

BURLINGTON CITY COUNCIL REGULAR SESSION August 1, 2018

City of Burlington Governing Body met in Regular Session at City Hall, 301 Neosho Street, Burlington, Kansas at 6:00 p.m. Wednesday, August 1, 2018. 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
 J.J. Jasper Thomas P. Tschantz Sharon Hall

Superintendents Present:

Kevin Boyce (Parks) Alan Schneider (Electric) Mark Davidson (Street)
 Doug Jones (Chief of Police) Danny Hawkins (Water/Wastewater) [*Arrived @ 6:11 p.m.*]

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: Kate McMurray (Coffey County Republican); *Mark Petterson came near end of meeting.*

VISITORS: Marie Giraud and children

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

MINUTES 7-18-2018: *Council Member Curtiss, "I move to approve the minutes of July 8, 2018 as corrected. Council Member Scothorn, "Second." Motion unanimously carried, 5:0.*

PUBLIC COMMENTS: None

APPOINTMENT: Marie Giraud - 5K Color Run (Start End at Elementary School 9-22-2018; 8-10 a.m.)

Marie Giraud, distributed information and addressed Council, "Our Parent Group at the Elementary School would like to do a Color Run on Saturday, September 22nd at 8 a.m., with a 5K run and a 2K run. This will be something fun for our students and families in our community to do. We would have three checkpoints where the colors would be dispersed as the runners go by. It would be good quality color for the run; it's non-toxic. We would do a carnival at the school grounds afterwards for the families - with games, popcorn, and things like that. I just wanted to come before the Council and make sure this is something that the City is okay with us doing, and to answer any question you may have."

Mayor Luke asked, "Mark, have you seen what they have for the route?" Superintendent Davidson, "No, I haven't." Mrs. Giraud, "The route for the 2K would go down 5th Street, across on Potomac, up on 9th - I believe, and then back over on Niagara. It would start and end on the south side of the Elementary School. The 5K route would be down 5th Street, onto Housatonic, up 16th Street, and then back over on Niagara; but we may have to add a little more to the route because some of my support are saying it's not quite long enough for the 5K." Mayor Luke asked Chief Jones if it was okay with him. Chief Jones said, "We usually don't have any issues with any of these runs." Mayor Luke, "Will there need to be any short-term blockades anywhere?" Mrs. Giraud, "No road closures." Hearing no additional questions, Mayor Luke asked, "What is Council's pleasure?"

Council Member Hall stated, "I move to approve Marie Giraud's request to do a 5K Color Run, beginning and ending at the Elementary School, on September 22, 2018 from 8 a.m. to 10 a.m., with the route discussed." Council Member Lenard, "Second." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0.

ELECTRIC DEPARTMENT: Distribution Updates

General: Electric Distribution personnel have been doing normal duties, customer service requests, and some line locates. They installed a new electric service to a shop that is being built; and helped the Parks Department remove a tree.

Preventative Line Maintenance: Superintendent Schneider reported, "The men are still spending a good share of their time doing preventative line maintenance. They have been working on the compression connections on line taps that I talked about last council."

Coffey County Agricultural Fair: The Electric Department assisted the Fair Board in preparing for the Fair with getting the banners on the stadium and anchoring the blocks down for the demolition derby. After the Fair, Electric personnel took the banners down; and removed the anchors from the blocks after the demolition derby.

USD #244 - Electrical: Superintendent Schneider reported, "Margarito Salono, with the Burlington school district, contacted me. He needed help locating an old electric line that was damaged at the elementary school when the old brick structure (an old planter box) on Neosho Street in front of the elementary school was taken out. We helped locate the line so they could dig it up and get ready for installation of their new sign."

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ELECTRIC DEPARTMENT: Power Plant/Production Update

General: The Electric Production crew has been doing normal duties and general power plant maintenance and repairs. Personnel are still spot-spraying weeds at the substations.

Oil Filters on Generators and Turbo Chargers: Superintendent Schneider said, "We are in the process of gathering information to change oil filters on the generators and turbo chargers."

Capability Testing - Fuel Injectors changed: Superintendent Schneider reported, "The men changed two fuel injectors that had failed on Generator #4 when we did our capacity testing for the year. The old ones will be rebuilt, put on a shelf, and will go back into service when needed."

STREET DEPARTMENT: Update

Street Reconstruction Projects: Superintendent Davidson reported, "Our department has started our reconstruction projects for 2018. We are going to rebuild four blocks this year. We started on Willett, from Garrettson to Sanders, and are about three-quarters complete; then we will be starting on Penobscot, Merrimac, Cumberland from 10th Street to 11th Street."

Coffey County Fair: The Street Department Assisted the Fair Board by putting up barricades and no parking signs down 3rd Street.

Chip Seal - County Assists: Superintendent Davidson said, "Yesterday, the Coffey County (Road & Bridge) came in and did our yearly chip seal. They got fifteen blocks done in about three-quarters of a day. They did it about two months earlier than usual because they had a lapse in one of their projects. So, we're that much further ahead on that, and we will clean the chips up off the streets next week or before long. We'll be back up to a full crew on Monday."

STREET DEPARTMENT: Street Improvements 2018 - Curb & Gutter - Go Out for Bids

Superintendent Davidson, "I would like to ask permission to go out for bids for a lay back gutter project that Doug Mast (former Street Superintendent) had started toward the first of this year. I got the information back from Jay Anglemyer, MKEC out of Wichita. (*Refer to January 17, 2018, Norman Bowers, Bowers Engineering: Pavement Maintenance Program Street Condition Report.*) It's going to be three blocks of new gutter on Penobscot, Merrimac, and Cumberland from 10th Street to 11th Street."

Council Member Jasper stated, "I move to authorize Superintendent Davidson to go out for bids for the Street Improvements 2018 - Curb & Gutter Project." Council Member Curtiss, "I second it." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0.

POLICE DEPARTMENT: Update

Coffey County Fair Update: Chief Jones, "We got through the Fair without any issues. From the unofficial reports we got, this was a very successful fair in terms of they actually made money this year. They had a decent turnout for the Demolition Derby, they had a good crowd in attendance. They also had a good crowd in attendance for the horse pull. The Sophomore/Junior Class fundraiser at the concession stand was a massive hit - that went over very well. The ribeye steak sandwiches were a really good idea."

Cases Worked: Chief Jones, "We have been working domestics and juveniles again. We got hit with one of those extremely uncomfortable crimes. We put a guy in jail Sunday night; and when we did a forty-eight hour affidavit on him, the Judge put a \$300,000 cash/surety bond on him. I went to Hays to pick up evidence from Hays Medical this morning. Other than that it's been pretty much business as normal for the Police Department."

POLICE DEPARTMENT - Purchase Police Car

[Council 7-18-2018: Chief Jones requested permission to replace the patrol car that was demolished in an accident. The consensus was to wait until the Kansas Highway Patrol schedule is out and look at it the 1st of September.] Tonight, Chief Jones stated, "The morning after the last council meeting, I sent a courtesy email to the guy I had been dealing with on fleet sales at Davis Moore in Wichita and told him Council's decision to wait until the new contracts came out and then order a new vehicle. Within five minutes he emailed to me and said he could sell us the 2019 Dodge Charger for the 2018 contract price of \$24,356.00. So, that's my recommendation. He said the chances are the 2019 contract would probably come in a little higher; so we'll save a little more this way."

Council Member Lenard said, "I would like to maybe reverse our normal process for business here." Then he decided, "Let's get this motion first." ***Council Member Lenard stated, "I'm going to move to authorize Chief Jones to purchase a 2019 Dodge Charger from Davis-Moore on State of Kansas contract for a total purchase price of \$24,356.00." Council Member Hall, "I'll second." Mayor Luke called for discussion.***

(continued)

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Council Member Lenard, "Can we possibly put some contingency in there that.... What's the timeline for the 2019 contract to come out? What I'm getting at is, if it goes lower, I would prefer that we have the right to take the lower of the 2018 or 2019 cost." Chief Jones, "The way he worded his email and since he is in the position where he probably knows exactly to the penny how much they bid for the state contract, I would guess that his comment that the 2019 contract price would be higher is probably not inaccurate. I would guess that the 2018 contract price is probably the best of the two prices; but obviously, he can't tell me what the 2019 contract price will be until it's official." Council Member Jasper, "Will this price hold? How long is this price good for?" Chief Jones, "This is the price that is good until August 31st; and the new contracts go into effect on September 1st."

Council Member Curtiss, "This is replacing the one that was wrecked, that we had a check for \$17,829.00 for?" Chief Jones, "Yes, Ma'am." Council Member Jasper, "And the rest of the money comes out of what?" City Clerk Kewley, "We've got backup funds in our Equipment Repair and Replacement Fund." Mayor Luke, "It comes out of the General Fund." City Clerk Kewley, "Or the General Fund." Council Member Jasper, "Have we touched any of the money out of it?" City Clerk Kewley, "The Equipment Reserve? We haven't for a couple of years, actually."

Council Member Jasper asked, "Where does this one fit into the vehicle rotation schedule?" Council Members Curtiss and Lenard also had questions. Chief Jones spent quite a bit of time explaining the rotation schedule. He offered to print and distribute by email his computerized rotation schedule, and answer questions. Mayor Luke asked, "So, your recommendation would be to table the motion until next meeting?" Council Member Lenard, "No, I'm good with proceeding with it."

Mayor Luke stated, "We have a motion on the floor." Council Member Lenard stated, "I'm going to move to authorize Chief Jones to purchase a 2019 Dodge Charger from Davis-Moore on State of Kansas contract for a total purchase price of \$24,356.00." Council Member Hall, "I'll second." Mayor Luke, "Is there any additional discussion? Hearing none, he called for a vote. Motion unanimously carried, 5:0.

WATER/WASTEWATER DEPARTMENT: Distribution Update

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

Water Outage on S. 14th St. - Fire Hydrant Replacement: Superintendent Hawkins reported, "We replaced the fire hydrant on S. 14th Street at Matt Raymer's property, so we had a lot of water turned off in that area. We put a new valve on it, as well. That is completed."

Water Outage - Water Leak at 14th and Alleghany: Superintendent Hawkins said, "Tomorrow morning, there will be another water outage in that area because at 14th and Alleghany, there is another leak that showed up this morning. Today, the guys saw cut the street on Alleghany. We're going to put a valve on that corner because we are planning in the future to replace that line. We're having a lot of issues in that side of town. Why there is no water valve shutoff from 12th Street clear up to Matt Raymer's (14th & Penobscot), we have no idea. Since we're going to be working there, we're going to dig it up and put a valve in; so if we have any more issues on that area, we can at least isolate the area so we won't need to have such a huge outage. We will start working on that at 8 o'clock tomorrow morning."

Sewer Liftstations #6 and #9 (LS#9) - Rags, etc.: Personnel have again been pulling motors at pumpstation number 6 and number 9 - just normal rags, towels and stuff.

Water Meters & Pits - Replacement: Superintendent Hawkins reported, "We have replaced several water meters and pits, and replaced some cockpits on some of the valves. We've been trying to fix the normal water meters and get them up-to-date."

Vacuum Trailer: Superintendent Hawkins said, "I have been lining up vacuum trailer demos that will be coming up this month. I sent an email to Alan and Mark (Superintendents Schneider and Davidson) on that. We will be looking in the future to buy a vac trailer, so the three departments will look at them to get an idea of which size and which one we like, and go from there."

WATER/WASTEWATER DEPARTMENT: Production Update

Plant Production: The Water Treatment Plant is running well.

Clarifier - K Torque Valve Problem (update from 6-6-18): Superintendent Hawkins reported, "We are preparing to install two sludge activation valves in the clarifier - the one I told you about. (Council 6-6-18) We had Tom Miller (Pratt Valves) come down, and it is taken care of."

Blue-Green Algae - Watch: Superintendent Hawkins reported, "I received a letter from KDHE saying that at the Chanute river intake, they have received a blue-green algae which is toxic. The State has asked us to do a daily watch for it, so my guys do a walk-out and look at the river every day. We look for any discoloration in the river because the blue-green algae is extremely toxic to humans. If we see anything that is unusual in the water, we will give KDHE a call. As of now, we have not seen anything."

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WATER/WASTEWATER: Drought Update - Burlington is Entering a Water Watch

Mayor Luke said, "We have a resolution prepared and will need to have it passed to go into a Water Watch. I've been dealing with that as far as talking with the staff at the Kansas Water Office because we know the Governor put out a press release for a Water Emergency. When I visited with the Kansas Water Office in July, they said this drought has been different than the drought in 2011, 2012, and 2013. In July, they said we have more water in the reservoir (John Redmond Reservoir) than we did back then; so we did not need to go into a Water Watch at that time."

"Basically, we are following our Drought/Emergency Contingency Plan, like we did before. In the past when we started talking with Galen Beyer with the Assurance District (Cottonwood & Neosho River Basins Water Assurance District #3), we just went ahead and triggered the Plan and went into our Water Watch and followed our Contingency Plan. I have already contacted and emailed Galen Beyer with all the meter readings; and will do that every Wednesday from here on out until Burlington's drought emergency is ended (officially by resolution). We will keep reporting our drought conditions - report our river intake, as well. If it gets worse in the future, we will need to move from each stage - watch, warning, emergency." (A resolution will need to be passed when entering or leaving any of the stages, and for ending the drought plan completely.)

WATER: Resolution 2018-02, Declare a Water Watch

Mayor Luke, "We can go ahead now with the resolution in respect to a Water Watch for City of Burlington water consumers." He read aloud the title proposed Resolution 2018-02, then called for discussion. **Hearing no discussion, Mayor Luke called for a motion. Council Member Scothorn made the motion to approve Resolution 2018-02, A Resolution Declaring A Water Watch for City Of Burlington, Kansas and its Water Consumers, Including Rural Water District 2 And 3 and the Cities Of Gridley, Leroy, and New Strawn, Kansas; as Required by City Ordinance No. 536 and City Of Burlington's Drought/Emergency Contingency Plan. Council Member Curtiss, "I'll second it." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0. Mayor Luke declared Resolution 2018-02 adopted.**

PARKS DEPARTMENT: Update

General: Parks personnel have been doing normal duties, cleaning public buildings and restrooms, mowing, weedeating, spraying weeds, watering trees and flowers, and doing building maintenance.

County Fair Preparations: Superintendent Boyce, "We did preparations in Kelley Park for the Fair. We took picnic tables down, checked RV hookups, made sure there were no bee nests - things like that."

County Fair Cleanup: Council Member Curtiss asked if things were cleaned up at Kelley Park after the Fair. Superintendent Boyce replied, "Yes. The blocks were cleaned up Monday morning. We're just waiting for the area where the demo derby was held to dry out. Probably on Friday, I will be able to blade it down and smooth it out." Council Member Curtiss, "Good. Your flowers still look nice." Superintendent Boyce, "Thanks."

Veterans Park - Dean Kirchner Memorial: Superintendent Boyce reported that last Wednesday they got the concrete poured at Veterans Park for the Eagle to set on.

Hazard Street Trees (small ones): Superintendent Boyce said, "We removed a tree in the 400 block of Neosho Street. We also cemented where it had been."

Hazard Tree Removal Project - Update: The tree contractor (Trenery's Tree Care) will be here Monday, providing there is no rain.

FINANCE: Claims Ordinance & Payroll Ordinance

a. Claims Ordinance	2018-14	\$ 79,966.16
b. Payroll Ordinance	2018-15	\$ 83,418.16
	TOTAL	\$163,384.32

CLAIMS 2018-14: Council Member Lenard moved to approve City Burlington Claims Ordinance 2018-14 in the amount of \$79,966.16 for payment of city bills, as presented. Council Member Scothorn said, "Second." Mayor Luke called for discussion. City Clerk Kewley reported, "I have Anixter Inc. for \$6,007.97; Carter Water Construction for \$3,257.48; U.S. Lime Company for 4,117.19." Council Member Lenard, "Did we switch from Kritz-Davis boarder states over to Anixter?" Superintendent Schneider, "No, we're actually using Anixter Boarder States now and Stanion Wholesale. There are certain vendors we can only get certain things from; but when it's something that everybody's got in common and it's going to be a big ticket item, I always get quotes from them to make sure we are getting the best price." **Hearing no additional discussion, Mayor Luke instructed City Clerk Kewley to poll Council for a vote. Mayor Luke declared Claims Ordinance 2018-14 approved by unanimous vote, 5:0.**

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PAYROLL 2018-15: Council Member Lenard moved to approve City of Burlington Payroll Ordinance 2018-15 in the amount of \$83,418.16 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 2018-15 approved by unanimous vote, 5:0.

PLANNING & ZONING: Update

General: Zoning Clerk Hugunin has been updating Facebook and webpage; and has been busy with permits.

Nuisance - 415 S. 6th (Darnell Property): Zoning Clerk Hugunin reported, "On the property at 415 S. 6th, her son is in town and I have been talking with him. He has got the shed cleaned out and has been cleaning up around the yard. I drove by today. He has been doing a good job of cleaning up the yard, but he's still got a lot to do. He started today on clearing out the house, and is trying to get his mother to cooperate with him on selling the property. He is going to be in touch with me weekly - every Monday to tell me what progress he has made."

Nuisance - 702 S. 7th (McWhorter Property): Zoning Clerk Hugunin reported, "Another nuisance property is at 702 S. 7th. He was in City Hall today, and he is talking about opening up a repair shop in that building. I came out and told him he cannot open a repair shop for any type of automotive repair in a residential area. We talked a little more, and I told him about the derby cars needing cleaned up - he's made some headway over there, but it's not great. We talked about some solutions - getting rid of some stuff. There is some stuff there that is not theirs and they are going to get it gone. Also, I am going to work with them on getting a fence up to hide some of the stuff they have and want to keep, which is fine."

PERMITS: Permits issued by Zoning Clerk Hugunin:

2018-017 Arthur Settlemyer, 814 Neosho - Shed	2018-018 Stacie Dowd, 1515 Alleghany - Fence
2018-019 Shirley Daniel, 115S. 16th - Shed	2018-020 Derek Welsh, 1016 S. 6th - Shed

LEGAL DEPARTMENT: Update

General: Attorney Robrahn stated, "I reviewed the Water Watch resolution; and I've also been working with Mark (Superintendent Davidson) on the curb and gutter project."

CITY CLERK: Update

General: City Clerk Kewley "City Hall personnel have been busy with customers paying utility bills. They have been preparing work orders, vouchers for bill paying, payroll, and minutes for the council meeting."

Water Watch: City Clerk Kewley told council we have also been working on preparations for the Water Watch, in addition to preparing the Resolution. We have been preparing public notices for the webpage, Facebook, and the newspaper. We have prepared letters to send to our customer cities and rural water districts. We have also been printing out water conservation tips to put on the counter at City Hall and have put them on our website, to help the public conserve water on a voluntary basis.

Kansas Set-off Program - Delinquent Utilities: City Clerk Kewley reported, "For August, we will be sending \$114.62 in delinquent utility accounts for collection through the Kansas Set-off Program."

Street Improvements 2018 - Asphalt: City Clerk Kewley completed the tax exemption through the State of Kansas for the Street Improvements 2018 - Asphalt Project.

Finance Meeting - 2019 Budget: City Clerk Kewley attended the Finance Meeting last Thursday (July 26th) for work on the 2019 Budget. The budget summary will be published in tomorrow's newspaper. The Budget Meeting will be at 6:30 p.m. during the August 15th council meeting.

Anne Brown is a Certified Municipal Clerk: City Clerk Kewley stated, "I would like to congratulate Anne Brown, Deputy City Clerk, for earning her CMC (Certified Municipal Clerk) certification. This is a four-year academy through Wichita State University. Anne has worked very hard for this certification. I am really proud of her for getting it done; so I just want to congratulate her on that." Council Member Curtiss said, "There is a nice article in the paper about it."

Other: City Clerk Kewley, "We have been handling a normal calls and inquiries."

CITY CLERK: Personnel: Resignation - Carol Mahon, effective 8-24, 2018 / Advertise Position

Resignation: City Clerk Kewley said, "City employee Carol Mahon has submitted her resignation with the effective date of August 24, 2018; so I would like a motion to go out to fill the vacant position."

Advertise to Fill the Position: Council Member Scothorn stated, "I move to advertise until filled the position of Utility Billing Supervisor/Assistant Municipal Court Clerk, with internal applications to be considered first; and with the option that if an employee is hired from within the City of Burlington, and a second applicant is qualified to fill that vacated position, he/she may be hired to fill the newly vacated position." Council Member Curtiss, "I second it." Mayor Luke called for discussion; hearing none, he called for a vote. Motion carried unanimously, 5:0.

REPORT BY CITY OFFICERS: None

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MAYOR'S COMMENTS:

Mayor Luke said, "You have information in addition to your packet tonight. It is on the Kansas Power Pool Fall Retreat (September 14-15 in Wichita). You also got last meeting information with respect to the League of Kansas Municipalities Annual Conference, which will be in Topeka (October 6-8, 2018).

FUTURE AGENDA ITEMS:

GENERAL City Debt – How to fund projects Water Rate 2018 forward (updates) Promote Businesses with Business Showcases at Council meetings Utility Billing Supervisor - Fill Position which will be Vacant 8-24-2018	GAAP – Infrastructure Capitalization 2017 Audit 2019 Budget
ELECTRIC DEPARTMENT: Power Plant-Add Generation: Proposals Engineering, Design, Construction--on hold	
PARKS DEPARTMENT: Events in the Parks (Updates) City Dam West Wall Repair Hazard Tree Removal	General Update, Activities, etc. Banners (Veterans)
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 Property Annexed to City - Co-ops/City Right to Serve Utilities (Work with County Mapping) 404 Neosho -Restoration of old Plaza Theatre historical site - Update on Grants, etc. -	Nuisances (All): Work w/PD Quarterly Construction Valuation Report Prepare Easements for any City-owned property without one City Hall - Awning Replacement (switch to metal) Permits - Building/Zoning/etc.
POLICE DEPARTMENT Nuisance Updates Patrol Car - Purchase to replace demolished vehicle	Department Activities/Cases/etc.
STREET DEPARTMENT: Concrete Streets - Repair/Replace Sidewalk Repairs on City Rights-of-Way	Pavement Management System/Asset Management System Street Improvements 2018 Asphalt Project Street Improvements 2018 Curb & Gutter Project
WATER & WASTEWATER DEPARTMENT: Pump Repairs (Clearwell/River Intake) TTHMs - KDHE Survey (updates) Vacuum Trailer - Research to Purchase	2019 Truck Update Lead & Copper Monitoring - Survey Update Sludge Press Repair Blue-Green Algae - Watch for Sewer Lagoon - Maintenance/Updates Sewer Pump Station #9 Valve Replacement Project Drought - Updates

Mayor Luke adjourned the Council Meeting.

Anne C. Brown, Deputy City Clerk