

## BURLINGTON CITY COUNCIL REGULAR SESSION MAY 3, 2017

City of Burlington Governing Body met in Regular Session at City Hall, 301 Neosho Street, Burlington, Kansas at 6:00 p.m. Wednesday, May 3, 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)

**Meeting Opened by Seth Jarvis:** Mayor Luke called on Seth Jarvis to open the meeting. Seth banged the gavel (twice) and declared the meeting in session and a quorum present; and then explained that he came to the Council meeting to earn his Boy Scout Communications Merit Badge. Seth then took his seat in the visitors section.

**VISITORS:** Mayor Luke recognized the visitors: Seth Jarvis (Boy Scout), Chris Jarvis, Becky Reeves

**AGENDA:** Mayor Luke added the amounts of the Claims Ordinance and the Payroll Ordinance. To the Legal Department, he added an executive session for fifteen minutes with the elected officials, the city clerk, the city attorney, and the superintendent of streets. At the end of the Legal Department's agenda items. Mayor Luke moved the City Clerk's Update to be prior the Legal Department, saying that anyone not included in the executive session would be free to leave after the City Clerk's Update because there would be no action after the executive session. Hearing no other additions or corrections to the council agenda, Mayor Luke called for a motion. *Council Member Griffith, "I move to approve the agenda as modified." Council Member Scothorn, "I'll second." Motion unanimously carried.*

**MINUTES Regular Session 4-19-2017:** *Council Member Curtiss, "I move to accept the Draft Minutes of Regular Session on April 19, 2017 as presented." Council Member Griffith, "I second." Motion unanimously carried.*

**APPOINTMENT:** None

**PUBLIC COMMENTS:** None

**ELECTRIC DEPARTMENT: Distribution Updates**

**General:** Electric personnel have been busy doing line locates and customer service requests.

**Spring Brush Pickup:** Superintendent Schneider reported, "We had brush pickup last week. The Electric Department did mainly from Neosho south. We used the front loader to haul the bigger stuff. The Electric Department picked up thirty-seven loads."

**Power Pole Changing:** Electric personnel have been changing power poles that have deteriorated and need replaced.

**Rebuilding Line on Lynx Terrace:** Superintendent Schneider said, "The men are rebuilding a section of line on Lynx Terrace on the south end of town. The line is very old and deteriorated. We are going to re-conduct that; it's got old copper and we will update that to ACSR while we're there."

**Tree Trimming:** The men also have started on trimming of trees under the power lines.

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

**General:** Superintendent Schneider reported, "On the production side, we are still doing our reports. They attended KMU sponsored safety training on Tuesday."

**Generator Maintenance Runs on #4 & #6:** The men did a maintenance run on Generator #4 and Generator #6. Other than that, they did a general power plant maintenance.

**Gas Consumption Meter - Generator #6:** Superintendent Schneider said, "The men have also been working on the gas consumption meter for Generator #6, which wasn't functioning properly. Luckily, we don't run natural gas very often."

**WATER DEPARTMENT: Distribution Update**

**General:** Water/Wastewater personnel have been doing normal duties, line locates, work orders, and handling customer concerns. We attended the KMU Safety Training, and helped with the brush cleanup."

**Water/Wastewater Training:** Superintendent Hawkins stated, "The guys have been getting their water/wastewater schooling. Justin King and Troy Payne attended the lagoon class in Osage City. Norman Foster and David Mefford attended the water class recently in Manhattan."

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**Neosho Riverbank Erosion - Kelley Park Riverbank / River Intake / Dike:** Superintendent Hawkins stated, "Along with brush cleanup, we visited the riverbank. We got out onto the river where two big Cottonwoods had fallen in. We chopped them up to hopefully prevent them jamming up against the river intake when the rains come. We hope they will pass through when the Corps of Engineers open up the gates at Redmond Dam."

Council Member Griffith asked, "Have any of you driven down by Kelley Park? We are losing ground quickly down there at the river." Mayor Luke, "That's not the only spot on the river that we are losing ground." Council Member Griffith, "Are we doing anything about it?" Mayor Luke, "Let's put it this way. I've been asked the same question at least a half a dozen times. We're going to look into what we can do. I'm not sure exactly of the total cause of the water erosion. We have a feel of what part of it is; and we're going to see if we can get any action out of them to slow down the water flow as they close the gates and the water down. I don't know if we'll get anywhere with them, but we'll see what we can do."

Mayor Luke, "We've got to worry about the intake at the Water Plant because if the water gets too low and the river gets too wide, Danny's crew will have a lot of problems." Attorney Robrahn asked Superintendent Hawkins, "Danny, is that dike about ready to go on us?" Superintendent Hawkins, "It's thin." Attorney Robrahn, "Will that change the course of the river a little and create an issue for the Water Plant?" Superintendent Hawkins, "The only issue is - it's two in one: Actually it will help us a little because we're hoping maybe the gravel bar (dike) stays kind of towards you (your property); but will it erode? Yes, it's going to because you don't have the structure. The roots of the cottonwoods that fell in the river tore out a tremendous amount of soil."

Attorney Robrahn, "We've got to do something quick, then?" Superintendent Hawkins, "Yes, or some of your field or the rest of the tree if the river comes around is going to start cutting into the riverbank on the east side and uproot the other trees and it's going to be a domino effect way down to the bridge. So, it's either that or there is going to have to be some ripraps and heavy rocks - any of that kind of thing." Attorney Robrahn, "Is it possible the Army Corps of Engineers could help us with that?" Mayor Luke, "We'll contact them as soon as we can." Council Member Griffith, "Is there some kind of grant?" Attorney Robrahn, "Something is going to have to be done, or we're going to have to do it." Council Member Griffith, "It's getting serious." Superintendent Hawkins, "Usually when one goes, it's not long and the rest will." Attorney Robrahn, "You know, we already rip-rapped further east of there a few years ago." Council Member Griffith, "Did that work?" Attorney Robrahn, "Yes, tremendously."

Attorney Robrahn, "Mike Skillman (Skillman Construction) said he thinks they're going to tear part of the County Airport parking lot up, which would be a lot more concrete; but we need to do something" Mayor Luke, "We'll look at addressing it as best we can, because it is a concern." Superintendent Hawkins, "I know when we did the Riverbank Fill permitting for the concrete, as long as it was clean concrete with no steel, wire, tar, shingles, and stuff like that in it - we did that for quite a while on our (the City's) side." Attorney Robrahn, "Yes, we had to do the same on our side." Superintendent Hawkins, "That might be an option to look at contractors that are tearing up road structures, etc. - anything to fill in the void."

Attorney Robrahn, "There are a lot of places that are starting to be an issue." Superintendent Hawkins, "Our biggest concern was that as the gravel bar has worked its way around the bend - it used to be on the opposite side, we were concerned. Of course the Madtom got in the way and we wanted to have the gravel bar taken out. Eldon Wright was there and we were happy to see him removing it, and then it got shut down."

**Concrete Work:** Superintendent Hawkins reported, "We're going to be starting on concrete work around town where we tore out concrete when we repaired water leaks and did line replacements, etc."

**Lead & Copper Monitoring - Home Plumbing Survey (Update):** Superintendent Hawkins said, "We've been receiving several of the Lead & Copper surveys. I've gotten several and I know several have been submitted to City Hall. I want to thank everybody for that."

**Water Treatment Plant Maintenance:** Superintendent Hawkins reported, "Since we've been getting a lot of rains, we've been doing work in-house in the Water Treatment Plant."

**Sludge Holding Tank:** "We cleaned out the sludge holding tank. We're doing a refab on a 90 in there."

**Sludge Room - Quincy Air Compressor:** "We repaired the Quincy Air Compressor in our sludge room. We thought we had a major issue in there, but it ended up not being major. It was a wear plate or a hockey puck inside. We got it repaired."

**Clearwell - Quincy Air Compressor:** "We repaired our Quincy Air Compressor in the sludge room, and then two circuit boards went out in the Quincy Air Compressor in the clearwell room. Krayton Cox was able to get it up and going fairly quickly."

**Sludge Blow-down Pit - Cracks in walls:** "We've been down in the sludge blow-down pit trying to seal the cracks in the walls. We've been having some water leaking through there, so the guys have been grinding and trying to patch those cracks and get the blow-down pit dried up."

**Clearwell Pumps (two):** "Recently, we've had our two high-service pumps and the two river pumps serviced. We had Jeff Urben come in and test the harmonic balancing to make sure they are running properly. Everything looks good - we had them serviced, greased, checked and everything; so we're in good shape."

**[3] CONTINUATION: May 3, 2017 Burlington City Council Regular Session**

**Water taste & odor problems - Diatom Algae (Discussed 3/1 & 3/15/2017):** Council Member Griffith asked if all we were dealing with on the taste and odor issue of the water has been resolved. Superintendent Hawkins explained, "We're still a little cautious because the water is real green. We've decreased some of the carbon feed for financial purposes; but we're not hearing a lot about taste and odor of the water. In fact just last week, two ESU college students came in and pulled samples at the Water Treatment Plant. The Kansas Water Office is actually having them search for a specific Diatom that is (or may be) in there. They (the ESU students?) said they would let us know. Other than that, the Plant is running well -we're not hearing any complaints about the taste and odor of the water; but we know it is going to take some time, so we're going to continue until we see some change in the water."

**STREET DEPARTMENT: Update**

**General:** Superintendent Mast reported, "We've been doing a lot of normal duties, a lot of cleaning ditches, sweeping gutters, patching concrete streets."

**City-wide Trash Cleanup:** Superintendent Mast, "We did the trash cleanup this week. I think that since last weekend was rainy, not as much stuff was put out. It made things go quick; we were done in a day and a half."

**POLICE DEPARTMENT: Update**

**General:** Chief Jones reported, "It's been pretty much normal calls for us. We're still dealing with a lot of domestics. We've been dealing with some mentally distressed people, some which are connected to the domestics. We have court coming up next week."

**Training - Association of Chiefs of Police Spring Conference (May 8-11, 2017):** Chief Jones will be in Overland Park from Monday afternoon until Thursday afternoon for the Chief's Spring Conference. He will be back in time for Municipal Court on Thursday.

**Health Department - Warning of Stomach Illness in County:** Chief Jones stated, "Late this afternoon, the Coffey County Health Department put out a warning about stomach illness running rampant throughout the county to the point where Waverly grade school has canceled their school for Thursday and Friday this week because of the number of their students who are out sick."

**Nuisance Property - 404 Neosho, The Music Box Theatre:** Chief Jones reported, "The only nuisance I've got is 404 Neosho, The Music Box Theatre. I think I've kept everybody up to date on that one. I haven't heard anything back from him. The only contact I have is a mailing address in British Columbia, so I don't expect a quick response back from Mr. Oliver - but I'm hoping we get a response."

**PARKS DEPARTMENT: Update**

**General:** Superintendent Boyce reported, "We have been doing normal duties, cleaning public buildings and restroom; and mowing, weedeating, and spraying weeds in graveled areas. We did mow two nuisance property lots - the old Dollar General Store (on Cross Street), and 10th & Des Moines. We helped with the trash cleanup and did equipment maintenance."

**Beautification Project - Flower Planting:** Superintendent Boyce said, "The flower planting in the concrete pots will take place on Wednesday, May 10th, if it's not raining. We will meet at the Caboose at 5 p.m.."

**FINANCE: Claims Ordinance & Payroll Ordinance**

a.	Claims Ordinance	2017-08	\$ 85,235.33
b.	Payroll Ordinance	2017-09	\$ 82,280.05
	TOTAL		\$167,515.38

**CLAIMS 2017-08:** Council Member Hall, "I move City of Burlington pay Claims Ordinance 2017-08 in the amount of \$85,235.33 for payment of city bills, as presented." Council Member Lenard said, "Second." Mayor Luke called for discussion. City Clerk Kewley said, "Our larger expenditures tonight are: Carter Water Construction for \$2,457.15; Kritz-Davis for \$5,177.27; Republican Waste Service for \$10,397." 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 2017-08 approved by unanimous vote, 6:0.

**PAYROLL 2017-09:** Council Member Lenard, "I move City of Burlington pay Payroll Ordinance 2017-09 in the amount of \$82,280.05 as presented." Council Member Tschantz, "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 2017-09 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.

**Kansas Association of Code Enforcement:** Zoning Clerk Hugunin reported, "I attended the KACE training last Wednesday through Friday in Salina. I have a few more hours to go on that."

**Sell Vehicle/Equipment - purplewave.com:** Zoning Clerk Hugunin reported, "The auction on purplewave.com ended yesterday. The miscellaneous computer and electronics sold for \$60; and the 2010 Crown Victoria sold for \$1,400. I think we did pretty good."

**OTHER BUSINESS: Proclamation: May 2017 to be Community Action Month**

Mayor Luke signed a proclamation proclaiming May 2017 as Community Action Month in Burlington, in recognition of continued work and dedication of Kansas Community Action Agencies.

**[4] CONTINUATION: May 3, 2017 Burlington City Council Regular Session**

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

**CITY CLERK: Update**

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

**Kansas Set-off / Delinquent Utility Accounts:** City Clerk Kewley reported, "For May, we will be sending \$1,382.05 in delinquent utility accounts for collections through the Kansas Set-off Program.

**Audit of 2016:** City Clerk Kewley, "If you're not doing anything tomorrow and Friday, you are welcome to come in. The auditors will be here."

**Budget for 2018:** City Clerk Kewley has started the 2018 Budget, and has tentatively set a Finance Committee meeting for June 6 at 10 a.m. at 303 Neosho. Another meeting will be scheduled for July.

**LEGAL DEPARTMENT: Update**

**General:** City Attorney Robrahn said he and Assistant City Attorney Phillip Wright have been working extensively on a couple of issues for the past few weeks. Due the nature of the cases, he can't talk about them.

**LEGAL DEPARTMENT: Mayor's 2017 Annual Appointments**

Mayor Luke stated: "You have before you the Mayor's Appointments for May 3, 2017, which will be from May 3, 2017 through the first meeting of the Council in May 2018."

1. **City Clerk:** Mayor Luke stated, "At this point, we need a motion to ratify appointment of City Clerk, Regina R. Kewley."

Council Member Griffith moved to ratify the Mayor's annual appointment for City Clerk to be Regina R. Kewley from May 3, 2017 through the first meeting of the City Council in May 2018. Council Member Scothorn gave a second. Hearing no discussion, Mayor Luke called for a vote. All votes were in favor. Mayor Luke declared motion carried, 6:0.

2. **Chief of Police:** Mayor Luke stated, "We need a motion to ratify appointment of Chief of Police, Douglass L. Jones."

Council Member Lenard moved to ratify the Mayor's annual appointment of Chief of Police to be Douglas L. Jones, from May 3, 2017 through the first meeting of the City Council in May 2018. Council Member Griffith gave the second. Hearing no discussion, Mayor Luke called for a vote. All votes were in favor. Mayor Luke declared motion carried, 6:0.

3. **Electric Superintendent:** Mayor Luke stated, "We need a motion to ratify appointment of Electric Superintendent, Alan Schneider."

Council Member Scothorn moved to ratify the Mayor's annual appointment of Electric Superintendent to be Alan Schneider from May 3, 2017 through the first meeting of the City Council in May 2018. Council Member Curtiss gave the second. Hearing no discussion, Mayor Luke called for a vote. All votes were in favor. Mayor Luke declared motion carried, 6:0.

4. **Parks Superintendent:** Mayor Luke stated, "We need a motion to ratify the appointment of Parks Superintendent to be Kevin Boyce."

Council Member Lenard moved to ratify the Mayor's annual appointment for Parks Superintendent to be Kevin Boyce from May 3, 2017 through the first meeting of the City Council in May 2018. Council Member Griffith gave the second. Hearing no discussion, Mayor Luke called for a vote. All votes were in favor. Mayor Luke declared motion carried, 6:0.

5. **Water & Wastewater Superintendent:** Mayor Luke stated, "We need a motion to ratify the appointment of Water and Wastewater Superintendent to be Danny Hawkins."

Council Member Tschantz moved to ratify the Mayor's annual appointment for Water and Wastewater Superintendent to be Danny Hawkins from May 3, 2017 through the first meeting of the City Council in May 2018. Council Member Scothorn gave the second. Hearing no discussion, Mayor Luke called for a vote. All votes were in favor. Mayor Luke declared motion carried, 6:0.

6. **Street Superintendent:** Mayor Luke stated, "We need a motion to ratify the appointment of Street Superintendent to be Doug Mast."

Council Member Curtiss moved to ratify the Mayor's annual appointment for Street Superintendent to be Doug Mast from May 3, 2017 through the first meeting of the City Council in May 2018. Council Member Hall gave a second. Hearing no discussion, Mayor Luke called for a vote. All votes were in favor. Mayor Luke declared motion carried, 6:0.

**[5] CONTINUATION: May 3, 2017 Burlington City Council Regular Session**

**7. All Other Appointments of Boards, Officers, and Committees: Mayor Luke stated, "Now we need a motion to ratify all other appointments for Boards, Officers, and Committees."**

*Council Member Curtiss moved to ratify the Mayor's Annual Appointments of all other Boards, Officers, and Committees from May 3, 2017 through the first meeting of the City Council in May 2018. Council Member Lenard gave a second. Mayor Luke asked Zoning Clerk Hugunin, "We have two openings on the zoning (Planning Commission) extraterritorial?" He replied, "Yes." Mayor Luke, "We're working to fill those two position, and at that time we will bring them for council approval." **Hearing no additional discussion, Mayor Luke called for a vote. All votes were in favor. Mayor Luke declared motion carried, 6:0.***

**8. Ratify all Appointments inclusively: Mayor Luke stated, "Now, we need a motion to ratify the Mayor's Annual Appointments."**

*Council Member Lenard moved to ratify the Mayor's Annual Appointments for 2017, from May 3, 2017 through the first Council meeting in May 2018, as presented. Council Member Griffith gave a second. Hearing no discussion, Mayor Luke called for a vote. All votes were in favor. Mayor Luke declared motion carried, 6:0.*

**LEGAL DEPARTMENT - Executive Session for Attorney/Client Relations**

Mayor Luke said, "As I indicated before, now is when we will go into executive session. When we do, the only employee that needs to be here is Doug Mast. There will be nothing coming out of the executive session that will require action; so if you wish to leave instead of sitting outside and waiting, feel free to do so." He stated, "At this time, I propose an executive session for fifteen minutes to include the governing body, city clerk, city attorney, and street superintendent."

*Council Member Griffith moved to enter into a fifteen minute Executive Session for Attorney/Client to include the Elected Officials, City Clerk Kewley, City Attorney Robrahn, and Street Superintendent Mast. Council Member Hall gave a second. Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried; 6:0. Council entered Executive Session at 6:27 p.m. and exited at 6:42 p.m. No action was taken.*

**FUTURE AGENDA ITEMS:**

<b>GENERAL</b> City Debt – How to fund projects	Financial Program Software (CIC)
City Code Recodification (LKM and American Legal Publishing)	MT Wireless - Fiberoptics to City Buildings
Service/Allied Waste Agreement Renewal	GAAP – Infrastructure Capitalization
Water Rate Study for 2018 rates / increase for 2018	Audit 2016
Actuaries – GASB-45	LED Bulb Sales to Public (begun 1/2017)
Budget 2017	Business Appreciation Picnic/Employee Picnic
<b>ELECTRIC DEPARTMENT:</b> Emissions Standards Compliance/EPA	Automatic Meter Infrastructure for Electric (AMI)-updates
Conger Addition - Underground utility damages/MT Networks	KPP Power Purchase Contract - Update
Arc Flash Study - Mapping Update	Power Plant - Life Cycle Study
Parallel Generation/Net Metering Power Generation f/Renewable Energy	Power Plant - Add Generator
Rebuild Line on Lynx Road	
<b>PARKS DEPARTMENT:</b> Riverbank Fill Permit - Application for new site/update	Free Drake Park Campsites (7/17-23/2017)
Kelley Park - Christian Motorcyclists Assoc. 9/2017	WildBlue BBQ (7/13-15/2017)
Coffey County Fair 2017 (7/19 - 23/2017)	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.	Quarterly Construction Valuation Report
Work with NexTech and City Departments to improve Cyber Security	Prepare Easements for any City-owned property without one
Work w/PD on Nuisance Structure regulations	GIS Mapping - Address Corrections - south part of town
Arbor Day 2017	Purplewave.com - sell un-needed equipment
<b>POLICE DEPARTMENT</b> Nuisance Updates	
<b>STREET DEPARTMENT:</b> Heather Street - Concrete Panels	Pavement Management System/Asset Management System
Sidewalk Replacement Cost-Share Program - Update Pricing	Street Project Testing by PSI - updates
Sidewalk Repairs on City Rights-of-Way	2015 Asphalt Project - APAC used Faulty Materials
Purchase Truck Crow Moddie - Update (ordered 4-2017)	APWA Conference in Florida (August 2017)
<b>WATER &amp; WASTEWATER DEPARTMENT:</b>	Neosho Riverbank Stabilization
Southwest Sewer Project	SCADA System-updates
Waterline Replacement Project	Water Meter installations
Pump Repairs (Clearwell/River Intake)	John Redmond Reservoir – Dredging
Sewer Lagoons - Analysis (KRWA/funds for dredging)	Plumbing Violations / Grease Traps
Neosho River - Riverbank Erosion/Dike/Gravel Bar/etc.	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**