

**BURLINGTON CITY COUNCIL REGULAR SESSION APRIL 19, 2017**

City of Burlington Governing Body met in Regular Session at City Hall, 301 Neosho Street, Burlington, Kansas at 6:00 p.m. Wednesday, April 19, 2017. Mayor Stan Luke 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:** None

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

**MINUTES Regular Session 4-5-2017:** *Council Member Griffith, "I move to accept the Draft Minutes of Regular Session on April 5, 2017 as presented." Council Member Tschantz, "I second." Motion unanimously carried.*

**APPOINTMENT:** None

**PUBLIC COMMENTS:** None

**ELECTRIC DEPARTMENT: Distribution Updates**

**General:** Superintendent Schneider reported, "We have been busy doing line locates."

**LED Lights at 4th & Cross and 4th & Neosho:** Superintendent Schneider said, "The men are still busy with street lights. As we change those street lights out on the corners of the intersections, we are going to LEDs with those. The men are still changing out quite a few power poles."

**Walk/Do Not Walk Signals at 4th and Cross - Signs:** Superintendent Schneider reported that the signs were getting faded, so last Friday, the men painted those so they are easier to read and to improve safety."

**Training:** Superintendent Schneider, Thomas Hess, and Dallas Birk attended the Heartland Meterman Technical Conference in Wichita on April 4th, 5th, and 6th.

**Commercial Drivers Licenses:** Superintendent Schneider stated, "Quintin Ratzlaff and Dallas Birk have passed their CDL test, so they do have their CDL now." To Superintendent Mast, he said, "I would like you, Doug, to be sure to thank Daniel Myers because he spent a lot of time helping them with the pre-driving test and with driving around town until they were comfortable; and then he took them to Topeka for their driving test. I do want to make sure he is thanked for that."

**2017 Dodge Ram Bucket Truck:** Superintendent Schneider stated, "The new bucket truck has been back for two weeks now from having repairs done (by Equipment Technology LLC). The actual valve body in the turret itself is what failed on it. They replaced that, and we had them do a few other little things. The truck is back in service and is doing well."

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

**General:** Superintendent Schneider reported, "On the production side, we are still filling out monthly reports. I have been working on the EIA (Energy Information Agency) annual reports, and am just about done with that."

**Generator #4:** Superintendent Schneider reported, "The men did a maintenance run on Generator #4 last week, and did general Power Plant maintenance."

**WATER DEPARTMENT: Distribution Update**

**General:** Water/Wastewater personnel have been doing normal duties, line locates, work orders, reading meters and doing rereads, and handling customer concerns.

**Sewer Cleaning to begin:** Superintendent Hawkins reported, "We're getting ready to start cleaning the sewers around town, as KDHE requires. As soon as we get those done, we will get the wet wells cleaned up - remove any rock or grit that goes to them.

**Sewer Lagoon Dock - Repairs:** Superintendent Hawkins stated, "The guys have been working on the dock at the sewer lagoon. It capsized and was damaged, so we had to replace the barrels in it and repair it. We are also doing some repairs on the lagoon itself. We put new signs up, and repaired fencing."

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**River Intake - Repairs:** Superintendent Hawkins said, "The water department staff are replacing the river intake boards across the bridge. The boards were starting to get worn and some had breaks in them; so we replaced it with new boards."

**Pump Stations - Repairs:** Superintendent Hawkins, "We've been pulling pumps on some pumpstations. We did Pumpstation #7 (LS#7 at Sagebrush Court) this morning. We're still getting issues with people flushing rags."

**Water Treatment Plant - River Intake Pumps and River Pumps:** Superintendent Hawkins said, "The Water Plant has been running well; so it's been pretty quiet. We do have Jeff Urben coming in to do the normal annual harmonic balancing of the river intake pumps and the clear well pumps. He will do the oil changing, greasing, general maintenance, and harmonic balance."

**WATER DEPARTMENT: Lead & Copper Monitoring - EPA/KDHE Survey of Home Plumbing Survey**

Superintendent Hawkins informed Council, "It is unusual, but we will be sending out a survey to every home in town. The EPA and KDHE are requiring us to do a more in-depth study of what type of plumbing (piping, fixtures, etc.) everyone has in their home. So, I'm just asking the public to please complete the survey to the best of their knowledge. I know they are not going to be able to answer all the questions, but they do have the option to check the 'I don't know' answer. We are asking people to return the completed survey to us by May 5th; and we're trying to make it as easy as possible for them - they can bring it in person, send it in the mail or by email, or even fax it. We've contacted the State about this; and to stay in compliance, we need to compile as much information as we can and submit our report to the state by June 1st, which is our deadline."

Council Member Lenard asked about what we expect with this survey - do we need to have a certain number of responses; and what will or will not make it a valid survey. Superintendent Hawkins, "This basically stems from the Flint, Michigan lead event. The EPA wants to add requirements nationwide as far as monitoring. Out of the thirty-five years we have tested for lead and copper throughout all of Burlington, we've never been out of compliance - with testing at multiple different sites."

Superintendent Hawkins explained, "They want us to do a thorough report. I am going through with a map and identifying every water line as plastic, lead joint, etc. We talked to KDHE and they understand and are saying that's impossible because there is no way there is enough record for us to know. The policy we have here at the City is: if we're working on a water leak - in the middle of the night or whenever - and we come across a lead fitting, we immediately take it out regardless of whether that's part of the leak or not, just because we want it to be safe for the public. So, we have to tell the State that's our policy - if we see something lead out there, we remove it and replace it with plastic, etc."

He added, "In a nut shell, as Jason Soloman told me, what the EPA is requesting is practically impossible. We're just doing our due diligence, trying to do the best we can. Either we go door to door - and that would take a long time, or we mail the surveys with the utility bills next week. We will mail them next week. Jason told me he's expecting 80% of the surveys will come back with 'I don't know' answers - if we even get them back."

Council Member Lenard said, "The problem I have is that with the timing of this with the problems we've had with the water (taste and odor), sends the wrong message."

Council Member Griffith inquired what is the best way to know what the pipes and fittings are made of. Superintendent Hawkins said, "We do not have any lead services in town. There are none throughout the entire city; and that's one of the reason why we have never been out of compliance. Also, we do monitoring of the corrosiveness of the water by using the bayless curve and doing a langelier test. Back in 1982 the big thing with the EPA was removing lead paint; then it switched to monitoring lead in the water; and then certain regulations came along and set the requirements; then fast forward to Flint, Michigan's lead contamination of drinking water; and then it rapidly escalated."

Superintendent Hawkins explained, "In most cases in newer homes the lines are PVC. Older homes will have everything - copper, galvanized, plastic, lead solder. Most people are not going to know which are in their home." Council Member Lenard asked, "Do you absolutely have to do this, I mean for the EPA?" Superintendent Hawkins, "We are told to by KDHE, we are doing our due diligence." Council Member Scothorn, "Is every city in the state doing this, or did we get the luck of the draw?" Superintendent Hawkins, "Every town in the United States - the country - is required to do this." Council Member Lenard, "When do we have to have it done?" Superintendent Hawkins, "Our report is due by June 1st. That is why we are asking the surveys to be returned by May 5th to get enough data, compile it, and complete the report and mail it by the 1st of June."

Superintendent Hawkins, "My question with it is, if the EPA was to test homes that have children in them and do a mass sampling of those areas where you are really concerned about the health of the people; and then with target areas where the lead and copper levels come up higher than normal, test those areas. It doesn't make sense for everybody to do the same thing. Even KDHE does not understand the reasoning of EPA for doing this."

Chief Jones, "Are you talking about sending out paper surveys for an unfunded mandate?" Superintendent Hawkins, "Yes." Chief Jones, "Why don't we just set up something on Survey Monkey and then include the link to the survey on the water bills, and they can do it electronically." Superintendent Hawkins explained that we're giving them the opportunity to complete the survey and send it electronically by email or fax to make it easier for them. Chief Jones asked how much it will cost the city. City Clerk Kewley said it would be about \$300 to \$400 (postage for mailing bills and survey in envelopes and the envelopes, etc.) Council Member Scothorn suggested, "Why don't we put something in the newspaper to let them know ahead time and what the circumstances are so there is awareness that it's not due to the lake (Redmond Reservoir) and some of the other issues." (continued)

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City Clerk Kewley said we will do that. (As with the Water Quality Reports, we are required to get the information to every water customer in the City, and by mail is the best way. We will also put a notice in the newspaper and on Facebook explaining the survey. The survey will also be on our webpage and available at City Hall.)

The following is the explanation that is at the top of the survey we are mailing next week:

**City of Burlington**  
**Lead & Copper Home Plumbing Survey**

Burlington residents and businesses will be receiving the survey in an envelope with their utility bills, which will be mailed on April 24, 2017.

**Your help is needed** for City of Burlington Water Department to comply with new Kansas Department of Health & Environment and Environmental Protection Agency requirements for lead and copper monitoring of our water.

**So we can complete a required report, we need the survey completed by each of our customers and returned to us by Friday May 5th, 2017.** We realize this is short notice, however, we are under a time constraint to get the data, prepare the report, and submit it to KDHE.

We understand you may not be able to answer all the questions, but please do your best and be sure to submit the survey to us by May 5th. Any information you can provide will be helpful and appreciated. Please return the completed survey to Burlington City Hall by your choice of the following methods on or before May 5th: 1) in person; 2) mail to City of Burlington, P.O. Box 207, Burlington, Ks 66839; or 3) Email to dhawkins@burlingtonkansas.gov. (It can also be faxed to: 620-364-2996.) We appreciate your help.

**STREET DEPARTMENT: Update**

**General:** Superintendent Mast reported, "We have been patching potholes, rocked a few gravel streets, sprayed weeds, helped the Electric Department with CDLs, and cleaned up culverts - just normal duties for the Street Department."

**STREET DEPARTMENT: Purchase a 2017 Pickup Truck**

Superintendent Mast provided an update on purchasing a pickup truck. Last meeting council approved purchasing a truck through the National Joint Power Association like we've done some of our equipment. It was budgeted \$39,000 for that. Superintendent Mast explained, "Last council, it was approved to go through the NJPA, but since then I've found out it is not necessarily the cheapest way to go. When I went to talk to Crow-Moddie about it, they said they would go ahead and give us a quote, as well. Their quote came in cheaper than NJPA's; so I got a quote from Beckman Motors, as well. I'm glad we ended up doing this. When we got the street sweeper and skidsteer, NJPA was the cheapest we could find; everybody said there was no way we could beat it; but apparently with pickup trucks, it's different. We're actually going to save some money by doing this. Now, instead of buying the truck through NJPA, I'd like to have permission to go with the best quote, which is Crow-Moddie's for \$35,701."

**Council Member Scothorn stated, "I move to accept Crow-Moddie Chevrolet's quote of \$35,701.00 for a 2017 Chevrolet pickup truck for the Street Department, as being in the best interest of the city." Council Member Curtiss, "I second it." Mayor Luke called for discussion.** Council Member Lenard asked, "Were there any variances to the delivery schedule or anything like that, Doug?" Superintendent Mast replied, "No, they are the same because they all have to be built. We have to turn it in prior to 27th (of April); because if we don't, it turns into a 20C model. I don't know how long it will take for the vehicle to get here." **Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried.**

**POLICE DEPARTMENT: Update**

**Cases Worked:** Chief Jones reported, "It seems like we've been working a lot of domestic violence cases. We worked another one this afternoon, sent a guy to jail."

**General:** Last week's Municipal Court lasted until a little after 7 p.m.

**Training:** Police Department personnel have been doing quite a lot training. Tomorrow afternoon they will have department training and cover their annual review of domestic violence laws and policy.

**Survey:** Chief Jones reported, "We got a notice of a survey that will be coming up in the next few months by the Department of Transportation. They will have people at street corners looking at seatbelt usage in cars that drive past. Apparently, there will be several hundred locations across the state, but they didn't say for sure they would be here. Locations will be random chosen. We may get calls if there are people standing on street corners staring at traffic."

**Nuisance - 320 Juniatta (Warren Yoho):** Chief Jones referred to a picture he took of Warren Yoho's property earlier this week, which shows progress he had made on removing the house destroyed by fire earlier this year. He said, "He still has a lot of work to do, but he has accomplished a lot over there."

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**Assistance Needed:** Council Member Griffith told Chief Jones, "An individual who called about having had issues and needed your services. They wanted to tell me what a nice job you and your officers did. The situation was treated with respect and followed up, and they asked me to pass that on to you." Chief Jones, "Thank you."

**PARKS DEPARTMENT: Update**

**General:** Superintendent Boyce reported, "We have been doing normal duties, cleaning public buildings and restrooms. Mowing, weedeating, and spraying are now our normal duties, and is pretty much all we've been doing for the last couple of weeks."

**Equipment - Change over to Summer use:** Parks personnel have been changing equipment over from winter to summer use.

**Kelley Park - Playground Update:** Superintendent Boyce reported, "The main playground area was installed in 2006. The handicap swing safety restraints are net and the buckles are made out of plastic, and are cracked and deteriorated. The swing is obsolete. A new swing of a different style is ordered to replace that one."

**Spring Demolition Derby - Cleanup:** Superintendent was very happy with the cleanup after the Spring Demolition Derby.

**FINANCE: Claims Ordinance & Payroll Ordinance**

a.	Claims Ordinance	2017-07	\$266,634.02
b.	Payroll Ordinance	2017-08	\$ 84,667.51
	TOTAL		\$351,301.53

**CLAIMS 2017-07:** Council Member Hall, "I move City of Burlington pay Claims Ordinance 2017-07 in the amount of \$266,634.02 for payment of city bills, as presented." Council Member Lenard said, "Second." Mayor Luke called for discussion. City Clerk Kewley said, "We have Kansas Power Pool for \$162,784.69 and Lewis Oil Company for \$2,126.95." **Hearing no further discussion, Mayor Luke instructed City Clerk Kewley to poll Council for a vote. All votes were in favor. Mayor Luke declared Claims Ordinance 2017-07 approved by unanimous vote, 6:0.**

**PAYROLL 2017-08:** Council Member Lenard, "I move City of Burlington pay Payroll Ordinance 2017-08 in the amount of \$84,667.51 as presented." Council Member Scothorn, "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 2017-08 approved by unanimous vote, 6:0.

**PLANNING & ZONING: Update**

**General:** Zoning Clerk Hugunin has been doing normal duties, updating Facebook and the City's webpage. With the weather change, several people have requested permits for their projects.

**Arbor Day Celebration - Update:** Zoning Clerk Hugunin reported on Burlington's Arbor Day Celebration in Kelley Park last evening. It was a very good turnout and they gave away approximately forty trees.

**Sell Vehicle/Equipment - purplewave.com:** Zoning Clerk Hugunin reported the auction on purplewave.com is going well. It will end May 2nd.

**Kansas Association of Code Enforcement Training:** Zoning Clerk Hugunin will be in Salina next week, April 25th through the 28th, for KACE training.

**OTHER BUSINESS: Schedule the 2017 Business Appreciation Picnic and the Employee Picnic**

**Business Appreciation Picnic:** City Clerk Kewley stated, "This year we want to schedule the Business Appreciation Picnic at Kelley Park for Friday, June 2nd from 11 a.m. to 1 p.m.; so I'd like to have a motion for approval." Council Member Tschantz, "I move approve scheduling the 2017 Business Appreciation Picnic on Friday, June 2nd from 11 a.m. to 1 p.m. at Kelley Park." Council Member Curtiss, "I second it." Hearing no discussion, Mayor Luke called for a vote. **Motion unanimously carried, 6:0.**

**Employee Picnic:** City Clerk Kewley stated, "I would also like to have a motion to have the Employee Picnic the following Monday at Kelley Park, June 5th from 11 a.m. to 1 p.m." Council Member Tschantz, "I move to approve scheduling the 2017 Employee Picnic on Monday, June 5th from 11 a.m. to 1 p.m. at Kelley Park." Council Member Curtiss, "I second it." Hearing no discussion, Mayor Luke called for a vote. **Motion unanimously carried, 6:0.**

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

**LEGAL DEPARTMENT: Update**

**General:** City Attorney Robrahn, "Susan (Administrative Assistant Stroh) and I finished my part of the City Code. We eliminated some things that didn't need to be in it, and is should be ready to complete." (This is the first draft of the recodification of the 1997 Code of the City of Burlington, Kansas. LKM was contracted in 2011 to do the recodification; and subsequently subcontracted it to ALPC in 2015.) (Note: The draft with all the changes notated, was copied for our records and then mailed to ALPC on Friday, April 14, 2017.)

**Warning about Snake:** Attorney Robrahn stated, "I want to give city employees an informational warning. In a tributary out east of Burlington that goes through our farm (his and Kimberly's) runs into the Neosho River right above the Water Treatment Plant, Kimberly and Caleb came across a Cottonmouth Water Moccasin. It is a snake native to the state of Florida." Chief Jones, "I've run into them in Arkansas and Mississippi, but not here." Attorney Robrahn, "Well, we've got them here; so guys, be careful here around the river, Rock Creek, or wherever you're at - just be aware. It was a couple feet away from Caleb, he spotted it and grabbed his Momma, and they got away from it. The snakes are very poisonous and very aggressive."

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**CITY CLERK: Update**

**General:** City Hall staff have been busy preparing meter readings for utility billing this month. They have also been preparing work orders, vouchers for bill paying tonight, payroll, and minutes for the council.

**Local Emergency Planning Commission:** City Clerk Kewley attended the LEPC meeting on April 12th.

**4th of July Freedom Festival:** City Clerk Kewley reported, "I attended a meeting at the Recreation Center last Monday in regards to the Freedom Festival preparations."

**Financials:** City Clerk handed out the first quarter financials for 2017.

**Budget for 2018:** Next month, City Clerk Kewley will be working with Superintendents on line items in preparation for the 2018 Budget.

**MAYOR'S COMMENT: 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 Budget 2017	Financial Program Software (CIC) MT Wireless - Fiberoptics to City Buildings GAAP – Infrastructure Capitalization Audit 2016 LED Bulb Sales to Public (begun 1/2017) Business Appreciation Picnic/Employee Picnic
<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 - Application for new site/update Kelley Park - Christian Motorcyclists Assoc. 9/2017 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 Arbor Day 2017	Quarterly Construction Valuation Report Prepare Easements for any City-owned property without one GIS Mapping - Address Corrections - south part of town Purplewave.com - sell un-needed equipment
<b>POLICE DEPARTMENT</b> Nuisance Updates	
<b>STREET DEPARTMENT:</b> Heather Street - Concrete Panels Sidewalk Replacement Cost-Share Program - Update Pricing Sidewalk Repairs on City Rights-of-Way Purchase Truck Crow Moddie - Update (ordered 4-2017)	Pavement Management System/Asset Management System Street Project Testing by PSI - updates 2015 Asphalt Project - APAC used Faulty Materials APWA Conference in Florida (August 2017)
<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 / Grease Traps Water Taste/Odor Water Plant Improvements–Efficiency Testing/Chemical Updates Valve Exercise Program - Annually in Fall Lead & Copper Monitoring - Survey Update

**Mayor Luke declared the meeting adjourned.**

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