

## BURLINGTON CITY COUNCIL REGULAR SESSION MARCH 1, 2017

City of Burlington Governing Body met in Regular Session at City Hall, 301 Neosho Street, Burlington, Kansas at 6:00 p.m. Wednesday, March 1, 2017. 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)       Susan Stroh (Administrative Assistant)  
 Tom Robrahn (City Attorney)       Jimmy Hugunin (Zoning/Grants Clerk)  
 Philip Wright (Assistant City Attorney)       Anne Brown (Deputy City Clerk)

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

**VISITORS:** Jay Hale, Becky Reeves

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

**MINUTES Regular Session 2-15-2017:** *Council Member Curtiss, "I move to accept the Draft Minutes of Regular Session on February 15, 2017 as amended." Council Member Hall, "I second." Motion unanimously carried.*

**APPOINTMENT:** None

**PUBLIC COMMENTS: Jay Hale - Gods Storehouse Volunteer Appreciation Luncheon on March 28th**

Jay Hale, Pastor of First Baptist Church, stated, "We have a wonderful resource in town and our county in Gods Storehouse. People in this room don't need it so much, but there are people in our county and in our town who really benefit from that - people whose main supply of some protein comes from the Gods Storehouse. Gods Storehouse is a great asset. The Storehouse is run by volunteers, we don't have any paid staff; and so each year, the ministerial association tries to have a volunteer dinner, luncheon, or something. This year, we are having a luncheon on March 28th, Tuesday. We will invite the Mayor and the City Council to the luncheon; and you will get an invitation in the mail and you can RSVP to it. It will be Tuesday, March 28th at 12:30 in the afternoon, at the First Baptist Church south of Sonic. It's a time for us to say 'Thank you' to our volunteers, and we would like to invite you to be a part of it. I am giving you a heads up tonight, and you'll get an invitation in the mail."

**ELECTRIC DEPARTMENT: Distribution Updates**

**General:** Electric personnel have been doing line locates, changing out power poles, and fixing street lights.

**Theft of Electrical Service:** Superintendent Schneider reported, "Tuesday morning, I discovered theft of electric service from a customer's residence where electric service had been shut-off for a delinquent account. I went to put them back into service; and when I went to cut a meter seal, it fell apart - they had already been in there; so I took our previous reading from the cut-off date and for that day, which showed they had stolen roughly 367 kilowatt hours from us. I reported it to the Police Department, a report was made and pictures taken, and a citation for theft of services was issued by the Police Department to the customer. It is now up to the Police Department to take through the court."

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

**General:** Power Plant personnel have been doing general power plant maintenance and generator maintenance.

**OCR Maintenance by Kansas Electric Coop.:** Superintendent Schneider reported, "Kansas Electric Cooperative was onsite last Wednesday the 22nd, and part of Thursday the 23rd, and we did our routine maintenance on our Over-current Relay maintenance and testing. While they were here, we also had them check out our Generator #6 breaker. That is taken care of and should be good for four to five years depending on the amount of operations we have on that equipment."

**WATER DEPARTMENT: Distribution Update**

**General:** Water/Wastewater personnel have been doing normal duties of reading meters, doing rereads, line locates, and work orders, and handling customer concerns. They installed a water meter service at 16th and Cross; and put a sewer tap in at 2nd and Garrettson.

**Waterline Replacement Project - ongoing:** Superintendent Hawkins reported, "Riley Boring Company completed two line bores, one at 11th and Merrimac and one at 11th and Cumberland. We are still working on completing the four-inch waterline going down Cumberland Street; and hopefully, we will have it completed by the end of this week."

**Sewer Pump Stations (LS#3&4) - clogged with rags:** Superintendent Hawkins reported, "We had to pull the pumps in sewer Pump Stations 3 and 4, again due to rags being on the pumps. We had to replace a transducer in LS#3, which is out at the Street Department yard on 10th Street."

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**WATER DEPARTMENT: Water Production**

**Water taste & odor problems:** Superintendent Hawkins reported, "I visited with Jennifer Graham and Guy Foster, United States Geological Survey, when they came by the Water Treatment Plant to talk about the taste and odor water from the Neosho River. They have been doing studies on the Neosho River since the Redmond Reservoir dredging project began; and they have seen high levels of ammonia or phosphorous in the river. We compared a lot of our data, and Jennifer was very helpful. She recommended, as did our chemist, to change to a new carbon feed. I've already ordered it from Brenntag, and we're going to try to attack this diatom algae, which has been in the lake. There are hundreds of thousands of them, and Jennifer says the algae actually activates more in the wintertime versus the summertime. She says they release a chemical which is called a brown spot; so when you've seen the river come up and go down, the rocks were brown so when the river receded and the sun hit it, it gave it a white film - that was the chemical that was released."

"They do not have the grant funding through the government to do the assistance they want, so they came to us asking what we have for trending within the Water Plant with PH and alkalinity, hardness, etc. They want to see what we see and to compare notes of what they are seeing. They are hoping that with the seasonal changes as with the flush out with spring, that this will change. Hopefully, the algae will go dormant, and we won't have any problems from it."

Superintendent Hawkins explained his plan of action, "We contacted Brenntag and I've already ordered the new carbon, but it won't be here until next Thursday (March 9th). We are still adding the carbon we have and a lot of the other chemicals. Believe it or not, the new carbon actually has coconut. It is carbon that actually has coconut ground in it; it's a real fine carbon. They told us that we can reduce the feed by twenty percent; but we're feeding 60 parts, and will start feeding 40 parts of the new carbon, and will work our way up if we need to because we want to get the water tasting better. We are working on that. We want to get rid of the cucumber taste, and we cleaned out the west clarifier yesterday evening "

Council Member Griffith asked, "Do they think this is from the dredging?" Superintendent Hawkins replied, "There's not enough data far enough out; because what they're trying to do is to get the government help by giving them grants; so, I'm going back two years and gathering all my data and they're giving me their data, and we're combining them. It is not going to be helpful for us, but maybe for them down the road, we can possibly give them data that shows some of the effects of what could happen from it (the dredging). They have a lot of speculations and there are so many scenarios involved, but they are not sure. They are watching it just like we are. There is not enough evidence to determine that just yet."

**Water Plant Check Valve:** Superintendent Hawkins said, "We will be replacing a check valve in the Water Plant. The rubber seal on it broke. It is under warranty with the company, so we will take it out by the end of this week, send it back, and will install the new one."

**WATER DEPARTMENT: Bulk/Stock Water Rate Increase Recommendation**

Superintendent Hawkins stated, "I discussed with the Mayor a rate increase for the bulk water. Right now, we are selling 75 gallons of water for \$.25; which is equivalent to \$3.33 for 1,000 gallons. We want to change it to \$.25 per 50 gallons, which is \$5.00 per 1,000 gallons of water."

***Council Member Hall stated, "I move to approve Superintendent Hawkins' recommendation to increase the Bulk Water Fee to 25¢ per 50 gallons of water; which will be 50¢ for 100 gallons, and \$5.00 for 1,000 gallons." Council Member Tschantz, "I'll second." Hearing no discussion, President of Council Lenard called for a vote. Motion unanimously carried, 6:0.***

**WATER DEPARTMENT: Application and Permit for Water Outside City Limits - Adam & Kacie Hoch**

Superintendent Hawkins referred to Adam Hoch's Waiver of Annexation, "This is the normal protocol we do for someone who wants water to their property outside Burlington's city limits." He explained the process: First, after being approached by the property owner with the request, we check with the County to get a permit for permission to run the water line on their rights-of-way. Next, we send the requestor a written estimate of what it would cost us to run our infrastructure out to the property and what it would cost to hook onto the system. When the property owner(s) are ready, they contact us and we prepare a letter of agreement that they have paid for the water meter and they will pay the estimated cost and any overages within thirty days of the water connection. The meter must be paid for and the letter of agreement must be signed by all the property owners *before* the Application is prepared and presented to Council for consideration. After approval, the city will take the signed and notarized 'Application and Permit for Water Service Outside the Corporate Limits of the City of Burlington' to the County Register of Deeds Office to be recorded; and the work can begin.

Superintendent Hawkins said, "We sent the cost estimate to Hochs; and we have obtained everything we need - the permit from Coffey County, the payment for the water meter, and the letter of agreement signed by both Adam and Kacie Hoch. So if the Council approves the Application, we will start the bore on Monday."

(continued)

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**Council Member Tschantz stated, "I move to approve Waiver of Annexation (Application and Permit for Water Service Outside the Corporate Limits of City of Burlington, Kansas) for Kacie and Adam Hoch for 1244 10th Lane SW, Burlington, Kansas." Council Member Hall, "I'll second the motion." Hearing no discussion, President of Council Lenard called for a vote. Motion unanimously carried, 6:0.** Superintendent Hawkins, "Thank you. We'll get started on Monday."

**WATER DEPARTMENT: Purchase a Truck from Federal Surplus**

Superintendent Hawkins stated, "I visited last week with the Water Committee. One of the Ford trucks (the 2008) is knocking real bad and the motor is about to go out. Four years ago we went out to Federal Surplus to try to keep the minimalization of spending money; and it worked well. Our two dodges we purchased from them have been running strong and we have not had any trouble with them. We would like to go and do the same thing to replace this vehicle, because by the time we put \$7,000 into replacing leaf springs and putting a new motor in it, it's just not worth the cost of fixing an old vehicle. We would like to go out and replace it with something through the Federal Surplus."

**Council Member Tschantz stated, "I move to authorize Superintendent Hawkins to purchase a used truck for the Water/Wastewater Department from Federal Surplus at a cost not to exceed \$13,000." Council Member Griffith, "I'll second the motion." Hearing no discussion, President of Council Lenard called for a vote. Motion unanimously carried, "6:0.**

**STREET DEPARTMENT: Update**

**General:** Superintendent Mast reported, "Street personnel have been doing normal duties. A lot of what we've been working on for the last three weeks is cleaning ditches and replacing culverts. We've also done some work on signs and have done maintenance on our equipment."

**POLICE DEPARTMENT: Patrol Vehicles**

**2013 Dodge Charger - Purchased (update):** Chief Jones reported, "Just before noon on Monday, we picked the car up from the equipment installer (KCOM shop in Manhattan). The graphics are on it and it's in service."

President of Council Lenard inquired, "All of our vehicles have cycled through that whole plan of getting a new (a replacement) vehicle; so we're on target with that?" Chief Jones, "We're right on target with that. We'll be looking at potentially replacing the oldest of our vehicles next year - one vehicle, and then that will be it."

**2010 Crown Victoria - Disposal Method:** Chief Jones asked, "Did you want to discuss the old black and white Crown Victoria?" President of Council Lenard replied, "I think we can, if you'd like." Chief Jones, "I visited with Gina (City Clerk Kewley) a little about trying to donate the car to one of the groups (*Reference Council of 1-18-2017*), the concern is that the City would have too much liability invested in that if we gave it to a group for a sledgehammer smash or something like that; so Lewis (Council Member Lenard) and I have been visiting and think it might be better to list it for sale on purplewave.com and be done with it. It's part of the City's infrastructure stuff, so it would require a motion by the Council on how we dispose of that property." President of Council Lenard, "Are you ready to start the process?" Chief Jones, "Yes, it's ready to be disposed of. It's been setting at the Parks Department for a month or so."

**President of Council Lenard stated, "I will make a motion that we proceed with disposing of the 2010 Crown Victoria, recently retired from the Police Department's fleet, through advertising it for sale 'as is' on purplewave.com." Council Member Hall, "I will second the motion." Hearing no discussion, President of Council Lenard called for a vote. Motion unanimously carried, 6:0.**

**POLICE DEPARTMENT: Update**

**Theft of Electric Utility Services:** Chief Jones, "Like Alan (Superintendent Schneider) said, we worked with him on a theft of services this week."

**General:** It's been normal business.

**POLICE DEPARTMENT: Nuisances:**

**Nuisance - 910 S. 12th Street:** Chief Jones reported, "I got ahold of Mike Skillman on that trailer at 910 S. 12th. That property is actually in Mike and Jo's trust; so my courtesy letter went to Mike and he very promptly got on that - and that trailer is gone. He's got some black dirt hauled in. They're going to level it out and smooth it out. It is actually significant improvement already over there."

**Nuisance Update - 320 Juniatta:** Chief Jones reported on Warren Yoho's property, "I have been watching Mr. Yoho. He has been taking advantage of the decent weather, and he has removed a substantial amount of his burned house. He is making progress."

**POLICE DEPARTMENT: Personnel - Animal Control Officer, Recommendation to Hire**

Chief Jones said, "After interviews, and after visiting with Lewis and Gina (Council Member Lenard and City Clerk Kewley) after the last council meeting, the recommendation is to hire Bonnie Foster as Animal Control Officer." **Council Member Hall stated, "I move to accept Chief Jones' recommendation to extend an offer of employment to Bonnie Foster at the hourly wage of \$13.00, with a start date March 9, 2017." Council Member Griffith, "Second." Hearing no discussion, President of Council Lenard called for a vote. Motion unanimously carried.**

**[4] CONTINUATION: March 1, 2017 Burlington City Council Regular Session**

**Officer Stice - KLETC:** Chief Jones said, "That puts us back to full strength. As far as we know, Jessica Stice (Police Officer) is still scheduled for the late class that starts July 31st (at Kansas Law Enforcement Training Center). We're hoping we can get her into one of the two classes before that, but officially she is enrolled at the Academy starting July 31st."

**PARKS DEPARTMENT: Update**

**General:** Superintendent Boyce reported, "We have been doing normal duties, cleaning public buildings and restrooms, and doing building and equipment maintenance. With the wind in the last two weeks, we've been picking up tree limbs and trash in the parks and along the roads and right-of-ways."

**City Hall Flooring:** Superintendent Boyce reported they have been working on putting laminate flooring in the kitchen and breakroom area next door to City Hall. They have only one piece of trim to put up.

**Other:** Parks personnel have been trimming trees, and getting the cement flower pots ready for the May planting. Superintendent Boyce has also been working on employee evaluations.

**FINANCE: Claims Ordinance & Payroll Ordinance**

a.	Claims Ordinance	2017-04	\$ 74,449.69
b.	Payroll Ordinance	2017-04	\$ 78,309.56
	TOTAL		\$152,759.25

**CLAIMS 2017-04:** Council Member Scothorn, "I move City of Burlington pay Claims Ordinance 2017-04 in the amount of \$74,449.69 for payment of city bills, as presented." Council Member Griffith said, "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 Claims Ordinance 2017-04 approved by unanimous vote, 5:0.

**PAYROLL 2017-04:** Council Member Hall, "I move City of Burlington pay Payroll Ordinance 2017-04 in the amount of \$78,309.56 as presented." Council Member Tschantz, "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 2017-04 approved by unanimous vote, 5:0.

**FINANCE: Employee Salaries / Consumer Price Index & Resolution 2017-01**

**CPI Discussion:** City Clerk Kewley stated, "In your packets we have a prepared resolution to bring employee salaries up to what the Consumer Price Index (CPI) is saying for the cost of living wage. It is showing a recommendation of 2.5% for the CPI-W. I'd like to recommend approval of the 2.5% increase for the employee's salaries, and to also adjust the wage band on both sides by a 2.5% increase." Council Member Scothorn, "I take it, that's all been budgeted already?" City Clerk Kewley, "Yes."

Council Member Hall stated, "I make a recommendation to approve a 2.5% Consumer Price Index (CPI) increase to City of Burlington employees, beginning April 1st, 2017, and to adjust the wage band." Council Member Tschantz, "Second." Hearing no discussion, President of Council Lenard called for a vote. Motion unanimously carried.

**Resolution 2017-01, Salaries/CPI/Work Plan & Evaluation Guideline:** President of Council Lenard called for a motion to approve Resolution 2017-01. Council Member Hall stated, "I move to adopt Resolution 2017-01, Providing For and Fixing Salaries and Compensations of Officers and Employees of the City of Burlington, Kansas pursuant to the Personnel Policies and Guidelines Established by the City of Burlington, Kansas in 1996, including Exhibit "A", Wage and Salary Schedule, and Exhibit "B", Employee Annual Work Plan & Evaluation Guideline." Council Member Griffith, "I'll second." Hearing no discussion, President of Council Lenard called for a vote. Motion unanimously carried.

**PLANNING & ZONING: Update**

**General:** Zoning Clerk Hugunin has been doing normal duties.

**Tree Board:** Zoning Clerk Hugunin is planning a Burlington Tree Board meeting for this month. He reported he'd received an email today saying Burlington has been recognized as a Tree City USA again. The recognition celebration will be March 22nd and 23rd. Zoning Clerk Hugunin, Parks Superintendent Boyce, and, and Matt Moon (Tree Board Member) are going to attend.

**Arbor Day:** The Tree Board is working on Arbor Day plans.

**City Hall - New Copier installed:** Zoning Clerk Hugunin reported the new Kyocera TASKalfa 3051ci Digital Laser color copier is installed at City Hall and working well.

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**OTHER COUNCIL BUSINESS - Proclamation**

Mayor Luke has proclaimed the Month of March as 'March for Meals Month' in Burlington; and as stated in the Proclamation, urges every citizen to take time this month to honor our Meals on Wheels Programs, the seniors they serve, and the volunteers who care for them. Our recognition of, and involvement in, the National 2017 March for Meals Campaign can enrich our entire community and help combat senior hunger and isolation in America.

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

**LEGAL DEPARTMENT: Update**

**General:** City Attorney Robrahn, "It is normal legal duties. I was advising a Department Superintendent on a matter.

**Municipal Court - No Judge present:** Attorney Robrahn reported, "As we reported at the last meeting, the Municipal Judge was not able to be at the last Municipal Court. Philip (Assistant Attorney Wright) indicated payments were taken. He also told me that there were a number of defendants who didn't appear, and warrants were made for their arrests. He also anticipates court will be a little longer next time (March 9th)."

**CITY CLERK: Update**

**General:** City Hall staff have been busy with customers paying utility bills; and have also been preparing work orders, vouchers for bill paying tonight, payroll, and minutes for the council.

**Delinquent Utilities to Kansas Set-off:** In March, we will be sending \$1,138.67 in delinquent utility accounts for collection through the Kansas Set-off Program.

**Finance Meeting:** City Clerk Kewley attended the Finance Committee meeting Thursday, February 23rd.

**Employee Evaluations and Work Plans Due:** City Clerk Kewley stated, "I want to remind the Superintendents to have the employee evaluations and work plans completed by the March 15 council meeting; but I would really like to have them by the morning of 14th, if possible. Also, the same for the committee members for the Superintendents."

**City Hall Break Area Flooring:** City Clerk Kewley stated, "I would like to thank Kevin (Parks Superintendent Boyce), Jimmy (Zoning Clerk Hugunin), and the Parks Department for installing the laminate flooring next door in the break area. It looks very nice." She told Jimmy and Kevin, "You guys did a great job."

**CITY OFFICER REPORT: None**

**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 for 2018 rates / increase for 2018 Actuaries – GASB-45 Employee Evaluations & Work Plans	Financial Program Software (CIC) MT Wireless - Fiberoptics to City Buildings GAAP – Infrastructure Capitalization Audit 2016 LED Bulb Sales to Public (begun 1/2017)
<b>ELECTRIC DEPARTMENT:</b> Emissions Standards Compliance/EPA Conger Addition - Underground utility damages/MT Networks Arc Flash Study - Mapping Update Parallel Generation/Net Metering Power Generation f/Renewable Energy	Automatic Meter Infrastructure for Electric (AMI)-updates KPP Power Purchase Contract - Update Power Plant - Life Cycle Study Power Plant - Add Generator
<b>PARKS DEPARTMENT:</b> Riverbank Fill Permit - Prepare and apply Kelley Park - Christian Motorcyclists Assoc. 9/2017 Demo Derbies in 2017: Spring (April 15) and Fair (July 22) Cancer Support Group - Soup Luncheon at 4-H Bldg. 3/2017 Coffey County Fair 2017 (7/19 - 23/2017)	Free Drake Park Campsites (7/17-23-2017) WildBlue BBQ (7/13-15/2017) Taste of Fall Festival 10/2017 Ultimate Horsemanship Challenge 10/2017
<b>LEGAL DEPARTMENT:</b> Municipal Court	
<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 Tree City USA - Application, etc.	Quarterly Construction Valuation Report Prepare Easements for any City-owned property without one GIS Mapping - Address Corrections - south part of town Severe Weather Awareness - Siren testing
<b>POLICE DEPARTMENT</b> Nuisance Updates Dispose of 2010 Crown Victoria on purplewave.com	Personnel –Animal Control Officer (update) Case of Theft of Electrical Services
<b>STREET DEPARTMENT:</b> Heather Street - Concrete Panels Sidewalk Replacement Cost-Share Program - Update Pricing Sidewalk Repairs on City Rights-of-Way Trackhoe Repairs - update	Pavement Management System/Asset Management System Street Project Testing by PSI - updates 2015 Asphalt Project - APAC used Faulty Materials
<b>WATER &amp; WASTEWATER DEPARTMENT:</b> Southwest Sewer Project Waterline Replacement Project Pump Repairs (Clearwell/River Intake) Sewer Lagoons - Analysis (KRWA/funds for dredging)	Neosho Riverbank Stabilization SCADA System-updates Water Meter installations John Redmond Reservoir – Dredging Plumbing Violations Water Taste/Odor Water Plant Improvements–Efficiency Testing/Chemical Updates Truck Purchase from Federal Surplus (update) Valve Exercise Program - Annually in Fall

**President of Council Lenard declared the meeting adjourned.**

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