

**BURLINGTON CITY COUNCIL REGULAR SESSION SEPTEMBER 21, 2016**

City of Burlington Governing Body met in Regular Session at City Hall, 301 Neosho Street, Burlington, Kansas at 6:00 p.m. Wednesday, September 21, 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:** Dee Francis (Electric Plant); Paul M. Abendroth, Josephine Briles

**AGENDA:** *Council Member Griffith moved to approve the agenda as modified. Council Member Lenard, "Second." Motion unanimously carried.*

**MINUTES: September 7, 2016:** *Council Member Curtiss moved to accept the Draft Minutes of regular session September 7, 2016 as presented. Council Member Lenard, "I second." Motion unanimously carried.*

**APPOINTMENT: None**

**PUBLIC COMMENTS: Paul Abendroth & Josephine Briles, Complaint on DesMoines Street (5 minute limit)**

Josephine Briles stated, "I would like to say that when they went out to DesMoines Street today, they did half of the area that needed it and not the area in front of my house. The street is so tall that when I back out of my driveway, I go up like this and I have to give it plenty of gas; and I have to do that or it stops. They did that to the other block of the same street that needed the same thing in front of my house." Mayor Luke, "We talked this morning and I said I would check into it, and Doug (Superintendent Mast) is off sick today; so I can't talk to him, but I set up an appointment to meet with Mark (Mark Davidson, Street Foreman) in the morning." Ms. Briles, "Okay." Mayor Luke, "So, I don't know any more about your situation other than I did drive down your street today and saw it. I'm meeting with Mark in the morning. I don't know whether Doug will be back yet." Ms. Briles, "The driveway comes out, and the street's up here. A few years back, we put in all new sidewalks out in front; we even put a wider part at the end of the sidewalk for pulling up in front for people arriving and leaving. That was down to street level; now that, also, is way down below the street." Mayor Luke, "Okay."

Paul Abendroth said, "Also, on 10th and DesMoines that I was talking about last time (Council 9-7-16), why can't a culvert be put in there - a cheap culvert in there would take care of that problem of the deterioration of that corner before it gets worse?" Mayor Luke, "I will talk with Mark in the morning on that one, too." Mr. Abendroth, "It would have to be seven to ten feet long, and a tee going out to the south end to let that water drain in that side. That's all it would take to fix that corner on that end." Mayor Luke, "Just on the south side?" Mr. Abendroth, "Yes." Mayor Luke, "I already have the meeting scheduled with Mark, so I can talk about the things you said, too." Mr. Abendroth, "Well, she has the same problems with her drive that I am having with mine, too. It's quite a bit higher than what the drive originally was." Mayor Luke, "Okay, duly noted."

**ELECTRIC DEPARTMENT: Distribution Updates**

**General:** Electric Distribution personnel are still doing normal duties, customer service requests, and work orders, and a lot of line locates. The men have changed out a couple of power poles since last council, installed another temporary electric service, and installed a new permanent service at the location of a nearly completed construction.

**Power Outage:** Superintendent reported, "We did work an outage last Saturday morning on the north side of town. It was a little longer than we would have liked, but we had some damage on some dead-end insulators; and we had to get those taken care of before we could put that service back into service. Service was restored within two hours."

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

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

**Plant Substation:** Superintendent Schneider reported, "We did a little bit of work in the substation on some over current relay switches. We had a distancing relay, which protects our generators from anything incoming that will damage them, such as frequency and voltage variance."

**DNR Catalyst Units 1, 4, and 6 Recertification:** Superintendent Schneider reported that the R.I.C.E./NESHAP recertification by Olsson & Associates has been rescheduled from September 19th and 20th to October 3rd and 4th. Paperwork had to be resubmitted to KDHE with the new dates.

**KPP Annual Fall Planning Retreat:** Superintendent Schneider stated, "I did attend the Kansas Power Pool Annual Fall Planning Retreat in Wichita on the 9th and 10th of September."

**WATER DEPARTMENT: Distribution Update**

**General:** Superintendent Hawkins reported, "We've been doing line locates, work orders, and customer requests, and reading meters and doing rereads."

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**Storm Damage - Sewer Bypass Report filed for 5th & Miami:** Superintendent Hawkins reported, "We did get a call about the manhole at 5th and Miami. During the rain event, we did have a tree that went down and lodged up against our sewer main. It did not break or damage the main; but we did have a concerned citizen call and inquire about the issue. A Sewer Bypass Report was filled out and sent to the State. In the follow-up of that, we went down and have been doing some smoke testing and trying to identify areas where some infiltration has been coming in. We've identified multiple places on the north and west sides of town; and we're going to do some corrections on them; and we will visit with some of the homeowners, as well, because there are some cleanouts with no lids and things like that. We're trying to get that done."

"We did some camera work. We went in and cleaned the sewers in that area to make sure there were no plugs in there. Even during the rain event on Friday, Norman (Foreman Foster) and I went up on the highway and put some dye in storm drains in hopes that maybe we had some infiltrations somehow getting in there; but we did not get any. We did have a lot of people intrigued because the dye we put in the water did make it to the creek."

**Water Leaks:** There were several calls on possible water leaks. Personnel did repair one this morning at 12th and Alleghany on a one-inch main.

**Courthouse - Water meter:** Superintendent Hawkins said, "The guys installed a new water meter at the courthouse this morning. They did a good job with that. They went in at five o'clock this morning before the courthouse opened, got it in, and had it completed by seven-thirty before the courthouse opened up at 8:00."

**WATER DEPARTMENT: Production Update**

**Chlorine Burnout:** Superintendent Hawkins reported, "At the Water Treatment Plant, we did begin a chlorine burnout because we had calls from the Rural Water District areas wanting to know if we were going to do one. The last time we did a chlorine burnout was in June of 2012. It's just good practice and helps burn out any nitrification or anything in the lines. We're going to run the chlorine up until October; and that gives the Rural Water Districts a chance to flush their towers, clean their lines, and flush their dead-end lines. It's kind of a help them/help us at the same time; so we're all just trying to work together with them, as well."

He added, "With the chlorine burnout, water usage is up a little because of flushing hydrants; so we're pumping a little over 500,000 gallons a day."

**Sludge Moyno-pump:** Superintendent Hawkins reported, "We did get our sludge moyno-pump in. We had it rebuilt back three or four months ago, but we just got it back; so we will be putting that in shortly. It's our spare for the Water Plant."

**STREET DEPARTMENT: Updates**

City Clerk Kewley provided Superintendent Mast's report: Normal duties, and lots of drainage work due to all the rain.

**POLICE DEPARTMENT: Update**

**OK Kids:** Chief Jones stated, "Last week, we had city court, went fine. We did the OK Kids last weekend. We had a beautiful weekend for that, even though we had seven inches of rain in the preceding forty-eight hours. Everything worked out okay, and we had a good turnout."

**Residential Burglary:** Chief Jones stated, "We have been staying busy. We had a residential burglary, got our suspect, got all the property recovered, got charges filed, and he appeared in court today."

**District Court:** Chief Jones said, "It seems like yesterday was catch and release day. We had people show up to district court for driving while suspended charges; and they'd leave District Court, go outside, get in their vehicles, and drive away. Yeah, that didn't work out too well for them."

**Homecoming/Flu-Clinic/Drug Take-Back:** Chief Jones stated, "We do have quite a bit coming up over the next month, including a week from Friday is Homecoming with the parade and pep rally downtown (September 30th). The week after that, Friday, October 7th, is the Drive-In Flu Clinic; and of course, in conjunction with that, we're doing the Drug Take-Back Initiative with Drug Enforcement Administration (DEA)."

**Nuisances:** Chief Jones said, "We are still trying to work nuisances as we can. We have a number of letters that are going out or have gone out today or tomorrow. We sent out one that when the out-of-town property owner got the letter from us, he was a bit upset because as he put it, 'I've been paying that kid to mow that thing all summer long - what do you mean it hadn't been mowed?' That's pretty much it."

**PARKS DEPARTMENT: Update**

City Clerk Kewley provided Superintendent Boyce's update.

**General:** Parks Department personnel have been cleaning public buildings and restrooms, mowing, weed eating, spraying weeds, and watering flowers.

**Banners:** Parks personnel took down the Welcome to Burlington banners and installed the fall banners. They will be cleaning the Welcome to Burlington banners during inclement weather.

**Nuisance Mowing:** The Parks Department mowed three nuisance properties.

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**Hazard Tree Removal Project - Delayed:** Trener's Tree Care, due to all the rain, is projecting to start removing the hazard trees on the 3rd of October. Mayor Luke commented, "The same time as we start our brush pickup." Superintendent Schneider, "As long as they don't set by the curb."

**FINANCE: Claims Ordinance & Payroll Ordinance**

a. Claims Ordinance 2016-18	\$ 375,139.81
b. Payroll Ordinance 2016-19	\$ 79,095.05
TOTAL	\$454,234.86

**CLAIMS 2016-18:** Council Member Lenard stated, "I move City of Burlington pay Claims Ordinance 2016-18 in the amount of \$375,139.81 for payment of city bills, as presented." Council Member Tschantz said, "I'll Second." Mayor Luke called for discussion. City Clerk Kewley, "Tonight we have Brenntag, \$5,342.71; HG Supply Water Works, \$8,812.98; Kansas Power Pool, \$252,223.58. **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 2016-18 approved by unanimous vote, 4:0.**

**PAYROLL 2016-19:** Council Member Lenard stated, "I move City of Burlington pay Payroll Ordinance 2016-19 in the amount of \$79,095.05." Council Member Curtiss, "Second." **Hearing no discussion, Mayor Luke instructed City Clerk Kewley to poll Council for a vote. All votes were in favor. Mayor Luke declared Payroll Ordinance 2016-19 approved by unanimous vote, 4:0.**

**PLANNING & ZONING: Update**

**General:** Zoning Clerk Hugunin did normal duties, updated Facebook and the webpage, helped Superintendent Hawkins with his computer, sent permits to the County Appraiser, and issued a couple permits.

**Commercial Property at 4th & Potomac (Matt Moon):** Zoning Clerk Hugunin, "Everything is done on the property we've been dealing with (former Crow-Moddie area) - the Mayor has signed, Matt Moon has signed, and we've got a check. I am meeting with Fred Walrod on Friday to go over what we want surveyed. That way I will be onsite to say what we want." Attorney Robrahn advised, "Don't forget to order the title insurance."

**OTHER COMMITTEE/COUNCIL BUSINESS: None**

**LEGAL DEPARTMENT: Update**

City Attorney Robrahn said, "It's been very quiet. I will not be available October 5th; so Philip Wright (Assistant City Attorney) will come to council. As you know, he doesn't come in very often to fill in for me, so this will be your opportunity to ask him questions about any concerns you may have about Municipal Court; so take advantage of that."

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

2016-033 Albert Bell - 1116 St. Lawrence - Shed and fence      2016-034 Kenny Bell - 1217 St. Lawrence - Fence

**CITY CLERK: Update**

**General:** City Hall personnel have been busy preparing meter readings for utility billing. They have been preparing work orders, vouchers for bill paying tonight, payroll, and council meeting minutes; and have been handling normal calls and inquiries.

**Delinquent Utility Accounts - Set-off:** City Clerk Kewley reported, "In September we will be sending \$2,059.86 of delinquent utility accounts to the Kansas Set-off Program for collection."

**Special Assessments - Nuisance Mowing/Weeds and Structure Demolitions:** City Clerk Kewley said, "We did send the mowing and weedeating nuisance assessments to the County Clerk to be assessed against the properties. We sent assessments totaling \$5,356.13 for four properties."

City Clerk Kewley stated, "Also this year, we sent assessments totaling \$6,114.87 for condemnation and demolition of structures on two properties."

**Annual Salary Report:** City Clerk Kewley completed online the League of Kansas Municipalities; 2016 League Salary and Personnel Practices Survey. They do this every two or three years, and the last one we did was in 2014. (The survey is to provide members with a comprehensive analysis of municipal practices in Kansas. She explained, "For participating in the report, we do get free access to the final report of all the data that was gathered throughout the State. If you don't participate, you have to pay for the report. It is a crucial report we use every two or three years."

**City Hall Lighting:** City Clerk Kewley stated, "I would like to thank Alan and the Electric Department for coming and changing out all of our lighting here at City Hall. I really appreciate them getting it done."

**Annual LKM Conference:** City Clerk Kewley said, "I would like to give a reminder of the Annual League Conference on October 8th through the 10th at Overland Park. Registration deadline is this Friday (September 23rd). We do have two or three of us going, but I will be releasing our unused rooms back onto the City Clerks List Serve, so I will need to know this week."

**CITY CLERK: New Vehicle - Go out for bids to purchase a new vehicle for City Hall**

City Clerk Kewley stated, "Last year when we prepared the 2016 Budget, we budgeted for a new vehicle for City Hall this year. We were looking at getting a four-door truck mainly to increase the number of persons who could go to training in one vehicle. All the departments and the governing body utilize the Traverse (2012) - it is used a lot. We're considering going a different direction and getting a Traverse instead of a truck, and possibly keeping our Ranger pickup truck here at City Hall to utilize for a backup for us and other departments, as needed,

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for reading meters or hauling things. (It is a 2002 Ford Ranger.) I think getting a second Traverse is going to be more beneficial to the City because of the fact that several people can ride in it comfortably; and quite often five or more employees go to training at the same time. I think we would utilize a second Traverse more than we would a four-door truck."

Zoning Clerk Hugunin pointed out that a lot of time we have two departments, the governing body, or committees needing to go out of town to different places for training or other city business; and the truck could stay here to be used as needed. City Clerk Kewley, "We are looking at bidding it both ways. It's a good little truck." Zoning Clerk Hugunin said, "We are looking at bidding it both ways - with and without the truck as a trade-in; and really there's not a whole lot of difference. Kelly Blue Book for the Ranger at top-end would be \$3,400. It's only got almost 29,000 miles on it. You might get the top amount on it - it depends; but you're looking at anywhere from \$2,000 to probably \$3,000 on trade is my opinion. We'll bid it both ways and see how it comes back."

**Council Member Curtiss stated, "I move to authorize City Clerk Kewley to go out for bids for a vehicle." Council Member Lenard, "Second." Hearing no discussion, Mayor Luke called for a motion. Motion unanimously carried, 4:0.**

**REPORTS BY CITY OFFICERS: Kansas Power Pool**

**KPP Annual Fall Planning Retreat:** Council Member Tschantz stated, "I just want to say I attended the KPP Planning Retreat. It was very informative. There were a lot of experienced people representing the cities across the state. I thought it was very beneficial." Others agreed. Mayor Luke, President of Kansas Power Pool Board of Directors, said, "Good. We were hoping to have it be very beneficial to those that attended. It was the largest attendance we have had; there were sixty-three people there." Superintendent Schneider, "Wasn't every member city represented?" Mayor Luke, "All twenty-three cities were present. It is the first time we've had all our member cities present at our Planning Retreat."

**KPP Budget Meeting and the Annual Meeting:** Mayor Luke added, "Next month will be the budget setting meeting, if anybody would like to attend that. In December is the annual meeting, which is also for any elected city official, or city clerk who is also eligible; and if they would like to go, we'd like to have them present. That will be held in McPherson at the new KMU Training Center."

**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 Water Rate Study / Potential 2% Increase for 2017 City Hall - New Traverse: Bids	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) Parallel Generation/Net Metering Power Generation f/Renewable Energy Personnel - Electric Lineman - Advertise/Hire	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)
<b>PARKS DEPARTMENT:</b> Dog Park - Parking Improvements Taste of Fall Festival and UHCA (Horsemen's Challenge) - Fall 2016 Riverbank Fill Permit - Prepare and apply	Coffey County Fair/Demolition Derby/etc. Kelley Hall Kitchen/Bathroom Polymer Flooring Replacement Manwaring Benefit Street Dance
<b>LEGAL DEPARTMENT:</b> Municipal Court KG&E Pollution Control Bond - Updates	Land Swap - Property by Electric Plant (1116 St. Lawrence) Old Sewer Lagoon - Ag Lease for Crops/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 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
<b>POLICE DEPARTMENT</b> Nuisance Updates	Personnel – Vacancy and Training Updates
<b>STREET DEPARTMENT:</b> 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 <sup>th</sup> Street Elementary School - Resolve traffic issue	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 - Faulty Materials used KDOT ADA Ramp Project - Void under Hwy 75 & Garrettson
<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) John Redmond Reservoir – Dredging Morris' Waterline Extension for 1314 Hwy 75	Sewer Cleaning SCADA System-updates Fire Hydrant Testing Plumbing Violations Testing: Lead & Copper Work Schedule Bulk Water Storage - Hose/Hoop Neosho Riverbank Stabilization Water Plant Improvements–Efficiency Water Meter installations Testing - LT2 Monitoring/E-Coli in river Fire Hydrant Flushing Lift Station #1 - Surge Protection repair

**Mayor Luke declared the meeting adjourned.**

*Approved by the Governing Body and signed by Anne C. Brown, Deputy City Clerk*