

**BURLINGTON CITY COUNCIL REGULAR SESSION MAY 17, 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 17, 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:** Mark Chesney (Kansas Power Pool, CEO), Angela Trimble (TrustPoint Insurance)

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

**MINUTES 5-3-2017:** *Council Member Curtiss, "I move to accept the Draft Minutes of Regular Session on May 3, 2017 as presented." Council Member Griffith, "I second." Motion unanimously carried.*

**APPOINTMENT: Mark Chesney, Kansas Power Pool- Update**

Mark Chesney, CEO of Kansas Power Pool, mentioned that he was here last October. He said, "I know the Mayor and Alan (Superintendent Schneider) keep you up to date on what we're doing; but I thought even though that's true, I might just tell you. We did have a power supply meeting in late March of this year, the purpose of which was to make sure that all of our members know that of the roughly 210 megawatt aggregate peak that KPP has each year - which includes Burlington, as well as St. Marys, Clay Center, and all the others, twenty-four of you - about 75 megawatts of our resource is expiring beginning almost exactly five years from now."

"Ms. Griffith (Council Member) and I were talking a little bit earlier - she was asking me about an update on Westar. Fifty-nine megawatts of that is a contract we have with Westar, out of the Jeffrey Energy Center. Because time flies, we're starting now to consider what, if anything, we should do to replace those 75 megawatts. That's not an easy decision; it requires time. We might sign another contract with Westar, but they're not in a position to sign a contract now because of what they're going through with the possibility of the merger, which is still on the table and we'll see what happens. Regardless, when the time comes, the question would be: do you sign a new contract or maybe you want to acquire an asset. We know what Westar's cost structure is. By the time they take care of their stockholders and pay their taxes, it's just about twelve percent on the money - where we can issue tax free bonds at somewhere between three and four percent. If you do acquire an asset: What kind of technology is it? What kind of fuel is it? Where should it be located? There's probably a lot of questions, and so we've got that under study."

"The Mayor told me he is not going to be at our (KPP's) meeting tomorrow because he has travel plans. Tomorrow, I am probably going to ask if we can have another power supply meeting on the 4th of August, which would be almost exactly eight weeks ahead of KPP's Fall Planning Retreat. It is my expectation that we can give an update on the 4th of August, and then come September - and I'm hoping that any or all of you can make plans to come to our Fall Planning Retreat. Council Members Lenard and Tschantz, Mayor Luke, Electric Superintendent Schneider were at last year's Retreat. We'll talk about a lot of things and this topic will be one of them. We've got some decisions we need to make in the next couple of years. It takes time an unbelievable lead time to do these things. We're on it, and we want you to know about it."

Mr. Chesney stated, "We just really really appreciate you. We can't do what we do without you - that's a fact. We appreciate your membership, and we appreciate your active participation." He offered to answer questions. Hearing none, he thanked Council for their time, and left the meeting.

**APPOINTMENT: Angela Trimble, TrustPoint Insurance, Presentation of Insurance Dividend Check**

Angela Trimble introduced herself and explained that she writes the property and casualty insurance for City of Burlington. She passed out her business card to those sitting at the council table. She said, "I work very closely with Gina (City Clerk Kewley) and Anne (Deputy City Clerk Brown) on the insurance. For those of you that don't know it, you're insured with Employers Mutual Company. They specialize in municipality business. Since this is a public record, I can say we have EMC written with the County, with the schools, City of New Strawn, City of LeRoy, City of Gridley."

(continued)

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"EMC specializes in municipalities, so they have put the cities into a group; it's KMU which I'm sure you are aware of - the Kansas Municipalities Utilities Safety Group. You are in it with four hundred and fifty other participating cities in the state of Kansas. Sixty percent of that group in the state of Kansas are getting some of those benefits. So basically, they are paying you back a dividend plan because you have been so successful on your safety and how you continue with your loss ratios and get that down. You are very aware of that, and Gina works really hard with us, as well; and I know you guys do too when you oversee that along with your department heads."

Mrs. Trimble stated, "It pays off, and today I am proud to come in and deliver a check to you for the amount of \$33,760.78." City Clerk Kewley mentioned, "It was approximately \$30,000 last year." Mrs. Trimble, "It was. This year, it's almost \$4,000 more." She offered to answer questions, there were none. She said, "We appreciate your business; TrustPoint appreciates your businesses; EMC does, too -they are willing to show that appreciation back on that dividend plan." She added, "You know there some municipalities that aren't as fortunate to be able to qualify for that dividend plan, but you guys in Burlington have." The governing body thanked her, and she left the meeting.

**PUBLIC COMMENTS: None**

**ELECTRIC DEPARTMENT: Distribution Updates**

**General:** Electric personnel have been busy doing line locates, line maintenance and streetlight repairs.

**Power Outages:** Superintendent Schneider reported, "Since last council, we've had two brief outages. One was due to a squirrel. The other, we had a conductor go bad; so we were able to get it back in service fairly quickly."

**Lights flickering today:** Superintendent Schneider said, "The lights flickering today was a breaker operation on the (Westar) transmission coming into Burlington. It basically just went through two cycles."

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

**General:** Superintendent Schneider reported, "On the production side, we are still doing our reports."

**Bulk Fuel Storage Tank:** The men have been doing some maintenance on the bulk fuel storage tank.

**Generator #4 Maintenance Run:** The men did some maintenance on the #4 Generator, and have been doing basic plant duties.

**ELECTRIC DEPARTMENT: Personnel - Quintin Ratzlaff's Resignation / Advertise to fill Vacancy**

**Resignation:** Superintendent Schneider said, "Quintin Ratzlaff has given his notice. His last day with the City will be May 19th, this Friday."

**Advertise to Fill Vacancy:** Superintendent Schneider stated, "I would like permission to advertise for an Apprentice I lineman, until filled." ***Council Member Lenard stated, "I move to authorize Superintendent Schneider to advertise for that position, Apprentice Lineman, until filled." Council Member Scothorn, "I second." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried; 6:0.***

**ELECTRIC DEPARTMENT: Other**

Superintendent Schneider said, "I did attend the Kansas Municipal Utilities Conference in Wichita on May 4th and 5th. I say this every time, but they really do put on an excellent conference and have excellent key-note speakers. If anybody can take the time to go, they should."

**WATER DEPARTMENT: Distribution Update**

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

**Waterline Replacement Project - Concrete Repair:** Superintendent Hawkins stated, "I want to thank Doug (Superintendent Mast) and his department. They have been doing some concrete work for us on the waterline replacements that we've done."

**Sewer Lagoons - repair update:** Superintendent Hawkins reported, "The guys have been out at the sewer lagoons. They got the dock repaired, painted the railings around the sewer intake, and did some repairs on damaged concrete around the sewer intake itself."

**Sewer Lagoon - Access Road:** Superintendent Hawkins reported, "We had an incident that somebody went out and dumped some brush behind the sewer lagoons. We're going to put up some signs that say 'No Public Access'. We hope that will help deter the road being used by the public. We, the City, do not have the right to give permission for use of that as a public access."

**Waterline Replacement on Hudson (6th Street to 12th Street):** Superintendent Hawkins said, "We are getting ready for waterline replacement on Hudson from 6th to 12th; so officially, on June 14th, you will see us over there because we want to spend as much time as we possibly can to get that six-inch waterline in. We're kind of dreading it because it is probably going to be one of the worst blocks we will do because of the terrain and how it has to be done; but we are going to have it ready for Riley Boring Company's crew to come in on June 14th."

Council Member Griffith asked, "What will you be shutting off while you're there? Who will be without water." Superintendent Hawkins replied, "There will be all kinds of disruptions because we will tear up a lot. So, everybody in that area will have disruptions; depending on how we play it out and how we disrupt the services. We're going to give flyers/notices on the doors way in advance before we actually do the shut-offs."

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**Lead & Copper Home Plumbing Survey:** Superintendent Hawkins stated, "We did get the Lead and Copper survey completed. I want to thank Sue (Administrative Assistant Stroh) for helping me with that, and I also want to thank the public. Every bit of it helped. We got 328 surveys returned to us. We were able to conduct the survey and compile the results and prepare a map showing the types/materials of the waterlines, and got that all taken care of."

**Survey Results**

Surveys were requested in the following manner:

- Mail: Over 1200 surveys forms were mailed to residents of Burlington.
- Newspaper: A notice explaining the survey was published in the Coffey County Republican.
- Electronic Media: Both the notice and survey form were published on the City's website (burlingtonkansas.gov).

The response received was as follows:

- 328 Surveys were completed and returned by residents.
- 161 showed the resident knew nothing about the plumbing.
- 114 showed they knew there were copper pipes in the home.
- 53 showed they had copper pipes installed before 1983.
- 41 showed lead solder had been installed before 1983.
- 11 showed lead solder installed after 1982 and before 1989.

We have done our best to prepare the report as we understood the instructions. We broke down the results of the surveys into the three tiers that you provided. Also a new Site Plan was written for our next Lead & Copper sampling.

**Water Treatment Plant Tours:** Superintendent Hawkins reported, "We've been doing a lot of tours of the Water Plant. It's great; 5th graders come in by the busloads. We were giving great in-depth water chemistry and we were going as deep as we could until we saw a snake behind the Water Plant; and of course, that was the end of that. We enjoyed them coming, and I think it was good for them, too. That was a lot of fun."

**Training:** On May 18th, Troy Payne, Justin King, and John Hegg will attend a school in McPherson. They will be taking their water exams and their sewer exams.

**Water Plant:** The Water Treatment Plant has been running good.

**STREET DEPARTMENT: Update**

**General:** Superintendent Mast reported, "We've been doing a lot of normal duties and patched potholes. We did some concrete work for the Water Department as Danny said; and we have been cleaning ditches and replacing culverts."

**STREET DEPARTMENT: Go out for Bids for Street Improvements 2017 Asphalt Project**

Superintendent Mast requested permission to go out for bids for the 2017 Asphalt Project. ***Council Member Curtiss stated, "I move to authorize Superintendent Mast to go out for bids for the Street Improvements 2017 Asphalt Project." Council Member Tschantz, "Second." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried; 6:0.***

**POLICE DEPARTMENT: Update**

**Training - Kansas Association of Chiefs of Police Spring Conference (May 8-11, 2017):** Chief Jones reported, "I was in Overland Park last week at the Chief's Association Spring Conference. It was pretty good training. We did the Valor Awards for Law Enforcement across the State last Wednesday at the Awards Banquet. They handed out fifty-six awards - bronze, silver, and gold level; and they got all fifty-six handed out in an hour."

**Municipal Court:** Chief Jones stated, "Court started on time last Thursday, but it was 7 o'clock before it was done. We had a lot to do. We have been dealing with a lot of juvenile cases lately; and with school getting out at 12:30 this coming Friday for summer break, we anticipate that might increase a little more."

**POLICE DEPARTMENT: Nuisances**

Chief Jones reported, "We have been hitting nuisances pretty hard. If you've got anything you want to talk to me about, feel free; but I've got an idea I've hit them."

**320 Juniatta (Yoho):** Chief Jones said, "I was contacted by Warren Yoho this week about his property inspection. He has met all of our requirements; and he's been approved to get the remainder of the insurance proceeds the City holds back after a structure is burned. It looks pretty good."

**404 Neosho, The Music Box Theatre:** Council Member Griffith inquired about progress with contacting Mr. Oliver, the owner of 404 Neosho. Chief Jones said, "I am waiting to hear back from the owner who is from British Columbia (Canada)." She asked if it is on the Registry of Historic Places. Chief Jones said, "It is on the National Register of Historic Places. We can work with it, but it is a very long and involved process, and I have

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the owner involved in it. I've been in touch with Pam Scott of the Arts Council who would really like to do something with that building. I'm hoping the Arts Council can get something worked out with the owner." Council Member Griffith, "I heard of another group, but I don't think I'm at liberty to say their name." Chief Jones, "I don't know what is going to happen."

**POLICE DEPARTMENT: Dog Statues - Missing from Happy Tails Dog Park**

Parks Superintendent Boyce asked Chief Jones to report on the dog statues. Chief Jones, to Council Member Griffith, "The dog statues that you had donated to us, Deputy Dog is still down at the Animal Shelter. The Old Boxer was over at Happy Tails Dog Park. It seems like he wandered off sometime after 3 o'clock yesterday afternoon; so he's prominently featured on our Facebook page right now. We're looking for a missing dog. It's been viewed a lot of times and shared a bunch of times."

**PARKS DEPARTMENT: Update**

**General:** Superintendent Boyce reported, "We have been doing normal duties, cleaning public buildings and restrooms, mowing, weedeating, spraying weeds, and watering flowers and new trees."

**Kelley Park :** Superintendent Boyce stated, "At Kelley Park on the day we had Arbor Day (April 18), there was a strong smell of 2-4D chemicals. There are several trees down around the livestock barn that are showing to be burnt from the chemicals. The second bud on them is coming back, so I think they will be okay. I don't think we will lose any trees, but we will keep an eye on them."

**High Winds - Cleanup in Parks:** Superintendent Boyce, "Due to the high winds, we have been picking up limbs and trash in the parks; and by morning we will probably have a couple pickup loads of tree limbs."

**Beautification Project - Flower Planting:** Superintendent Boyce said, "We did get the flowers planted in the planters on the 10th, even with a few sprinkles. Thank you, Dallas (Council Member Scothorn), and thank you to the Burlington Jaynes who also helped." Council Member Scothorn, "I would like to thank you for having everything ready to go. We whipped that out in about thirty minutes." Superintendent Boyce said he had hoped to show how to plant at the proper depth, but couldn't take the time due to the rain; maybe next year they can.

**Nuisance Mowing:** The Parks Department mowed one nuisance property at 1016 S. 6th.

**FINANCE: Claims Ordinance & Payroll Ordinance**

|    |                   |         |               |
|----|-------------------|---------|---------------|
| a. | Claims Ordinance  | 2017-09 | \$ 293,642.13 |
| b. | Payroll Ordinance | 2017-10 | \$ 83,211.37  |
|    | TOTAL             |         | \$376,853.50  |

**CLAIMS 2017-09: Council Member Lenard, "I move City of Burlington pay Claims Ordinance 2017-09 in the amount of \$293,642.13 for payment of city bills, as presented." Council Member Scothorn said, "Second." Mayor Luke called for discussion.** City Clerk Kewley said, "Our larger expenditures tonight are: Brenntag: \$7,744.50; Anexter(?) Inc. for electric poles: \$11,392.50; Kansas Power Pool: 169,202.04." **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 2017-09 approved by unanimous vote, 6:0.**

**PAYROLL 2017-10: Council Member Tschantz, "I move City of Burlington pay Payroll Ordinance 2017-10 in the amount of \$83,211.37 as presented." Council Member Hall, "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 2017-10 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. He said, "I have been going out and measuring for a lot of fences. I think instead of Tree City USA, we are becoming Fence City USA. It's a lot of fences."

**Sell Vehicle/Equipment - purplewave.com:** Everything sold on purplewave.com auction has been picked up.

**City Hall - Awning Replacement, Possible with metal:** Zoning Clerk Hugunin, "You've probably noticed the awning over the windows of City Hall are frayed and a lot of fabric is gone. We are checking into replacing those with metal instead of cloth. I have contacted one company, but will contact a couple more."

**City Hall Upper Level Window Repair:** Zoning Clerk Hugunin stated, "I want to thank Kevin, and Alan (Superintendents Boyce and Schneider) for their help with the second floor window frame that rotted. Alan let his guys come up and help with the bucket truck; and with Kevin's expertise, we got the window frame rebuilt and repainted and got the window put back in."

**Planning Commission: Adam Hoch possible Board Member**

Zoning Clerk Hugunin reported, "I have talked with Adam Hoch who will be going on the Planning Board for one of the extraterritorial areas."

**OTHER BUSINESS: Proclamation: Business Appreciation Month (June)**

Burlington's Mayor Luke and New Strawn's Mayor Petterson signed a proclamation proclaiming June 2017 as Business Appreciation Month in the Cities of Burlington and New Strawn, encourage all residents to salute their local businesses and their employees for their contributions to our communities, and to join in this important observance.

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

- 2017-009 Thayer, Dennis - 1002 Hudson - Fence
- 2017-010 Pritchett, Bobby - 520 Gary - Fence

**LEGAL DEPARTMENT: Update**

**2015 Asphalt Project (faulty materials) APAC Agreement:** City Attorney Robrahn stated, "We've been working on the agreement with APAC."

**Municipal Court:** Attorney Robrahn said, "I talked to our City Prosecutor (Philip Wright), and he said what Chief Jones always says - our domestic cases are still high."

**CITY CLERK: Update**

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

**Audit of 2016:** City Clerk Kewley, "The auditors were here all day May 4th (Thursday). They did not need to come back on Friday, but we have been processing reports back and forth through the internet. We have been very busy the last couple weeks with that."

**Budget for 2018:** City Clerk Kewley, "I am working on the 2018 Budget, as I mentioned last council meeting. I also scheduled the finance meeting for Tuesday, June 6th at 10:00 a.m., with the Finance Committee and the Superintendents."

**Business Appreciation Picnic:** City Clerk Kewley, "I want to remind you about the Business Appreciation Picnic on June 2nd (Friday) from 11 a.m. to 1 p.m. at Kelley Park. Tomorrow, approximately 230 invitations from the City of New Strawn and us will be mailed out."

**Employee Picnic:** City of Burlington will host an Employee Picnic on Monday, June 5th from 11 a.m. to 1 p.m. at Kelley Park. City Hall will be closed during that timeframe.

**Memorial Day - City Offices Closing May 29:** City of Burlington will observe Memorial Day on Monday, May 29th. City Hall will be closed.

**MAYOR'S COMMENTS:**

Mayor Luke said, "I will not be around town for the next two weeks; but as you know you can reach me via text and emails. My phone is set up for international calling, so we can talk via phone."

**FUTURE AGENDA ITEMS:**

|  |  |
|--|--|
| <b>GENERAL</b> City Debt – How to fund projects<br>City Code Recodification (LKM and American Legal Publishing)<br>Service/Allied Waste Agreement Renewal<br>Water Rate Study for 2018 rates / increase for 2018<br>Actuaries – GASB-45<br>Budget 2018               | Financial Program Software (CIC) - updates<br>MT Wireless - Fiberoptics to City Buildings<br>GAAP – Infrastructure Capitalization<br>Audit 2016<br>LED Bulb Sales to Public (begun 1/2017)<br>Business Appreciation Picnic/Employee Picnic   |
| <b>ELECTRIC DEPARTMENT:</b> Emissions Standards Compliance/EPA<br>Conger Addition - Underground utility damages/MT Networks<br>Arc Flash Study - Mapping Update<br>Parallel Generation/Net Metering Power Generation f/Renewable Energy<br>Rebuild Line on Lynx Road | Automatic Meter Infrastructure for Electric (AMI)-updates<br>KPP Power Purchase Contract - Update<br>Power Plant - Life Cycle Study<br>Power Plant - Add Generator<br>Vacancy (5-17-2017)  |
| <b>PARKS DEPARTMENT:</b> Riverbank Fill Permit - Application for new site/update<br>Kelley Park - Christian Motorcyclists Assoc. 9/2017<br>Coffey County Fair 2017 (7/19 - 23/2017)  | Free Drake Park Campsites (7/17-23/2017)<br>WildBlue BBQ (7/13-15/2017)<br>Taste of Fall Festival 10/2017<br>Ultimate Horsemanship Challenge 10/2017   |
| <b>LEGAL DEPARTMENT:</b> Municipal Court   |  |
| <b>PLANNING AND ZONING</b> Industrial Park Lots - for Sale, etc.<br>Work with NexTech and City Departments to improve Cyber Security<br>Work w/PD on Nuisance Structure regulations  | Quarterly Construction Valuation Report<br>Prepare Easements for any City-owned property without one<br>City Hall - Awning Replacement (switch to metal)   |
| <b>POLICE DEPARTMENT</b> Nuisance Updates  |  |
| <b>STREET DEPARTMENT:</b> Heather Street - Concrete Panels<br>Sidewalk Repairs on City Rights-of-Way<br>APWA Conference in Florida (August 2017)<br>Street Improvements: 2017 Asphalt Project  | Pavement Management System/Asset Management System<br>Street Project Testing by PSI - updates<br>2015 Asphalt Project - APAC used Faulty Materials   |
| <b>WATER &amp; WASTEWATER DEPARTMENT:</b><br>Southwest Sewer Project<br>Waterline Replacement Project<br>Pump Repairs (Clearwell/River Intake)<br>Neosho River - Riverbank Erosion/Dike/Gravel Bar/etc.<br>Sewer Lagoons - Analysis (KRWA/funds for dredging)        | Water Taste/Odor<br>SCADA System-updates<br>Water Meter installations<br>John Redmond Reservoir – Dredging<br>Plumbing Violations / Grease Traps<br>Water Plant Improvements–Efficiency<br>Testing/Chemical Updates<br>Valve Exercise Program - Annually in Fall<br>Lead & Copper Monitoring - Survey Update<br>Sewer Lagoon - Maintenance/Updates |

**Mayor Luke declared the meeting adjourned.**

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