so it did what it was supposed to do. When it tripped the breaker - every time we have an outage, the very first thing is safety over anything else; so we looked over everything very very well to make sure we didn't have any damage so when we re-energized we wouldn't cause any more damage or somebody to get injured. Once we assessed the situation, we were able to close that tie-breaker and get the town back into service."

Superintendent Schneider added, "I don't know if anybody has any questions that I can answer any differently than what I have said, but I'm happy to answer any questions anyone may have." Council Member Griffith, "Everything worked like it is supposed to, though?" Superintendent Schneider, "Yes, it did. Unfortunately, with this tie-breaker, unlike our normal over current relays and feeds in various parts of town that will recycle three times before they lock themselves out permanently, this device is not designed to do that because of what can happen if we try to reclose it in the situation. So, everything did what it was supposed to do." Mayor Luke commented, "It would close in to a fault to trip Westar." Superintendent Schneider, "That it would, or possible damage that transformer and other things could happen."

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

Electric Production has been doing required reports, general Power Plant and generator maintenance.

**ELECTRIC DEPARTMENT: Bucket Truck - Bids**

Superintendent Schneider, referring to the bid sheet, reported, "We did open bids for the bucket truck on May 26th at 10:00 a.m. I ask that you accept the bids as bona fide." *Council Member Griffith stated, "I move to accept the bids for the bucket truck as bona fide." Council Member Hall, "I'll second." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.*

Superintendent Schneider stated, "During this vendor process, we tried equipment from all these vendors. I was really disappointed in a couple of trucks that I thought would be the best performers. The very best truck we tried out and I would recommend purchasing is the truck from ETI Equipment for \$122,839.76. That was the best performing truck we demoed. It was set up better for what we need here in the city of Burlington."

**Mayor Luke called for a motion.** *Council Member Griffith stated, "I move to accept ETI's (Equipment Technology LLC) bid of \$122,839.76 for a 2017 Dodge Ram Bucket Truck with a model ETCMH40IH, as presented for the Electric Department with delivery to be within 270 days, as being in the best interest of the city." Council Member Scothorn, "I'll second." Mayor Luke called for discussion.* Council Member Curtiss inquired, "What's an outrigger?" Superintendent Schneider explained, "An outrigger - the legs come out to the side to keep it (the truck) from tipping over." Council Member Tschantz, referring to the bid sheet, said, "It says here in your comments 'Delete rear outriggers'?" Superintendent Schneider, "Yes. That truck is available either

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way. With some of the uneven surfaces we get into, and with the weight of the transformers we will be hanging in certain situations, I prefer the extra safety feature and security for the men." Council Member Tschantz, "It says 'delete rear outriggers'." Superintendent Schneider explained, "That would be the dollar amount off (\$3,173.76) if we did not get them. We are not going to delete the rear outriggers. The price recommended for the truck includes the outriggers." **Hearing no additional discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.**

**WATER DEPARTMENT: Distribution Update**

**General:** Water/Wastewater personnel did normal duties, line locates, work orders, meter re-reads, public concerns, etc.

**Pump Stations Maintenance - Wet Wells:** Superintendent Hawkins said, "We had ECS (Energy Construction Services) go around to each of our nine pumpstations and clean out the wet wells to get rid of grit, rock and anything that got inside of them. It's a yearly maintenance program we set up to clean out the wet wells."

**Annual Valve Exercising Program** Superintendent Hawkins reported, "We did have an interesting demonstration today. Every year we have a program that the State requires us to go out and exercise every valve in town. A vendor came in and demonstrated a machine that can go over the top of the valve using a cordless drill - believe it or not, to exercise it and giving it more torque than a guy standing there with a valve wrench. We're looking into it for possible future purchase, nothing anytime soon. It was an interesting demonstration."

**Generator used at Pump Stations:** Superintendent Hawkins reported, "We began today with pulling the generator around to each of the pumpstations to keep the generator going just in case we need it. It also keeps the guys sharp in knowing what they need to do with it during an emergency situation."

**WATER DEPARTMENT: Production Update**

**Water Plant Maintenance - Sludge Cleaning of Reactor Clarifiers:** Superintendent Hawkins reported, "We cleaned out the west clarifier and reactor. We got that done, cleaned up, and got the plant back online."

**Air Cushion Cylinder Valve:** Superintendent Hawkins, "We're still working a few kinks out with the river intake cushion valve. We've been working with DeZurik, Inc. We're trying to get the air cushion valve - to stop slamming the seat shut. DeZurik has informed me that we will probably have to go with a liquid or oil hydraulic cylinder to keep it from slamming hard, to give us more control. We should know more about that next week."

**Budget 2017 Preparation:** Superintendent Hawkins stated, "We had a Water/Wastewater Committee meeting to discuss some things that we will be budgeting for in 2017. We shared some concerns and ideas we had concerning internally within the Water Treatment Plant."

**WATER DEPARTMENT: Water Rate Study**

Superintendent Hawkins stated, "Basically at this point, to get everybody on the same page, we've not had any water rate increase since 2008; so for eight years we've tried to keep our chemical cost in check, we have tried to help the consumer, and I feel we have accomplished that as well. We're kind of at the tipping point with the prices of chemicals and everything else that have gone up and increased inflation over the years. We're going to go out and begin the process of looking into raising the water rate. We've asked Kansas Rural Water Association (KRWA) to do a rate study with Gina (City Clerk Kewley). Gina and her staff have already sent it up to them." City Clerk Kewley said, "We have it and will send it." Superintendent Hawkins continued, "The plan is not initially to burst out in a high water rate, regardless whatever the study will show. It's not going to be a huge inflation. We decided a rate increase should not exceed two percent (2%) increase. We want everyone to know we are doing the rate study and looking at an increase. As we get more information, we will keep you informed."

Council Member Griffith asked, "Danny, is there a need to raise it?" Superintendent Hawkins, "Sure, absolutely." Council Member Griffith, "Are our expenses more?" Superintendent Hawkins, "Absolutely. Everything we've had since 2008 has increased in cost with the increased price of inflation. Even though we've tried, and I feel we've done a good job of keeping our chemicals in check and things like that; but it's just the cost of inflation of labor, fuel, etc." Council Member Griffith, "This is different than what we charge for sewers, then?" Superintendent Hawkins and City Clerk Kewley replied, "Yes."

Council Member Lenard commented, "I think a good example is where we had a few years ago with our electric rates where it was a number of years and we hadn't done anything (any rate increases). I think the water should be about the same - that we should be monitored on an annual basis; and rather than say here's a 2% increase, keep it incremental and keep it reasonable." Mayor Luke stated, "That's what we're looking at - how we can do a progressive system, with none of the progressions exceeding 2% each year." Council Member Lenard, "I don't know how you can honestly cap it at this point, until you get your study done." City Clerk Kewley said, "We had to come up with something for our customer Water Districts and cities because they're doing budgets right now; and we have to get this information to them to let them know to look at a possible 2% water rate increase. They need to be notified." Mayor Luke added, "We had to have something for the first year's budget."

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As it goes forward, it may be different, but the first year we want to set enough so we have something to work with and so the rural water districts and the cities could budget for because they're working on their budgets like we are."

Council Member Griffith, "Now, if we raise that, will it raise our sewer taps?" City Clerk Kewley, "The sewer charge is based on water usage."

**STREET DEPARTMENT: Update**

**General:** Superintendent Mast reported, "We have been doing maintenance for this time of year. We've bladed some gravel streets and added rock to some of them that needed it. We've been doing our sweeping around town. We still have a lot of people blowing grass and leaves out in the street, so it keeps us pretty busy."

**Bridge Maintenance:** Superintendent Mast said, "We changed out all the signs that were getting bad on all the bridges. We're getting prepared for the upcoming bridge inspections, and I didn't want them to nick (write us up) on that. We had some that the reflectivity was getting bad on, so we changed those out."

**Tree Trimming:** Superintendent Mast stated, "We've been doing some street tree trimming for our upcoming projects this year, so the contractors that come in to do our asphalt work and the County when they come in and do our chip sealing, will be able to do their work without tearing up a bunch of trees in people's yards. We try to trim those in advance to get that as minimal as possible."

**Culvert Replacement:** Street personnel replaced a culvert at Kelley Park for the Parks Department. They are still working on replacing culverts for the upcoming asphalt projects.

**STREET DEPARTMENT: Street Improvements - 2016 Asphalt Project / Budget for Street Improvements**

Superintendent Mast stated, "I am asking the council for permission to go out for bids for the 2016 Asphalt Project. Invitations to Bid will be sent out to the three companies we always send them to; and we will probably give them a couple weeks to get their bids back in. What I've found is, it doesn't do much good to give them any longer; they just throw them on their desk and forget about it until the last minute anyway. We'll get those taken care of, if you will allow that."

Superintendent Mast added, "With that, I want to touch base on the budget issue that we're going to see this year. I think Gina (City Clerk Kewley) could probably explain it a lot better than I can. Basically, since Wal-Mart has left, we're seeing a decrease in our 1% sales tax that we got. That decrease directly affects my department in two different budgets. In our Special Highway Fund that we utilize for special projects, and in the General Fund area where we utilize street repair money. So, it is going to hit us at \$60,000 just in my department."

"I had discussed with the Street Committee at our last Committee meeting what they wanted to do: cut the Asphalt Program, cut back to not utilize that money, or try to find the money somewhere else. The consensus from the Committee at that time was they wanted to move forward and find the money somewhere else to do it; but in the meantime, we've changed committees; so, I want to make sure and know what you want to do. If you want to cut \$60,000 off of that, we can do that, it's just less work we're going to get done. If not, I talked with Gina about this. She thinks there's a way to do it; but it's going to be very difficult this year because we've got a lot of other expenses coming up as well. It's up to you how you want to handle that."

Council Member Lenard, "I would just say - I was on the Street Committee and I like the plan we have. I'd like to see us stick with it. I would say this, though, you know how bids come back with petrol and everything down - we may not be quite as bad as what is thought; so, let's plan for it, but let's see. My guess is it's going to come in \$10,000 or \$12,000 less." Superintendent Mast, "That would be nice, but I just hate to go into it and then..." Council Member Griffith, "We could back out if we can't afford it." Council Member Curtiss, "But we agree that we want to see this plan continue the way it was meant to be." City Clerk Kewley told Superintendent Mast, "I think you explained it just exactly how I would. We will need to watch it, but I think it's doable."

***Council Member Curtiss stated, "I move to authorize Superintendent Mast to bid out the 2016 Asphalt Project." Council Member Griffith, "I'll second." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.***

**STREET DEPARTMENT: Concrete Street Repairs / Street Maintenance Plan**

**Concrete Street Repair Discussion:** Council Member Lenard inquired, "The concrete street between the Crow-Moddie auto dealerships (Housatonic Street) - where does that fit in our long-term plan? I know we've got the plan." (*Bowers Civil Engineering Pavement Management System*) Superintendent Mast replied, "It's basically what we discussed in the long-term plan, that we're trying to get all of our other streets that are not concrete right now up to date. In two years, we should have that done, if things don't fall apart more than we're expecting. After the two years, we're going to start concentrating on the concrete streets we've got that are in bad shape. That one is actually in pretty good shape, compared to some of our others. It will be addressed in probably year three or four of the plan, somewhere in there."

Council Member Griffith, "Are those older streets? Why were they concrete, do you know?" Superintendent Mast, "Out at Country Club Heights, the landowners paid a portion of the cost for the streets; and up at the cul-de-sacs (Pioneer Meadows), the landowners paid a portion of those costs. The landowners wanted concrete at that time. The price of concrete versus the cost of asphalt and the longevity that we were supposed to get out of that concrete were the reasons behind that. We're not seeing the longevity of our concrete here in town that we should be getting. Normally, it's twenty to twenty-five years before you'd have any major maintenance on it; and you can get forty to fifty years out of a concrete street years ago. That's the way it used to work; and that's how they do a

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life-cycle analysis of concrete versus asphalt; and I think that's why they went that direction - because they thought it would be more economical in the long run. Since the people were paying a portion of the cost, they gave the people the opportunity to have a voice in that."

"We're not seeing that we're getting that life-cycle out of the concrete streets around here, and that's something to be discussed with the Council. At some point when we re-do some of these streets, we're going to look at whether we go back with concrete or with asphalt. That will be a discussion point in two to three years."

**POLICE DEPARTMENT: Update**

Chief Jones stated, "We've been staying busy working normal cases, making arrests, writing tickets."

**POLICE DEPARTMENT: Nuisances**

**Nuisance Properties/Mowing:** Chief Jones reported, "We've been working a lot of nuisance properties as our time permits. We have generally had good luck with the contacts, but I do have two of them to turn over to the Parks Department to mow this week. Official letters went to the property owners on May 13th; and as of Tuesday the 31st, we have not had any action at all from them. They are both out-of-state property owners."

**Nuisance Truck:** Council Member Curtiss inquired, "That pickup truck that sits on the road up by the Bake-Ary?" Mayor Luke, "Yoho's." Council Member Curtiss, "There's a pickup and it has a trailer with an old damaged car on it. I think that's a problem." Chief Jones, "I'll have to take a look at it."

**Nuisance Vehicles - Derby Cars:** Chief Jones said, "I've got several vehicles we're dealing with. A guy on Alleghany has got three or four derby cars, and I've been over and talked with him about it. One of the things I'm dealing with is apparently the rumor has gotten started around town that June is automatically an exemption for demo derby cars; and we haven't done the demo derby car exemption for several years now. We didn't have the interest level, and we stopped doing it. Nobody has complained or said anything about wanting it back. That's one of the things we're fighting is that some people think it's an automatic thing and that it's not even on the books anymore." (*In June of 2013 was the last time City Code 8-301 was suspended for demolition derby cars.*)

**Nuisance Camper:** Council Member Griffith said, "We've got a camper in my neighborhood that's been there. I don't know if it's legal, but..." Chief Jones pointed out that campers are the Zoning Clerk's responsibility.

**POLICE DEPARTMENT: Personnel - Police Records Clerk Reeves' Annual Evaluation**

Chief Jones stated, "The employee evaluation is for the Police Records Clerk, Becky Reeves. Her one-year anniversary was May 26th. One year is very significant - there is a lot of training, there is a lot of certification to be obtained. She has completed all of those and has done an exceptional job. I am very pleased with everything she's done in this first year."

***Council Member Lenard stated, "I move to accept Chief Jones' recommendation to approve Becky Reeves employee evaluation and to increase her hourly salary from \$14.67 to \$15.40." Council Member Griffith, "I'll second the motion." Hearing no discussion on the motion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.***

**POLICE DEPARTMENT: Personnel - Office Alex Kough**

Chief Jones reported, "The Academy (KLETC) called, and Alex Kough has been bumped up two months, and will be going to the Academy on June 20th instead of August 29th. So, we'll get him to the Academy that much sooner and we'll get him back that much sooner."

**PARKS DEPARTMENT: Update**

**General:** Parks Department personnel have been doing normal duties, cleaning public buildings and restrooms, mowing, weedeating, spraying weeds.

**Flowers:** Superintendent Boyce reported they are taking care of the flowers and new trees. They did put the hanging baskets up for the Memorial weekend. Arnolds Greenhouse released the two plants that cannot survive in the cold; and they were put into the concrete pots before the Memorial weekend. He said, "They're all looking good, except for the one in front of the old Roasty Toasty (northeast corner of Neosho and 4th). I don't know whether anybody noticed the little fancy cover over it; but the birds are stripping the plants. Hopefully with the cover, the plants will get a little more mature and the birds will get their nests built without our plants." Council Member Curtiss said, "Your hanging baskets look good."

**Mowing Nuisance Properties:** Mowing the two nuisance properties is scheduled for tomorrow; and they will probably mow the old Dollar General and at 10th and DesMoines.

**PARKS DEPARTMENT: Parks Superintendent - Permission for out-of-state training in Nebraska**

Parks Superintendent Boyce requested permission to go to Nebraska City to attend the Trees, People, & Towns Conference. He said, "It is being put on by the Kansas State Forestry Service, the Nebraska State Forestry Service, and Colorado State Forestry Service; so there will be a whole realm of knowledge there. My biggest concern is the Emerald Ash Bore coming in, and maybe we can gain information on that. In the two years, it has moved into four counties in the State of Kansas. It's coming, and it is going to be costly when we get it."

(continued)

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**Council Member Lenard stated, "I move to allow Parks Superintendent Boyce to attend the Trees, People, & Towns Conference in Nebraska City, Nebraska on July 12-14, 2016." Council Member Griffith, "I'll second." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.**

Council Member Lenard asked, "Is our city vehicle available for travel, or what do we have when these guys travel out of state." City Clerk Kewley, "They usually take a city vehicle." (*The Traverse is available.*)

**FINANCE: Claims Ordinance & Payroll Ordinance**

a.	Claims Ordinance	2016-11	\$ 99,158.03
b.	Payroll Ordinance	2016-11	\$ 78,487.78
	TOTAL		\$177,645.81

**CLAIMS 2016-11: Council Member Lenard stated, "I move City of Burlington pay Claims Ordinance 2016-11 in the amount of \$99,158.03 for payment of city bills, as presented." Council Member Hall, "Second." Mayor Luke called for discussion. City Clerk Kewley stated tonight we have Arnolds Greenhouse, \$3,132.40; Foley Equipment Company, \$2,390.48; Kubota Tractor Corporation, \$40,703.47." 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 2016-11 approved by unanimous vote, 6:0.**

**PAYROLL 2016-11: Council Member Hall stated, "I move City of Burlington pay Payroll Ordinance 2016-11 in the amount of \$78,487.78." Council Member Lenard, "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 2016-11 approved by unanimous vote, 6:0.**

**PLANNING & ZONING: Update**

**General:** Zoning Clerk Hugunin did normal duties, including updating Facebook and the webpage and working on permits, updating the permit log in Excel, and preparing approved permits to get them to the County Appraiser. City Clerk Kewley has also added information Facebook.

**Planning Commission - Comprehensive Plan Extension:** Zoning Clerk Hugunin reported, "We did have our Planning Commission meeting last Thursday on the Comprehensive Development Plan. We do recommend extending it. I will have all the paperwork - Tom's office (Robrahn Law Office) is working on the ordinance to have ready for the next meeting of council."

**PERMITS: Permits issued by Zoning Clerk Hugunin:**

Zoning Permit 2016-016, Richard Cook - 314 Jason Street - Carport

**LEGAL DEPARTMENT: KG&E Pollution Control Revenue Bond Series 2016 - update**

City Attorney Robrahn stated, "I'm sure some of you may remember our situation last October when we were dealing with the KG&E Pollution Control Revenue Bond Series 2016 for \$50,000,000. That actually closed this morning at 10 o'clock. We had more paperwork to sign and send back; so I've been working on that since Friday, and I think we're done with that. That was a big thing we've been dealing with the past week or so."

**LEGAL DEPARTMENT: Old Sewer lagoons - Advertise to Lease Property**

Attorney Robrahn, "I may have to refer this back to Jimmy (Zoning Clerk Hugunin) because he probably understands this lagoon property issue better." Zoning Clerk Hugunin, "I'd be glad to. I was approached by a gentleman wanting to know about purchasing that property. I got Danny (Superintendent Hawkins) involved; and we don't think it's a very good idea to sell any of that off, just in case he needs it in the future." Superintendent Hawkins said, "Just in case we need to build ponds and lagoons later, it's best that we hang onto it."

Zoning Clerk Hugunin explained, "An option is to lease this property out; but in order to lease it, we need to submit it for bids to be leased. That's what we did with the Industrial Park #3 for the haying." Council Member Griffith, "Is anybody using it now?" Zoning Clerk Hugunin, "We have our wood chip/mulch pile and our lime pile there, and they are open to the public." Superintendent Hawkins stated, "We do. The other side of it, too, is that Kevin (Parks Superintendent) also mows it, and that's a lot of mowing for no reason. We might as well get some use out of it."

Council Member Scothorn asked, "What's it good for - haying?" Superintendent Hawkins, "It could be used for haying, if they so choose; but I would assume this individual wants it for farming purposes; and with it being river bottom ground, it would be good for the purpose of what they want it." Attorney Robrahn said, "I think the previous owner probably told the City, you either buy it all or you don't get it." Mayor Luke, "And right now, there is a need to do some terracing across that because the property does not allow the field there, the (interested individual's) sixty-one acres, to drain properly. Therefore, it is holding water; and also when it floods that area, he loses his ability to do crops in that particular area." Zoning Clerk Hugunin said, "Also, whoever does get the bid on the lease would only be getting approximately twelve and a half acres." Mayor Luke, "So, basically what we're looking for is to have a motion to where we can put this out into the paper for sealed bids for lease pricing."

Council Member Lenard, "What rights would we have then, if we leased it and if we then needed it...." Attorney Robrahn, "I think we'd need to put it in the lease that a reasonable notice (is required); and I would suggest a year to year lease, so we don't need to give them a long-term lease." Mayor Luke mentioned we do that now with the McBride haying lease in the Industrial Park.

Council Member Lenard, "What is our long-term thought, Danny, on....." Superintendent Hawkins, "You never know what the future will bring as far as regulations that could possibly come down the pike (from the government). The reason I'm hesitant (to sell the property) is the EPA (Environmental Protection Agency) is

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putting so many rules on sewage treatment; I mean, they keep lowering the release values of ammonia, BOD (Biological Oxygen Demand), TSS (Total Suspended Solids), etc.; so if we're ever forced to go with some type of sludge activated plant, we need the acreage in order to do that. You're not going to be able to fill in a sewer lagoon and use that property right away. This property is large enough to put in an activated sludge plant, if we have a need for it; and that's why I am hesitant. I understand the person's concern of wanting the property; but on the other hand, we don't want to give away something we already have, and there might be a need for it in the future."

Council Member Lenard asked, "This would probably be our best alternative site if we need it?" Superintendent Hawkins, "Yes, in the past there have already been two separate sewer plants in that physical location - for the last 70 to 100 years. So it's already basically an approved site; other than you will still have to get permission from the State to build on it." He added, "That's the only reason I'm hesitant to give up land; the EPA just keeps crunching the number and setting it back. It may be that someday lagoons may not be good enough to meet the release standards."

**Council Member Lenard stated, "I move to advertise to accept bids for lease of the old sewer lagoon property for agriculture purposes, not to include property east of the access road, the driveway to the building, nor the area directly around the building, as will be specified in the lease agreement." Council Member Scothorn, "I'll second." Mayor Luke called for discussion. Council Member Lenard, "Like I said, I think we'll just leave ourselves the outs with proper notification." Hearing no additional discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.**

Mayor Luke told Attorney Robrahn, "It's in your ballpark, Tom, to help write the lease agreement and how we should word the advertisement in the newspaper." Attorney Robrahn, "Year to year?" Mayor Luke, "Yes."

**LEGAL DEPARTMENT: Pizza Hut - Donate Property & Structures, 903 N. 4th Street to City**

Mayor Luke stated, "I've been contacted by the owners of the old Pizza Hut, which they want to donate to the City of Burlington. We are looking at a variety of options. Their only requirement is that if we decide to sell the property, it not be sold to a competitor of theirs."

"However, we are also looking - and I have contacted their real estate person - to see if they would be willing to directly donate that to a charitable scholarship-type foundation or an organization that is a 501c3 tax exempt status. Instead of donating it to the City, donate to them; so we're not in the middle of the process. The only cost if we are in the middle, if they can't do it that way, would be for the appraisal of the property; and if we sold the property, we'd have to ask a minimum amount to cover at least our cost of paying for the appraisal. We have a person in town who has agreed to do the appraisal; I don't have a price from him at this point in time. They have found a key to the building, so that is being forwarded to me so we will be able to get inside the building. In the meantime, we are seeing if we can get them to accept a foundation that is a 501c3. There's a major advantage for them to donate the property that way versus selling it outright - from their tax side." Council Member Griffith asked, "Will the hospital fall under that?" Mayor Luke, "No."

Council Member Lenard, "Several years ago when we inherited the old National Guard Armory (at 6th and Garrettson), it became quite a deal, and we had a committee (Armory Use Committee) to try to deal with that. So, I would be a little hesitant about the City taking it on; because if we had to tear it down or whatever, ....."

Mayor Luke explained, "We would have to put it out for bid if it's donated to the City. Both egress and ingress to that building are extremely limited, and would have to be off Sanders Street because Lewis Oil owns the entrance off Highway 75 and also owns the exit on the east side of the property. They and maybe the hospital are the only two that would have an interest in the property; but I think there's definitely interest there."

Council Member Lenard, "I'd be concerned with giving it to a charitable organization because the expense to maintain that could really impact them." Mayor Luke, "I'm going to make a guess that the charitable organization was not going to keep the building. It would probably just be used for something else." Council Member Curtiss inquired, "Isn't there something with the sewer that it's hooked in to Lewis' somehow? I think Larry Lewis once said something about them being tied together. " Superintendent Hawkins, "The two of them tied? I don't know, they may share the same service, then."

Mayor Luke, "We'll see where it goes from here. I just wanted to let you know that a potential is coming down the road. We don't know yet what's going to happen; but if they have made the contact, they promised to forward us some paperwork on it so we know exactly what's there. We didn't want to surprise everybody, but we may have to get approval at the next meeting for the appraisal to be done, if it ends up that we are the only they can give the building to; and then we can decide whether we want to do it or not."

**CITY CLERK: Update**

**General:** City Hall personnel have been busy with customers paying their utility bills. They have been preparing work orders, vouchers for bill paying, payroll, and council meeting minutes; and have been handling normal calls and inquiries.

**[7] CONTINUATION: June 1, 2016 Burlington City Council Meeting**

**TrustPoint Insurance - Kansas Municipal Safety Group Safety Dividend Check to City:** City Clerk Kewley, "After last council, Angela Trimble, TrustPoint Insurance, presented her with the EMC safety dividend check of \$30,645.57. It is wonderful to get this amount of money again this year. Last year, it was about the same amount. It is also a huge benefit for the City and our employees to be involved in the Kansas Municipalities Utility Safety Group and the Employees Mutual Casualty dividend plan."

**Bucket Truck Bid Opening:** City Clerk Kewley participated in the bid opening last Thursday for the Electric Department bucket truck.

**Budget 2017:** City Clerk Kewley has been working on the 2017 Budget. Tomorrow afternoon at two o'clock there will be a Finance Committee meeting to prepare for the budget. The superintendents and anybody else are welcome to attend.

**Business Appreciation and Employee Appreciation Picnics:** City Clerk Kewley reminded everyone the Business Appreciation Picnic is this Friday, June 3rd, from 11-1 at Kelley Park. The Employee Appreciation Picnic will be on Monday, June 6, from 11 a.m. to 1 p.m. in Kelley Park. Mayor Luke stated, "The Governing Body is welcome to attend both the one on Friday and the one on Monday."

**Financials:** City Clerk Kewley said, "I handed out the Kansas Power Pool 2015 Annual Report."

**MAYOR'S COMMENTS: 2016 Independence Day Celebration - Flags**

Mayor Luke informed Council that some people have donated a thousand United States flags for display on the 4th of July. He wanted to make sure with Mark Peterson (Coffey County Republican) that a notice can be put in the paper so that once the flags are available, people can pick them up to put them in their yards on the 4th of July. At this time, it has not been decided whether to have the flags picked up at City Hall or somewhere else. The plan is to have Burlington's streets lined with Unites States flags on the 4th of July during Burlington Promotions' major Independence Day celebration.

**MAYOR'S COMMENTS: Social Media and Release of Information Related to City of Burlington**

Mayor Luke stated, "I have a concern -and you can let the employees and staff know - that when there is an issue as the outage was on the electric side, that the social media puts out all kinds of information that they have absolutely no idea or knowledge of what it is they're talking about; and I do not believe that employees should be putting information out to respond to those comments of unknowledgeable people. We, the City, will put out the accurate information as soon as we know it; and we'll put it out on our Facebook and our webpage and whatever we have, of means of media communication. But, I was kind of disheartened with some of the information that employees put out on social media. We need to make sure that we do not contribute to the misinformation."

**REPORTS BY CITY OFFICERS:**

Council Member Lenard, "We would like to hold a brief Police Committee meeting after this meeting." Mayor Luke, "Okay."

**FUTURE AGENDA ITEMS:**

<b>GENERAL</b> City Debt – How to fund projects City Code Recodification (LKM and American Legal Publishing) Service/Allied Waste Agreement Renewal Independence Day Celebration 2016--Fireworks Display/Flags/Etc. Audit of 2015 (preparation by Auditor) Budget 2017 (preparation by City Clerk) Water Rate Study / Potential 2% Increase for 2017	Actuaries – GASB-45 Financial Program Software (CIC) MT Wireless - Fiberoptics to City Buildings GAAP – Infrastructure Capitalization Business and Employee Appreciation - Picnics, etc. TrustPoint - Safety Dividend Check presentation
<b>ELECTRIC DEPARTMENT:</b> Emissions Standards Compliance/EPA KPP Operating Agreement/Contract Amendment (updates) Power Plant - Add Generator (Research) Parallel Generation/Net Metering Power Generation f/Renewable Energy	Automatic Meter Infrastructure for Electric (AMI)-updates Conger Addition - Underground utility damages/MT Networks Ark Flash Study - Mapping Update Bucket Truck - delivery from ETI (within 270 days from 6/1/2016)
<b>PARKS DEPARTMENT:</b> Dog Park - Parking Improvements WildBlue BBQ Taste of Fall Festival and UHCA (Horsemen's Challenge) - Fall 2016	Coffey County Fair/Demolition Derby/etc. Kelley Hall Kitchen/Bathroom Polymer Flooring Replacement Training in Nebraska (July 12-14-2016)
<b>LEGAL DEPARTMENT:</b> Municipal Court KG&E Pollution Control Bond - Updates Old Pizza Hut Property (903 N. 4th) - Offer to Donate to City - Update	Land Swap - Property by Electric Plant (1116 St. Lawrence) Old Sewer Lagoon - Lease for Agriculture - Advertise for Bids
<b>PLANNING AND ZONING</b> Industrial Park Lots - for Sale, etc. Work with NexTech and City Departments to improve Cyber Security Work w/PD on Nuisance Structure regulations	Prepare Easements for any City-owned property without one Comprehensive Development Plan – Extension past due (12/2014) GIS Mapping - Address Corrections - south part of town
<b>POLICE DEPARTMENT</b> Nuisance Updates Personnel – Vacancy and Training Updates	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 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 Sidewalk Replacement Cost-Share Program - Update Pricing 2016 Asphalt Project - Out for Bids
<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)	Clean Sewers SCADA System-updates Fire Hydrant Testing Plumbing Violations KDHE L2 Monitoring Neosho Riverbank Stabilization Water Plant Improvements--Efficiency John Redmond Reservoir – Dredging Meter installations

Mayor Luke declared the meeting adjourned.

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