

BURLINGTON CITY COUNCIL REGULAR SESSION DECEMBER 6, 2017

City of Burlington Governing Body met in Regular Session at City Hall, 301 Neosho Street, Burlington, Kansas at 6:00 p.m. Wednesday, December 6, 2017. Mayor Stan Luke called the meeting to order.

ROLL CALL: Stan Luke, Mayor

Council Members present:

Lewis Lenard (President of Council) Dallas Scothorn (arrived 6:13 p.m.) 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, J. J. Jasper

AGENDA: *Council Member Lenard, "I move to approve the agenda as modified." Council Member Hall, "I'll second." Motion unanimously carried, 5:0.*

MINUTES 11-15-2017: *Council Member Curtiss, "I move to approve the minutes of November 15, 2017 as amended." Council Member Hall, "Second." Motion unanimously carried, 5:0.*

APPOINTMENT: None

PUBLIC COMMENTS:

Jay Hale, "The streets look nice with the lights should dress them even better."

ELECTRIC DEPARTMENT: Distribution Updates

General: The Electric Department has been doing line locates, tree trimming, and repairing some street lights. They have also been replacing a few down guy anchors that have deteriorated due to electrolysis.

Christmas: Personnel have been putting up Christmas decorations and turning on the lights on downtown buildings.

ELECTRIC DEPARTMENT: Power Plant/Production Update

General: On the production side, they have been doing general power plant maintenance.

Generator #2 Maintenance: Superintendent Schneider said, "Production personnel are still spending their time to work on Generator #2, and they are making progress. The heads that were sent to be repaired showed back up today. They had gone to the wrong location (Kansas City), we tracked them down, and the shipping company fixed it. They got here today and are ready to be installed."

WATER/WASTEWATER DEPARTMENT: Distribution Update

General: Water/Wastewater personnel have been doing their normal duties: regular maintenance, reading water meters, re-reads, and line locates.

Water Leaks: Superintendent Hawkins reported, "We repaired a couple of water leaks. One was at 4th and Garrettson, again. The other one was at the alleyway between Neosho and Hudson. Both have been repaired."

New Bulk Water Station- Construction update: Superintendent Hawkins, "The staff has been working on the new Bulk Water Station. We've been getting a lot of calls from the public asking if we are going to shut the gates so they can't get their water. The answer is: the gates will remain open until the new building is done and ready to open, at which time I will report it to council. Notification will be made to the public through the newspaper and the City's website (burlingtonkansas.gov), and Facebook. We will try to give enough notice because we know a lot of people rely on this source of water. Until the new Bulk Water Station is up and running 100%, we will not close off access to the one inside the fence."

Pump Station #6 (LS#6)- Transducer: A transducer on Pump Station #6 was replaced and is running fine now.

Un-used Meters - Addresses, etc.: Superintendent Hawkins reported, "We have been working on getting addresses for all the unused water meters. Tomorrow, I will be visiting with Jimmy (Zoning Clerk Hugunin) to get addresses."

Water Treatment Plant: The Water Treatment Plant has been running fine. It has been business as usual in the Water Treatment Plant.

WATER DEPARTMENT: Personnel: Non-Certified Water/Wastewater Operator-Recommendation

Superintendent Hawkins stated, "We, the Interview Committee, did interviews for the vacant position; and I would like to make a recommendation that we hire Austin Brown at \$15.80 an hour."

Council Member Hall, "I move to extend an offer of employment to Austin Brown for the position of Water/Wastewater Non-Certified Operator, at the starting hourly wage of \$15.80." Council Member Tschantz, "I'll second." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried 5:0.

Council Member Curtiss inquired whether the department was fully staffed now. Superintendent Hawkins said it is.

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STREET DEPARTMENT: Update

General: Superintendent Mast reported, "We spent quite a bit of time working on equipment, sweeping curb and gutter, hauling more waste to the landfill, and cleaning ditches."

STREET DEPARTMENT: Street Improvements 2017-Asphalt: Change Order #1

Superintendent Mast, "We estimate our asphalt every year in the bid process for the project. That estimate doesn't cover a lot of things such as when I have them go deeper in the intersections and put in more asphalt there, the patching we do around town, and like this year I had a cul-de-sac that I wanted them to thicken the round end of the cul-de-sac because I thought it would be better to have it be thicker than two inches there because a trash truck turns there."

Council Member Hall stated, "I move to approve Change Order #1 for a net increase of \$39,240.75 for the Street Improvements 2017 Asphalt Project, which brings the total project contract price to \$286,895.69." Council Member Curtiss, "I second it." Mayor Luke called for discussion. Council Member Lenard, "This is kind of what we see about every year, then, Doug?" Superintendent Mast, "Yes. This year, we're having Norm Bowers (Bowers Civil Engineering) go back and rerate our streets. He will be coming to council soon with a presentation for you, as well. One of the things that happens is when we rebuild these streets, the streets we are rebuilding may be only eighteen or twenty feet wide - and when we rebuild them we rebuild at twenty-four feet wide. There's more asphalt needed because it is figured at the eighteen foot because that is how it is on our list. Those will be updated, as well; and it will then be in our system as a new update. I'm guessing Norm will be here the first part of January." **Hearing no additional discussion, Mayor Luke called for a vote on the motion. Motion unanimously carried, 5:0.**

Process to request streets be improved: Council Member Lenard, "We were kind of going through our end (the south end) of town, The streets look awesome, I will say that; but then you see some of the roads that haven't had anything done to them. Is there anything you can do? It's just that the neighbors come to us and say they would like to get their street done." Superintendent Mast explained, "Basically, the process is that they have to petition to have the street asphalted - just like you did for behind your place. If they petition for that, then we put that through (for council approval) and make it an asphalt road." He added, "The only other way to change that process is if you as the Council want to change that. I've had comments to me - people get irritated because there is one block in places that we are rebuilding that's still gravel because it's never been upgraded. That is the process that we have in place right now. People have to petition to have their street upgraded, and they have a portion of the cost. Anything past that is up to the Council to decide; I can't change that." Council Member Lenard, "Thank you."

POLICE DEPARTMENT: Update

Council Member Lenard provided Chief Jones' report.

Cases: The Police Department is working a probable forgery case with a couple of businesses here in town. They have been working EMS assists, funeral escorts, civil standbys, animal calls, traffic accidents, suspicious activity calls, and traffic complaints."

Community Service - check on property: Chief Jones wants to remind everyone that if anyone is going to be gone over the holidays for any period of time, they can contact the Police Department and they will check in on the property. Council Member Lenard added "I think that's a nice service."

PARKS DEPARTMENT: Update

General: Superintendent Boyce reported that the Parks Department has been doing normal duties: cleaning public buildings and public restrooms, and mulching tree leaves in Kelley Park. Personnel have also been doing equipment maintenance and finished getting equipment changed over for snow removal. They attended the KMU Safety meeting on Health and Wellness.

Veterans Banners Update: Superintendent Boyce said, "We took down the Veterans banners and put up the holiday banners. I'd like to thank the Electric Department for their help with taking down the Veterans banners."

FINANCE: Claims Ordinance & Payroll Ordinance

a.	Claims Ordinance	2017-22	<u>\$428,712.49</u>
b.	Payroll Ordinance	2017-24	<u>\$ 81,488.94</u>
	TOTAL		\$510,201.43

CLAIMS 2017-22: Council Member Lenard moved to approve City of Burlington pay Claims Ordinance 2017-22 in the amount of \$428,712.49 for payment of city bills, as presented. Council Member Hall said, "I'll second." Mayor Luke called for discussion. City Clerk Kewley said, "Tonight we have Killough Construction, \$286,895.69; Lewis Oil, \$5,481.16; and Wheeler World, \$29,013.63." **Hearing no additional discussion, Mayor Luke instructed City Clerk Kewley to poll Council for a vote. Mayor Luke declared Claims Ordinance 2017-22 approved by unanimous vote, 5:0.**

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PAYROLL 2017-24: Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2017-24 in the amount of \$81,488.94 as presented. Council Member Lenard "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 2017-24 approved by unanimous vote, 5:0.

PLANNING & ZONING: Update

General: Zoning Clerk Hugunin has been doing normal duties and updating permits. Today, he started inventory for City Hall, and also got the inventory sheets to all the other departments so they can start theirs.

Tree City USA: Zoning Clerk Hugunin is working on the Tree City USA application and the Growth Award application.

Goals for 2018 & Accomplishments in 2017: Zoning Clerk Hugunin is working on his Goals and Accomplishment for Planning and Zoning.

OTHER COUNCIL BUSINESS: Floyd Lewis Foundation Veterans Day Program - Appreciation to City

Mayor Luke, "In your council packet, you have a letter of appreciation from the Floyd Lewis Foundation for the City's support of the Veterans Day Program because we usually do that. Also, we are in the Kansas Government Journal, along with several cities that have been recognized for their support of the Veterans programs around the State of Kansas."

The City also supported their Veterans Banner Project, which was begun this year. Council Member Lenard, "I will make a comment because I received a lot of positive feedback on that. Also, there are some misinformed people in the community. Those Veterans banners were supposed to be up the entire month of November; so the Christmas lights and decorations were not up on the poles because it was intended to be that way."

Council Member Griffith said, "I would like to add that my grandson, a fifth grader, and I think a lot of them have been fascinated with those Veterans banners." Mayor Luke, "I've received emails from people who have driven through town. Apparently they have gone to the City's website and sent me emails. I haven't had any negative comments with respect to it; and I know there are a lot more people now that have gone to the Floyd Lewis Foundation and submitted names for Veterans they want to be pictured on banners next year."

PERMITS: Permits issued by Zoning Clerk Hugunin:

- 2017-028 Jeff Foster 426 St. Lawrence- Shed
- 2017-029 Ray Hutson 1231 10th Rd. - Barn
- 2017-030 Jenny Pride 1014 S. 5th - Shed
- 2017-031 Dana Kraft 141 S. 15th - Fence

LEGAL DEPARTMENT: Update

Attorney Robrahn said, "I have been working on a utility easement with the Mayor. Just a reminder, our next Municipal Court is next Thursday, December 14th."

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 meeting.

Delinquent Utility Accounts to Kansas Setoff: In December, we will be sending \$4,500.39 in delinquent utility accounts to the Kansas Setoff Program for collection.

Goals and Accomplishments: Each Department Head, the Zoning Clerk, and City Clerk has started working on their goals for 2018 and accomplishments in 2017.

Audit of 2017: City Clerk Kewley reported, "We're gathering information already for our auditors (Mize Houser & Company). They have already started the 2017 audit."

Water/Wastewater Operator Interviews: Yesterday, City Clerk Kewley participated in the interviews for the Water/Wastewater Department.

Other: City Hall personnel have been handling normal calls and inquires.

LICENSE - Annual Renewals

Mayor Luke, "We have licenses for 2018 for Cereal Malt Beverage, Amusement, and Trailer Courts. We need a motion to approve those."

LICENSE APPLICATIONS FOR 2018

AMUSEMENT LICENSES

- American Legion, Congdon Kepler Post #38 dance, amusement, 1 game
- C-2 Investments 10 games

TRAILER COURT LICENSES

- Dietrich Trailer Park- Jim Toy 3 lots
- Matt Barrett Trailer Park 8 lots
- Bill Lockhart 1 lot

CEREAL MALT BEVERAGE LICENSES (8)

- | | | | |
|--------------------|----------------------|------------------------|----------------|
| Across the Borders | C-2 Investments | Casey's Retail Company | Dollar General |
| Pizza Hut | Pete's of Erie, Inc. | Shopko | Skeet's BBQ |

[4] CONTINUATION: December 6, 2017 Burlington City Council Regular Session/Work Session

Council Member Curtiss stated, "I move to approve the Cereal Malt Beverage Licenses, Amusement Licenses, and Trailer Court Licenses for 2018, as presented." Council Member Hall, "Second." Mayor Luke called for discussion. City Clerk Kewley, "I would like to add that we do have one business, La Hacienda, that we tried to contact by phone and they have not gotten back with us. We are going to send a letter to tell them they need to get an application in to be presented for approval at the December 20th council meeting, or they will not be able to sell cereal malt beverages after December 31st." **Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.** (Council Member Scothorn was present for this motion.)

COMMENT OF CITY OFFICERS: None

RECESS OF COUNCIL MEETING:

Mayor Luke stated, "We will recess and reconvene in fifteen minutes at the Electric Plant (1112 Niagara Street) for a Work Session on Generation, with the Governing Body, City Clerk, Electric Superintendent. Others do not have to attend unless they choose to." Superintendent Schneider explained to everyone where to enter the Electric Plant.

RECONVENED FOR COUNCIL WORK SESSION- AT THE ELECTRIC PLANT (1112 NIAGARA ST.)

(At the November 15th council meeting, Council requested a Work Session to provide additional information and understanding of the Additional Generation Project and Life Cycle Study done by Mid-States Energy.) Mayor Luke and Council Members Lenard, Scothorn, Curtiss, Tschantz, and Hall met at the Burlington Electric Plant to reconvene for a Work Session. Also attending the Work Session were: J. J. Jasper (Council Member elect who will take office on January 8, 2018), Electric Superintendent Schneider, Jay Hale, and Mark Petterson (Coffey County Republican).

Superintendent Schneider took the group around the Electric Plant, provided information about the proposed new generation, and answered questions. Discussion included various options available to the City of Burlington for providing electricity to meet the needs of everyone and that would be in the best interest of the city. The following represent some of the discussion.

- A. How had Superintendent Schneider determined that Generator #5 is not safe for operation?

Superintendent Schneider explained that he had consulted with Larry Wheeler (Wheeler World); and until the unit is evaluated, we will not operate it. It is a 1,000 kw unit, and when we did the annually required testing on it, we could only go as high as 600 kw due to the knocking noise of the engine. Until a decision is made on the path we are going to take, there is no need to incur expenses for an evaluation.

- B. Should we place a generator in the Industrial Park near the substation to serve that load?

Superintendent Schneider pointed out that if a generator was put there, we would still have to feed that back to the Power Plant. The generator really needs to be at the Power Plant substation to ensure we don't have problems getting the power to the customers. Should the power lines between the two substations become inoperable, we would not be able to get power to our customers.

- C. Is it in the city's best interest to stay with Kansas Power Pool, or should we consider relying only on Westar Energy; or possibly another provider - Lyon Coffey Rural Electric or KMEA?

- D. Should we even stay in the Power Plant business?

- E. Should we consider using renewable energy such as photovoltaic (solar) or wind?

- F. Which housing options would be the best? If the high speed generator option should be the option chosen, there are two options to consider for housing the two high speed generators. [Ref. Council 11-15-2017: *[This was Option 3: Replace Generator #5 with New Diesel Generation (Two new 3 mw Generators).]*

1. Put them in the existing power plant, in the new plant. However, if we ever need to add a bigger unit like the ones currently there, a new building would be needed.

Or

2. Build a new building for the two high-speed generators and set them in it, instead of in the current power plant.

- G. Meeting generation capacity was discussed, as it was at the November 15th council meeting. Southwest Power Pool (SPP) mandates that 17% above peak load be maintained. Superintendent Schneider had explained that the way Kansas Power Pool is set up, all the member cities pool all their capacity together. The 17% excess capacity we're supposed to have above peak, the Kansas Power Pool contract says we will have that. KPP is not enforcing that rule because they are using a more socialized way. KPP's way is to pool all the member city's resources together, so where other towns are long on capacity, we're able to use for our operating agreement with Kansas Power Pool to say that technically right now we're not short.

(Continued)

[5] CONTINUATION: December 6, 2017 Burlington City Council Regular Session/Work Session

Currently we are fine, but as cities retire larger units, KPP will not be long on capacity. At some point KPP will not have the 17%, so Southwest Power Pool could impose fines; and KPP will come after its member cities, and may start charging each city that does not meet the required capacity for its shortages. That is a very probable possibility.

H. The cost of this option for two high-speed generators was also discussed. A rough cost estimate to the customers for that project was discussed.

1. Why do we not save our money until we can buy more capacity for a generator, instead of borrowing?

Mayor Luke explained that the needs are here today, not at the amount of time it would take to save enough money to pay cash.

Council came to agreement that the Superintendent Schneider and the Electric Committee will do research into the various options available, and will present the information to the council in the near future. *(The Electric Committee members are Mayor Luke and Council Members Lenard and Scothorn.)*

FUTURE AGENDA ITEMS:

GENERAL City Debt – How to fund projects Service/Allied Waste Agreement Renewal Water Rate Study for 2018 rates / increase effective 1-15-2018 (updates) Actuaries – GASB-45 January 8 - Swear in Officials elected 11-7-2017	Financial Program Software (CIC) - updates MT Wireless - Fiberoptics to City Buildings GAAP – Infrastructure Capitalization Economic Development - Co. Commerce Committee Updates
ELECTRIC DEPARTMENT: 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 Generator #2 Shutdown: Maintenance for OIL/Shut down (Appx. 2-3 wks)	Rebuild Line on Lynx Road Automatic Meter Infrastructure for Electric (AMD)-updates KPP Power Purchase Contract - Update Power Plant - Life Cycle Study - Add generation Generator #5 - out-of-service Rolling Outage Plan
PARKS DEPARTMENT: Riverbank Fill Permit - Application for new site/update Community Thanksgiving Dinner, 4-H Bldg 11/22-23/17(reserved/Vicki VanKooten)	Happy Tails Dog Park - Scooping - Keep Park open or close it?
LEGAL DEPARTMENT: Municipal Court Clinton Sowder - Bow Hunting in town (former Huff's Gardens)	Misc. Legal - Documents, Cases, Contracts, etc.
PLANNING AND ZONING Industrial Park Lots - for Sale, etc. Work with NexTech and City Departments to improve Cyber Security Work w/PD on Nuisance Structure regulations Crow-Moddie Detail/Wash Building - Permit updates	Quarterly Construction Valuation Report Prepare Easements for any City-owned property without one City Hall - Awning Replacement (switch to metal) Floodplain Maps - updating/remapping
POLICE DEPARTMENT Nuisance Updates Parvovirus - update	Department Activities/Cases/etc.
STREET DEPARTMENT: Heather Street - Concrete Panels Sidewalk Repairs on City Rights-of-Way Street Improvements: 2017 Asphalt Project Sinkhole at Garrettson and HWY 75	Pavement Management System/Asset Management System Street Project Testing by PSI - updates 2015 Asphalt Project - APAC used Faulty Materials Sinkholes under highway - Check into liners for culverts
WATER & WASTEWATER DEPARTMENT: SCADA System-updates Waterline Replacement Project - Continuation/Updates Pump Repairs (Clearwell/River Intake) Neosho River - Riverbank Erosion/Dike/Gravel Bar/etc. Sewer Lagoons - Analysis (KRWA/funds for dredging) Bulk Water Station - Building Project 2017	Water Plant Improvements–Efficiency Testing/Chemical Updates Water Meter installations John Redmond Reservoir – Dredging Plumbing Violations / Grease Traps Middle School Water Meter Replacement Sludge Press - Alignment/Solenoid Southwest Sewer Project Fencing at Water Treatment Plant Valve Exercise Program - Annually in Fall Lead & Copper Monitoring - Survey Update Sewer Lagoon - Maintenance/Updates

Mayor Luke adjourned the Council Meeting/Work Session at 7:20 p.m.

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