

BURLINGTON CITY COUNCIL REGULAR SESSION JANUARY 17, 2018

City of Burlington Governing Body met in Regular Session at City Hall, 301 Neosho Street, Burlington, Kansas at 6:00 p.m. Wednesday, January 17, 2018. Mayor Stan Luke called the meeting to order.

ROLL CALL: Stan Luke, Mayor

Council Members present:

- | | | |
|-------------------------------------------------------------------------|-------------------------------------------------------------------------|-----------------------------------------------------|
| <input checked="" type="checkbox"/> Lewis Lenard (President of Council) | <input checked="" type="checkbox"/> Dallas Scothorn (arrived 6:18 p.m.) | <input checked="" type="checkbox"/> Jerilyn Curtiss |
| <input checked="" type="checkbox"/> J.J. Jasper | <input checked="" type="checkbox"/> Thomas P. Tschantz | <input type="checkbox"/> Sharon Hall |

Superintendents Present:

- | | | |
|------------------------------------------------------------------|----------------------------------------------------------------------|--------------------------------------------------------|
| <input checked="" type="checkbox"/> Kevin Boyce (Parks) | <input checked="" type="checkbox"/> Alan Schneider (Electric) | <input checked="" type="checkbox"/> Doug Mast (Street) |
| <input checked="" type="checkbox"/> Doug Jones (Chief of Police) | <input checked="" type="checkbox"/> Danny Hawkins (Water/Wastewater) | |

Also Present:

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| <input checked="" type="checkbox"/> Regina Kewley (City Clerk) | <input checked="" type="checkbox"/> Susan Stroh (Administrative Assistant) |
| <input checked="" type="checkbox"/> Tom Robrahn (City Attorney) | <input checked="" type="checkbox"/> Jimmy Hugunin (Zoning/Grants Clerk) |
| <input type="checkbox"/> Philip Wright (Assistant City Attorney) | <input type="checkbox"/> Anne Brown (Deputy City Clerk) |

Media Present: Mark Petterson (Coffey County Republican)

VISITORS: Norm Bowers (Bowers Civil Engineering), Mark Davidson, Paul Abendroth

AGENDA: *Council Member Lenard, "I move to approve the agenda as modified." Council Member Curtiss, "I'll second." Motion unanimously carried, 4:0.*

MINUTES 1-3-2018: *Council Member Tschantz, "I move to approve the minutes of January 3, 2018 as presented." Council Member Jasper, "Second." Motion unanimously carried, 4:0.*

APPOINTMENT: Norman Bowers: Pavement Maintenance Program Street Condition Report

Norm Bowers, Bowers Civil Engineering, discussed the fact that there are 34.6 miles of roads in Burlington, which is actually a lot of miles for a city this size. He said, "I'm sure some of you remember I was here in the winter of 2011-2012 and gave an initial report on the conditions of the streets and the street plan on how to improve those; and I was back in 2013-2014; so this is the third report I am giving you folks."

"I want to go over in fifteen minutes at the most - unless J.J. (Council Member Jasper) has a lot of questions; and when I get done, you're going to be the smartest city council when it comes to streets of city council in the state." Referring to his handout, Burlington Street Study Update of January 17, 2016, he said, "I want to go over what we call pavement classes and review the street maintenance plan and what we have in place in 2011 and review the street condition, and changes in the annual work plan in the last six years."

"On the Pavement Classes, we need to predict ahead of time what work needs to be done on the streets. We need to get there before the street gets in bad condition, and we need some idea of what year they have to be worked on; so we divide the streets by the Pavement Class (Type)." He explained that for the purpose of predicting needed maintenance, streets are divided into classes or grouping that will generally perform the same. We have six pavement types within the city: Rock, Chip Seal, Chip Seal Over Base, Chip Seal with 2" Overlay, Hot Mix Asphalt (4' + thick), and Concrete.

Within reasonable limits, streets in the same class will need the same maintenance at the same interval; for example, chip seal streets need patched and sealed at five year intervals. In 2011, most of our streets were chip seal streets, and they pretty much alligator cracked in the edge, which indicates a weak base and the likely need for reconstruction. Those streets were low initial cost, but high maintenance type streets - especially if trash trucks and that type of equipment are running the shoulders. Since 2011 we have been overlaying a lot of the chip seal streets and they look better, but you still have to fill the cracks and sometimes seal them. One overlay does not give enough strength to be classified as hot mix because there are only a couple inches of pavement on them. Once we get to four inches of overlay, we call that hot mix. We have some chip seal streets that have a good base, some chip seal streets without a good base, and some rock streets.

Mr. Bowers said, "The Street Maintenance Plan is the same as on a house, you have to keep the roof fixed so mold doesn't develop. In our case, we want to keep the streets in good condition so they don't get alligator cracks. So what we did was we maintained the good streets to good, and then we used the money we have left to work on the remainder of the streets. We also added base and pavement structure when we could to reduce long term maintenance costs."

He discussed why we do not work on all the worst streets first. It costs about 10 times as much to reconstruct as it does to perform routine maintenance. You can do ten blocks of preservation for what it takes to do one block of reconstruction. That's the reason we need to keep our good streets in good conditions. Every year since 2011 there have been fewer streets in poor condition, which shows the plan is working. Mr. Bowers commented, "The Council has been real good over the last six years letting the Street Department stick with the plan."

(continued)

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Mr. Bowers discussed the priority: Priority 1: Hot mix Streets - keep them in good condition; Priority 2: Chip seal streets that had an overlay; Priority 3: Chip seal streets that do not need reconstruction; Priority 4: Reconstruct poor chip seal streets. That was the work, Reconstruction was the lowest priority. He explained work done using the 2011 Maintenance Plan over the past six years. Hot mix streets average 4,000 feet done per year on a 12 year cycle. Chip seal streets with a two-inch overlay averaged 5,000 feet per year, were on an 8-year cycle, and progressed to a 12-year cycle. Chip Seal streets average 14,000 feet per year and are on a 5-year cycle.

Progress has been made over the years. The amount of concrete streets has remained the same (11,614'). However, the length of Hot Mix asphalt (4" thick) has increased from 39,893 feet in 2011 to 69,659 feet. The length of Chip Seal streets with 2" overlay was 39,468 feet, and is now 69,755 feet. Chip Seal over base has decreased from 3,903 feet to 1,793 feet. Chip seal streets have decreased from 68,424 feet to 16,474 feet; and Rock streets have decreased from 19,087 feet to 17,367 feet.

Goals of the Street Maintenance Plan were discussed. One goal is to move streets into a higher pavement class where they will need less maintenance. In 2011, basically half the street network was either fair or poor condition. Now, 72% of our streets are in good condition, and very few fair or poor ones. Burlington now has a lot more hot mix streets, which are a lot better streets that are much smoother and require less maintenance in the long run. There's been a lot of improvement in six years.

Mr. Bowers said, "Concrete street condition is a little different, they are aging very rapidly. In 2011, most of those (84%) were in good condition and a few (2%) were fair - we had a cul-de-sac that had failed, and some were rough, but most of them were in good condition. Now, we are seeing some good (67%) and quite a few fair concrete streets now (30%). They're not holding up as well as we'd like. Deterioration is mostly in the joints or where the concrete wasn't thick enough, the base was soft, or something like that. It could be the concrete, the finishing, the curing - it's hard to say. It's not from any lack of maintenance, it's an initial construction issue. That's where we're at on concrete streets."

"The way it's working, the trend is that the streets will be even better next year. We're making a lot of good progress on the condition of the streets." Referring to the graphs in the handout, he said, "These aren't what you would call guesses - we drove every mile, every block, and rated the streets based on a scale that University of Wisconsin uses called Base Resistance, which is a 1 to 10 Scale. It's an accurate system that doesn't reflect any change over the years; and we actually have pictures, graphs, and things like that; so that's the scientific rating of the street conditions." Referring to the Pavement Management System spreadsheet, Mr. Bowers said, "The example of the spreadsheet shows the annual Street Work Plan since 2011, and the different work that has been done over the years. The Plan has emphasized more overlays and base work; and the future plan will be more overlays and less chip seals. That is tracked over the years to show how much work is done and what type of street improvements were done."

Final observations are: 1) Concrete streets are not aging well; 2) Last reconstruction of chip seal streets is scheduled for 2018; and 3) Future maintenance will be more overlays and less chip seal, reflecting the reduction in chip seal streets.

Mr. Bowers offered to answer any questions.

1) Mayor Luke, "Where do you see it going program-wise after 2018?" Mr. Bowers explained.

"Reconstruction is something you're not going to be doing much of any more, where you're tearing it up and going down deep. You would be doing more of the overlays because there are still chip seal streets out there that need to be protected with overlay. We will try to get as many of them as we can into the hot mix. Your curb is in pretty good condition."

"Curbs, we do rate the curbs. You don't have much curb work, but I think a few blocks are on the schedule for this year."

"Sidewalks are in bad shape. You might consider a sidewalk program."

2) Council Member Jasper, "After a hot mix, then what? I see it's four inches thick, and you just keep putting chip seals and that on it?" Mr. Bowers explained, "It depends. Sometimes when you have a ditch street, we can put overlay on it and give a little more thickness. Otherwise if you've got curb, you have to mill some of the curb and then add thin overlay or chip seal."

Council Member Jasper, "When does it become an elevation issue with homeowner's driveways and ditches?" Mr. Bowers, "That depends on the block. On a lot of those jobs, we did have to add base - we didn't dig down and some of those elevations did get high. You've got to be careful about that when you do the reconstruction." Council Member Jasper, "Right, because I've seen some drives in town that we did - I'm assuming hot mix - and the driveways look like it would be pretty impossible for homeowners. There is water in their driveways 24/7 after it rains."

Mr. Bowers, "Yes, you might want to do some driveway work sometime. We've pretty well been concentrating on the main goal - trying to get the streets in good condition. A lot of times, those driveways were put in level with the street, with no anticipation that the street would ever go up; and so it does create a problem."

3) Council Member Lenard asked about our maintenance costs, did they decline? Superintendent Mast, "Our maintenance costs are staying fairly steady." Council Member Lenard, "Our maintenance costs should go down. Is that something we track?" Mr. Bowers, "What I was talking about is that by moving

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the pavement class by improving the streets, the maintenance cost is going to go down. We haven't gotten to the place where it's leveled off with the amount of work needing to be done. All the savings we're getting by moving those to hot mix, we're spending on the chip seals. For now we're taking the money that would have been spent up there, and spending it on reconstruction."

Superintendent Mast, "The thought behind it is that in time it should save the city on maintenance cost quite a bit because we don't have to do all those rebuilds, and we're just maintaining a quality product from then on out with a chip seal or a mill and overlay on curb and gutter or something like that, which would be considerably cheaper - like Norm said about ten times cheaper than to rebuild. The goal is to get there. We've still got a few more years of overlays to get things into that situation to where we're going to be there."

- 4) Council Member Jasper, "So once the maintenance cost goes down, is there any way we could eliminate the 17,367 feet of rock road? Can that maintenance go to something like that?" Superintendent Mast, "That's a decision that you guys of the Council will have to make." Council Member Lenard, "The homeowners would have to petition for that."

Superintendent Mast, "The situation right now is people petition to get their road turned into a paved street, and they have to pay a portion of that; and that's why you don't see a lot of that happen - because nobody wants to pay out-of-pocket to do that; so you don't see a lot of those rock streets being upgraded. I know I catch a lot of flack whenever we're doing rebuilds in an area and there's a block of rock in between three blocks of pavement. People think this is stupid, and I get it, but that's the process the way it is now."

Council Member Jasper, "I understand that, but what I'm saying is - the money here (the savings), what's it going to go to later?" Superintendent Mast, "That's a decision that you guys (the Council) can make based on how you want to deal with that." Council Member Jasper, "So how much of the cost does the homeowner have to come up with to chip seal or hot mix their street?" Superintendent Mast, "I would have to do some research and bring that back to you J.J." Council Member Lenard, "We did ours back there behind my property and it was based on the square footage, and a percentage that was around \$4,000 or \$5,000 was my portion of it." Council Member Jasper, "That's over time?" City Clerk Kewley, "Five years." Council Member Lenard, "And then the City maintains it after that." Superintendent Mast explained the property owner's charge is based on the footage fronting the street to be improved.

City Clerk Kewley, "It can be an issue if there are several property owners and you can't get enough of the owners to sign the petition, then you can't get the petition." Superintendent Mast commented that we've had that happen several times over the years, when the petitioner could not get the required 51% of the property owners to sign. He said, "There is a provision in the manual where it can be forced; but that's an awful hard pill to swallow for people if you tell them you're going to pave their road and send them a bill for it. I believe it states that any sections of two blocks or less, can be forced in to paving."

- 5) Council Member Curtiss, "The concrete streets, you're looking at concrete or chip seal or a better way to go about taking care of those roads?" Superintendent Mast, "The engineer will give us a dollar amount based on what it would cost to put it back as concrete and a dollar amount of what it would cost to put it back as hot mix. When we get those numbers, I'll bring those back to the council."

He added, "The ones where we're doing patch fixes on we have to put back as concrete. If we're doing a reconstruction, we're going to look at switching those over to asphalt because we're just not seeing the amount of years out of the concrete that we maybe should be seeing for the price difference."

Council Member Jasper, "How is the curb where you're talking about up there on Heather Street? Is it in pretty good shape?" Superintendent Mast, "Some of it is and some of it isn't. Up around those cul-de-sacs especially we've got a lot of places where the curb is starting to fail, so we will have to replace that, as well. When we replace the curb, we will have to decide whether we replace the street back with asphalt or with concrete."

Mr. Bowers, "Let me make one final comment here. This has been quite an improvement in city streets over the last six years. Since you're here all the time, you might not have noticed. It was remarkable when we came back and did the rating after three years and saw how much improvement there is. I remember well the first year in 2012, I came back and in the beginning we figured what Doug (Superintendent Mast) needed to do, and as I left town, I didn't think he'd get half of it done. He got it all done; and every year he got it all done. You might not realize it here because you're close to them, but these guys do a lot of work and they've got a lot of expertise, and it's one of the best city street departments that I've seen. I know you get complaints of how those guys don't know anything, but what are they comparing it with - that kind of thing. I don't think there's any city that has had street improvements like you guys have in the last six years I've been working with you."

Hearing no further discussion or questions for Mr. Bowers, Mayor Luke thanked him, and moved on with other agenda items.

STREET DEPARTMENT: Update

Superintendent Mast reported the personnel have been working on equipment and doing snow and ice control.

PUBLIC COMMENTS: Paul Abendroth on Streets needing improvement

Paul Abendroth, "I want to ask about a couple of the streets and if they are in the program (Street Pavement Management Program) to be updated. They have been after them for a long time." Mayor Luke, "Which streets?" Mr. Abendroth, "10th and Penobscot and Merrimac. Michael (Abendroth) is building houses over there and he needs the streets fixed so he can put in the drives."

Superintendent Mast explained that those streets are on the schedule to have new curb and gutter in 2018; and then they will be rebuilt in between the new curb and gutter in two phases. He will try to get base portion of the reconstruction done in 2018, and then the pavement will be done in 2019. Mr. Abendroth, "Now, that's both streets?" Superintendent Mast, "That's correct."

ELECTRIC DEPARTMENT: Distribution Updates

General: Superintendent Schneider, "We have been doing line locates. The men have been spending a lot of time doing vehicle maintenance and repairs, and cleaning and waxing booms on the aerial equipment."

ELECTRIC DEPARTMENT: Power Plant/Production Update

General: Superintendent Schneider reported, "On the production side, the men are doing general power plant maintenance and generator maintenance. We have been doing -year-end reports. We spent the last week or so rebuilding spreadsheets for the 2018 reporting that we've got to do. I have been gathering data from Carol (Utility Billing Supervisor Mahon) and reports from the power plant in preparation to do our annual Energy Information Agency (EIA) Reports, which we will get started on in the very near future."

Power Outage: Personnel worked one outage since last council.

WATER/WASTEWATER DEPARTMENT: Distribution Update

General: Water/Wastewater personnel have been doing their normal duties: work orders, line locates, customer call-outs, meter reads and re-reads, and KMU safety training.

New Bulk Water Station- Construction update: Superintendent Hawkins reported, "We are still working on the new bulk water station. We have it all sealed in and insulated; and the men are doing the plumbing on it. It is on schedule; so we're hoping we'll have it open before the end of the month, which is our goal. However, we're going to continue the old one for a little while to give customers time to get used to the change."

Frozen Meters: Due to the cold weather, there were some frozen meters, so the Water Department had to go out and get them thawed.

Inventory: The Water/Wastewater Department inventory was completed and given to Zoning Clerk Hugunin. Superintendent Hawkins said, "I want to thank Jimmy (Zoning Clerk Hugunin) for fixing my computer, I really appreciate it."

Reactor Basin Clean-out: Superintendent Hawkins reported, "At the Water Treatment Plant, we did get the sludge cleaned out of the reactor basins and rapid-mix, which was normal maintenance. To help clear anything that might build up in the filters, we did go into all four filters and super-chlorinated and backwashed them. It was normal maintenance. This maintenance was scheduled for overtime.

Water Treatment Plant: Personnel have been doing normal duties and maintenance at the Water Plant.

Water Leaks: Mayor Luke asked, "Would the water leaks be classified as normal for the kind of weather we've had?" Superintendent Hawkins replied, "Yes, it's pretty normal."

WATER/WASTEWATER DEPARTMENT: Plumber's Permits Required to work in Burlington

Superintendent Hawkins, "I want to remind everybody - homeowners and certified licensed plumbers - that before doing plumbing work in Burlington's city limits, they need to come to City Hall and get a Plumber's Permit. We are publishing a copy of the Plumber's Permit and a notice, 'City of Burlington Clarification on Plumbing and Electrical Work', in the Coffey County Republican, on the City's website, and on Facebook. We will also be sending by regular mail a reminder, 'Plumbers - Reminder to Obtain Plumber's Permits Before Doing Plumbing Work In Burlington, Kansas', along with other information." He thanked Administrative Assistant Stroh for helping him with that. City Clerk Kewley, "Also, we're going to continue with it." Superintendent Hawkins, "Yes. This year, we will send the reminder notices out each quarter to the plumbers and those licensed/certified to work in Burlington; and then beginning next year we will send the notices out at six month intervals, because they are starting to get lax on getting Plumber's Permits and we need the plumbers and everyone else to come and get their Plumber's Permits."

WATER DEPARTMENT: USD #244 Middle School Water Meter Replacement (update)

(Reference 2017 Council minutes for 6-7, 9-20, and 10-4 concerning an old water meter between the Middle School and the High School that serves their complex and is on their property. City personnel cannot service meters on private property, only those on city easements and right-of-ways.)

Council Member Lenard asked, "Where did we end up with the school with their water meter?" Mayor Luke, "We had the test done on their meter. They have a 32% error in their metering system. That has been given to the Superintendent of Schools, and that is on their agenda for their next Board meeting. The parts to fix and repair the two meters - the 1 1/2 inch and the 6" - are on order so that we can fix them. We will be taking over the

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ownership of the metering system there with the proper easements shortly after their next Board meeting when everything is approved."

Council Member Lenard, "They will buy the parts, and we will fix it?" Mayor Luke, "We are fixing the two meters. They are giving the right-of-way (easements); they're accepting responsibility for maintenance and upkeep on their entire system from their road in, including fixing their gate valve and their backflow preventers."

Council Member Lenard, "So the 32% error?" Council Member Luke, "We will go back to last month. We bill with a 1.32 multiplier. That 1.32 multiplier will be on each bill until the parts come in and during spring break they will allow us to go in and do all the work that needs to be done to replace the meters." Council Member Lenard, "We don't know how long it was in error?" Mayor Luke, "No, and by ordinance we can't go back more than one month. So that's what we're doing. They will have their meeting the first part of February, and at that time, everything should be a go."

Council Member Jasper, "After we replace the meter, then we are on a one-year schedule?" Mayor Luke, "The meter's ours'. We will then go in and do the maintenance, the upkeep, and all the monitoring of performance." Superintendent Hawkins, "Just like any of the other meters, we'll go in and do calibrations." Mayor Luke, "They will be on the schedule just like everybody else."

WATER DEPARTMENT: Unused Water Meters (Fees)

Larry Crotts had requested an appointment to discuss unused meter fees, but decided to cancel.

Council Member Scothorn, referring to the letter dated December 15, 2017 from City Attorney Robrahn to Mr. Crotts, said, "Has this been discussed?" Mayor Luke, "No, that is what was provided to Larry, and Larry has canceled his appointment." Council Member Scothorn, "So, are we charging him \$8.54 for each one of the vacant ones - a month?" Mayor Luke, "Yes." Council Member Scothorn, "How many does he have down there (at Burlington RV Park)?" Mayor Luke, "Seventeen." Council Member Scothorn, "It partly feels like we changed the rules of the game in the middle of the game for somebody that's their business." Mayor Luke, "At times, that happens. We have our rules changes on us by the EPA, FERC, the water fund department, and everybody else." Council Member Scothorn, "So, do we charge him every time we've got to go back down there and turn them on?" Mayor Luke, "No."

Council Member Jasper, "Is there any other options for them?" Mayor Luke, "He has options, and he's been given those." Council Member Jasper, "What are his options?" Mayor Luke, "He can shut down one set of meters; he can have meters removed; he can bill his clients himself, instead of the City billing them." Council Member Jasper, "So he could have one master meter?" Council Member Scothorn, "Then take it upon himself?" Mayor Luke, "If he ties one line together he can have one; right now he has two." Council Member Scothorn, "Is he getting charged on the two main ones also?" Mayor Luke, "Yes." Council Member Scothorn, "So he's getting charged on them, plus the 17?" City Clerk Kewley, "But not the sewer charge."

Council Member Tschantz, "So when we go out to turn the meters on, it's a freebee to him?" Mayor Luke, "Yes." City Clerk Kewley, "A lot of cities charge for that, as well." Council Member Tschantz, "Well, I think he's making out like a bandit." Council Member Scothorn, "I don't necessarily feel that way."

POLICE DEPARTMENT: Update

Municipal Court of 1-11-2018 was Canceled: Chief Jones reported, "We've been dealing with the weather and the cold like everybody else. Last Thursday, we talked to the Judge and we were going to basically do a light court. Basically, the Judge, the Court Clerk, and myself told the out of town attorneys there wasn't any point in them driving in from Emporia or Overland Park. Then about 2:30 Thursday afternoon, we were notified that the Courthouse was closing at 3:00 and we weren't going to have access to the courtroom; so we canceled everything and continued everything to the February 8th court date. We did have one person show up and told us he had driven in for six hours; but we know he came from Paola and if he came from further away, that was his business. We didn't have any way to contact him ahead of time, and if he was actually on the road for six hours, he left before we knew there were going to be any issues with court anyway. We dealt with him and sent him on home. Otherwise, it has been normal calls for this time of year."

Standard Operating Guideline updates: Chief Jones, "We are taking advantage of this time to do some updates and review of our SOG book. Last legislative session the Kansas Legislature put a couple of statutes in place having to do with requiring detailed written policies on electronic recordings and on eye witness identifications; and we have until July 1st of this year to have those adopted and in place. We were also directed to work with our county attorney to get those set up. When I talked to our county attorney, he gave us the model policies that the County and District Attorneys Association had already drafted; so rather than trying to reinvent the wheel, we just used what the county attorney provided. We're taking advantage of reviewing and updating everything."

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POLICE DEPARTMENT: Nuisance Update: 404 Neosho, The Music Box Theatre (Owner-George Oliver)

Chief Jones said, "I have had no contact with Mr. Oliver. I don't believe Tom (City Attorney Robrahn) has had any contact with Mr. Oliver either; and we're just basically still waiting. I have talked to Paula Bruce again. She's apparently at least been in contact with Pam Scott. She is apparently looking at the old movie theater now (326 Neosho), instead of the old Opry/Music Box Theatre (404 Neosho). But, nobody has had any contact with Mr. Oliver, so we don't know whether he's willing to sell or what his selling price would be or anything else would be at this point." (Paula Bruce - reference council minutes of 9-6-2017.) (Pam Scott - reference councils 5-17-2017 and 10-18-2017.)

PARKS DEPARTMENT: Update

General: Superintendent Boyce reported, "We have been doing normal duties, cleaning public buildings and restrooms, and doing building and equipment maintenance. We have changed out two blower motors and have been clearing snow and ice. We have also been working on redoing the Oak Park signs."

FINANCE: Claims Ordinance & Payroll Ordinance

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| a. Claims Ordinance | 2018-02 | \$543,173.04 |
| b. Payroll Ordinance | 2018-01 | \$ 85,056.81 |
| | TOTAL | \$628,229.85 |

CLAIMS 2018-02: Council Member Lenard moved to approve City of Burlington pay Claims Ordinance 2018-02 in the amount of \$543,173.04 for payment of city bills, as presented. Council Member Curtiss said, "Second." Mayor Luke called for discussion. City Clerk Kewley said, "Tonight we have Brenntag for \$5,028.70 and Kansas Power Pool for \$183,672.06. We have a State Treasury Bond payment due for \$250,921.36." Hearing no additional discussion, Mayor Luke instructed City Clerk Kewley to poll Council for a vote. Mayor Luke declared Claims Ordinance 2018-02 approved by unanimous vote, 5:0.

PAYROLL 2018-01: Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2018-01 in the amount of \$85,056.81 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 2018-01 approved by unanimous vote, 5:0.

FINANCE: Utility Billing Charge-Off of 2016 Delinquent Accounts

City Clerk Kewley, "The total amount we have for the 2016 delinquent utility accounts is \$15,146.92. We continue to try to collect these by sending them off to the Kansas Set-off Program and when they do come back into town and request utilities, we will not turn on utilities until the delinquent bill is paid in full. We do continue to collect bad debts. I need a motion to charge these off, but they do stay in the system as inactive accounts."

Council Member Lenard stated, "I move to approve the Utility Billing Charge-off of 2016 Delinquent Accounts in the amount of \$15,146.92." Council Member Jasper, "I'll second." Mayor Luke, "How much of this number do we usually get back?" City Clerk Kewley explained that we have been participating in the Kansas Set-off Program for many years and it has helped us to collect several thousands of dollars over the years. If somebody moves out without paying their utility bill, they will need to pay before getting utilities again. Even though the amount is approved for charge-off, it is still in our system. Hearing no further comments, Mayor Luke called for a vote. Motion unanimously carried, 5:0.

Council Member Lenard asked, "Just like our previous discussion, we have some water bad debt in that scenario with the RV Parks; so we do get impacted in other ways." City Clerk Kewley, "Pretty significantly."

FINANCE: Blue Cross/Blue Shield - Employee Health Insurance Renewal

City Clerk Kewley reported, "I met with our representative of Blue Cross and Blue Shield, and we do have an increase of 8.7% for the health insurance, but the dental insurance did decrease; the adjustment would be 7.9%. We need to keep in mind that we are grandfathered and we need to continue to keep our good policy. We do not have a deductible, we have co-insurance. Last year we had a 210% loss ratio of utilization; this year we have a 202% utilization loss. Being grandfathered, we're capped on that, so they cannot hold that against us. We're really fortunate to be able to keep this plan for our employees; so I would definitely recommend going with this current plan."

Council Member Curtiss stated, "I move to approve the Blue Cross/Blue Shield health insurance policy for City of Burlington employees for 2018." Council Member Scothorn, "Second." Mayor Luke called for discussion. Council Member Lenard, "I'm guessing all the employees are happy with the policy." City Clerk Kewley, "My understand is they are." Chief Jones, "Oh, yeah." City Clerk Kewley, "It's real rare, I think there's only a couple of cities that have it." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0.

PLANNING & ZONING: Update

General: Zoning Clerk Hugunin has been doing normal duties, updating the permits to submit to the County Appraiser's Office. He said, "Most of my time has been taken up with inputting updates to the inventory."

Quarterly Construction Valuation Report: Zoning Clerk Hugunin, "Last time I told you I would have the year building construction information for you, it is \$283,267; and that's down quite a bit from last year."

OTHER COUNCIL BUSINESS: None

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PERMITS: Permits issued by Zoning Clerk Hugunin:

2017-032 Marjorie Parker 118 S. 14th - Shed
2017-033 Wise Moddie 1100 S. 5th St. - Detail Shop
2017-034 Aaron Wilder 608 N. 2nd - Shed
2017-035 Gary Lane 308 Gary St. - Shed

LEGAL DEPARTMENT: Update

City Attorney Robrahn reported, "I worked with Jimmy (Zoning Clerk Hugunin) on an annexation issue. I have also been working with the Mayor on the agreement with U.S.D. #244 on the water meter issue.

Court 2-8-2018: City Attorney Robrahn, "It looks like we're going to be busy for the next court February 8th." Chief Jones, "Yes, it's probably going to be a long docket next month."

CITY CLERK: Update

General: City Hall Staff have been busy with customers paying preparing meter readings for utility billing. They have been preparing work orders, vouchers for bill paying, payroll, and minutes for the council meeting.

Blue Cross/Blue Shield Employee Health Insurance: City Clerk Kewley reported, "I met with our representatives of Blue Cross/Blue Shield and discussed our 2018 health insurance policy."

Local Emergency Planning Committee - National Incident Management System (NIMS) Training:
City Clerk Kewley reported that she attended the LEPC meeting on January 10th. There was discussion about our training for new council members. She was not sure if everybody had taken the training. Chief Jones, "The City officially adopted the National Incident Management System, which means you are all supposed to have ICS 100 and NIMs 700 - at a minimum. What that does is give you the bare basics of how the command system works, how the federal government wants incidents run. All that can be done online through the Federal Emergency Management Agency (FEMA) website. It is strongly recommended that you at least have the basic knowledge on how it is supposed to work." City Clerk Kewley, "I think they're going to be reaching out to some of the members."

[Reference: [Council 5-16-2007: 'The State of Kansas, per the Federal government, is "strongly" suggesting elected officials, supervisors, response managers and all emergency responders receive training in ICS (Incident Command System) and NIMS (National Incident Management System). Training is necessary to be able to qualify for Federal Grants (FEMA). Much of the training is available online.'] [Resolution 2008-12, Adopting the National Incident Management System (NIMS); NIMS is tied to FEMA and federal grants.]

Goals & Accomplishments: Goals and Accomplishment should be ready for the next council meeting.

Employee Benefits Meeting - February 13th: City Clerk Kewley, "We have scheduled February 13th for the Employee Annual Benefits Meeting. We will bring the vendors in to talk with the employees about their services and give employees the opportunity to make changes to their plans or to enroll. We have a full schedule for that morning. In the afternoon, I have asked the KPERS to meet one-on-one with employees who may retire in the next few years. They will meet in our meeting room at 303 Neosho. We are setting up 15 minutes appointments for our employees who have questions about retirement."

Expenses: City Clerk Kewley, "We are still paying 2017 expenses, which should be the last meeting for that. We are also paying expenses for 2018. I am planning to have the 2017 financials at the next council meeting."

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

CITY OFFICERS COMMENTS: Economic Development - Promote Business in Burlington (update)

At the November 15, 2017 council, Council Members Lenard and Curtiss volunteered to represent the City and work with Stacy Haines, Coffey County Economic Development Director, to promote business in Burlington.

Tonight, Council Member Lenard provided an update. "Jerilyn and I were to interface with Stacey at some point. Last Friday, I was able to get with her and Brandon Stiner, Chamber of Commerce Director. We discussed some gaps in communications between the County and the City; and it's kind of amazing that people go in the Chamber for city business. They just don't know sometimes what's going on with different things. We just talked about some of that. They were going out to some of the different businesses in the county; and were wanting to know if we would maybe entertain a business coming in each council - that's in our city limits - so they would know more about what we do; and also take five minutes to tell us about their business or if there is anything that we can do for them. There's just a gap that, and I think she said that when they had one of their roundtables one of the local businesses doesn't think the local government does a whole lot for them."

Mayor Luke, "Are you requesting that we consider putting that on regular agendas, or.....?" Council Member Lenard, "They were going to go out to the local businesses and let me know; but I guess they can either schedule or we can put them on the agenda- the thing was we said if they're going to come in, we need to have some specific item that they want to hit on and let us know; we want to keep it fairly short."

Mayor Luke, "We will let you and Jerilyn bring back what direction we need to go. We need to have a little more definition."

COMMENTS OF MAYOR LUKE: Day at the Capitol

Mayor Luke said, "I spent all day today at the Capitol on policy updates and future legislation. As of right now, nothing has come to the senate or the house floor in the form of a house bill or a senate bill for the year; however, within the next two weeks they expect a barrage of items coming to the floor. Some can have significant impacts on municipalities, everything from the coops wanting to be able to serve in our extraterritorial areas to deregulation of the electric utility business to unbundling all of the individual rates. They want to place things like KMEA and KPP under the jurisdiction of the KCC under their regulation and control, which means the projects that the executive board approves now for KPP or KMEA then becomes a six-month process at the state. The water plan funding program that the governor today has put forth, on how that's going to be paid for. Broadband deployment - broadband companies want to utilize the municipal utility poles for access capabilities, fiberoptic capabilities which some cities have those but we don't - free of charge."

"If the extra-territory arena becomes clogged with issues, the county is going to be highly impacted because it's going to be a stunting of growth for geographical areas. Coops agree that their rates are higher than municipalities. Communities are the lowest utilities on the electric side in the state from coops, either that or IOUs. They understand some of the burden that's there, however, it's being pushed highly by the coops. The coops agreed approximately three years ago on a compromise of how to deal with the service areas of extraterritorial region. It really hasn't had a chance to play out much within the state, but they have now formed a united face and are really pushing really really hard to restrict municipalities from expanding their jurisdictional areas outside their city limits; so it will be difficult if this gets approved for any municipal areas to grow. That's coming down the road."

"We got, at the federal level, the extension of our tax-exempt bonding; so when we go out for bonds, they're still tax-exempt for those that purchase them. However, we lost the capability of doing like when we financed our debt before on tax-exempt bonds; we lost the ability to go and get a lower interest rate and pay off the higher interest rate - that's gone, the federal government removed that from our capability for tax-exempt bonds."

So, there's a lot of things coming down the road that's impacting communities. I get a report daily from the public power in Washington, and I get one once a month from KMU and KMEA on all the issues that they have before them; and some of it's not pretty. We need to be ready to address issues, and we need to at times be aggressive with our representatives and senators in Topeka, as well as in D.C."

FUTURE AGENDA ITEMS:

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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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 | Financial Program Software (CIC) - updates MT Wireless - Fiberoptics to City Buildings GAAP – Infrastructure Capitalization Economic Development - Co. Commerce Committee Updates |
| ELECTRIC DEPARTMENT: | Power Plant - Add Generation - Get Proposals for Engr/Design |
| PARKS DEPARTMENT: | General Update, Activities, etc. |
| LEGAL DEPARTMENT: Municipal Court | 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) |
| POLICE DEPARTMENT Nuisance Updates Parvovirus - update | Department Activities/Cases/etc. Purchase Truck / Dispose of 2013 Dodge Charger |
| STREET DEPARTMENT: Concrete Streets - Repair/Replace Sidewalk Repairs on City Rights-of-Way Sinkhole at Garrettson and HWY 75 | Pavement Management System/Asset Management System Street Improvements: 2017 Asphalt Project (assessments) 2015 Asphalt Project - Repairs |
| WATER & WASTEWATER DEPARTMENT: Water Meter installations Neosho River - Riverbank Erosion/Dike/Gravel Bar/etc. Middle School Water Meter Replacement | Fencing at Water Treatment Plant Pump Repairs (Clearwell/River Intake) Plumbing Violations / Grease Traps Bulk Water Station - New Waterline Replacement Project - Updates Lead & Copper Monitoring - Survey Update Sewer Lagoon - Maintenance/Updates |

Mayor Luke adjourned the Council Meeting.

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