

## BURLINGTON CITY COUNCIL REGULAR SESSION

City of Burlington Governing Body met in Regular Session at City Hall, 301 Neosho Street, Burlington, Kansas at 6:00 p.m. Wednesday, September 5, 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)

**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:** Jeanne Haas (Government Day-ALA)

**AGENDA:** *Council Member Lenard "I move to approve the agenda as modified." Council Member Tschantz, "Second." Motion unanimously carried, 6:0.*

**MINUTES 8-15-2018:** *Council Member Tschantz, "I move to approve the minutes of August 15, 2018 as presented. Council Member Curtiss, "Second." Motion unanimously carried, 6:0.*

**PUBLIC COMMENTS:** None

**APPOINTMENT: Jeannie Haas, American Legion Auxiliary: Request to use Kelley Hall at no charge on October 4, 2018 for Government Day**

Jeannie Haas said, "I've come before you again to ask for the use of Kelley Hall on October 4th this year. I am helping organize again the Government Day for High School Seniors. They will be spending the morning in the courthouse going through different areas. We would like to feed them lunch. This is a volunteer organization; and we would like to use Kelley Hall free of charge. We used Kelley Hall last year, and it worked out great. There was nothing in the building, and they let me use the key and volunteers set up the night before. I brought the food over before I went to the High School - about 7:15 a.m.; and then the ladies came in and set it up. The students got there about 11:45, ate lunch; and we stayed for an hour. The students helped pick up and swept; and then we left. There will be no one in the building, but we will need it all day."

*Council Member Curtiss stated, "I move to approve Jeannie Haas' request for the American Legion Auxiliary to use Kelley Hall for Government Day on October 4, 2018 for the entire day, at no charge." Council Member Scothorn, "Second." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.*

**ELECTRIC DEPARTMENT: Distribution Updates**

**General:** Electric Distribution personnel have been doing normal duties, customer service requests, a lot of line locates, and trimming trees.

**Thermal Imaging of Electric System:** Superintendent Schneider, "The men are just about complete with using the thermal imaging camera. I spoke last time of our going through looking for the hot spots; we went through again this morning to see if the different scenario with all the rain would actually detect something with water tracking. Everything turned out good. They did find things that probably in the near future could create some sort of an outage; so the use of this camera loaned to us by KMEA has been a great thing and we hope to use it again in the near future."

**Vac Trailer:** With the Water/Wastewater Department looking at purchasing a Hydro Vac machine, Superintendent Schneider said the Electric Department participated in looking at a couple of them.

**Apprentice Linemen - Training:** Superintendent Schneider reported, "The Apprentice Linemen have been testing. Two have taken their finals for the year. We're waiting on test results. One will be ready to advance to Journeyman; the other will move to Second Year Apprentice. We should be ready to advance them by next meeting once we get the test scores back."

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

**General:** The Electric Production crew has been doing normal Power Plant maintenance and repairs, required reports, and paperwork.

**69kv Transformers - Annual Oil Sampling:** Superintendent Schneider reported, "We assisted SD Myers with collecting our annual oil samples for the 69kv transformers that are in the Power Plant Substation, and in the Industrial Park Substation. We got a step-up transformer that steps it up from 4160 to 7200 to feed our grid; so we pulled samples out 4 transformers total."

**DC Power Supply Battery Maintenance:** Superintendent Schneider said, "Our men have also been doing DC power supply battery maintenance in the Power Plant Substation, Industrial Park Substation, and the 69kv breaker station at 10th and Potomac where our 69kv comes in from Westar. So, we've been doing all our maintenance with that, as well."

**COUNCIL APPROVED**

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**THANK YOU to Water Department:** Superintendent Schneider stated, "I've got to give a great big thank you to the Water Department. With all the rain this morning and as quickly as it came in, our containment area for the diesel fuel bulk storage tanks overflowed before the water could drain. Everything in the parking lot drains that way, and the water couldn't go anywhere, so it started backing up into the Power Plant. Danny and his men came over and it took two three-inch pumps and two two-inch pumps to quickly remove the water from the containment area. We got it under control with minimal water in the Power Plant. Everything cleaned up nice, so we didn't have any damage there. Thank you, again, Danny."

**ELECTRIC DEPARTMENT: Wood Chipper - Permission to go out for Bids**

Superintendent Schneider, "I would like permission to go out for bids to replace our current wood chipper. The current one is a 1994 model. It has had a lot of hours on it and has been a good machine; however, it is now time to find a new one to replace it. We have been spending way too much time repairing it, and not enough time in the field using it. We're welding stuff that is supposed to be bolted; but we can't get parts for it any longer. The men were using it the other day, and the motor quit running; after diagnosis, we found two cylinders with no compression and the other four only had about eight pounds of compression. It needs a complete rebuild. We were doing a lot of tree trimming; and until we can get a new wood chipper, we can't chip the wood. I would like permission to start looking."

Council Member Lenard asked, "What's our budget on that?" Superintendent Schneider, "We have \$50,000 budgeted for it. I am hoping to be in the \$35,000 to \$40,000 range." *Council Member Lenard stated, "I move to authorize Superintendent Schneider to go out for bids for a new Wood Chipper to replace the Electric Department's 1994 Model." Council Member Hall, "I'll second." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.*

**WATER/WASTEWATER DEPARTMENT: Distribution Update**

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

**Hydro Vacuum Trailer:** Superintendent Hawkins, "As Alan (Electric Superintendent Schneider) said - he, Mark (Street Superintendent Davidson), and myself and our departments have been looking at different vendors' vac trailers. We've been spending some time with using them - they've allowed us to go out into the field and actually use them for several days. We took advantage of it and did a lot of meter pits, valve boxes, and stuff like that."

**Water Meter (unused) Removal:** Superintendent Hawkins reported they are still getting a few requests to remove unused water meter services around town.

**Water Leak Repair:** Personnel repaired a small water leak at 2nd and Franklin.

**WATER/WASTEWATER: PRODUCTION (Update)**

**General:** Superintendent Hawkins reported the Water Treatment Plant has been running good and everything is normal. Due to the rain, usage has gone down.

**WATER/WASTEWATER: Drought: Downgrade from Stage 3 Emergency to Stage 1 Watch (by motion)**

Superintendent Hawkins said, "Believe it or not, this morning, I checked the status of our Water Emergency; and we are still in it - even with all the rain we've gotten."

"Within twenty-four hours of having declared Coffey County to be in a Stage 3 Emergency, we got a letter from the Kansas Water Office through the Cottonwood & Neosho River Basin Water Assurance District #3 ((C&NRBWAD#3). They are requiring we go from the Emergency status back to a Stage 1 Watch status. We need to pass the motion authorizing that."

*Council Member Tschantz stated, "I move to revert from Resolution 2018-03 back to Resolution 2018-02, Declaring a Drought Water Emergency, STAGE 1 WATER WATCH for consumers of water produced by the Water Treatment Plant of City Of Burlington, Kansas, as directed by the Kansas Water Office and the Cottonwood & Neosho River Basin Water Assurance District #3." Council Member Curtiss, "I'll second it." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0. Resolution 2018-02, Declaring a Water Watch is in effect."*

**WATER/WASTEWATER DEPARTMENT: Hydro Vac Trailer - Permission to go out for Bids**

Superintendent Hawkins "I would like permission to go out for bids for all three of our departments (Water/Wastewater, Street, and Electric) bids to jointly purchase a Vac Trailer." *Council Member Tschantz made the motion, "I move to authorize Superintendent Hawkins to go out for bids for a new Vac Trailer for the Water/Wastewater Department, to be shared with the Electric and Street Departments." Council Member Lenard, "Second." Mayor Luke called for discussion.*

Council Member Jasper, "On a yearly cost, how much have we spent on rental on a vac truck with all three departments combined?" Superintendent Hawkins, "Generally on a vac trailer, if we have waterline

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replacement, we hire ECS to come in out of Emporia. Cost depends on the size of the job and on hours. Generally speaking to just show up and spend a couple of hours, the cost is in the neighborhood of maybe \$1,000 to \$1,200."

Council Member Jasper, "Do we see that this is going to save us money by owning rather than renting?" Superintendent Hawkins, "In my opinion, yes. The size of unit we all contemplated on, especially for my department (let me speak for mine), I thought we would need a bigger unit; and obviously when we tried and used the vendors' equipment, we found we didn't need as big a unit as what we assumed we needed; so that was a plus for all of us. We agreed we didn't want to over-shoot the budget and over-shoot the machinery - we want a piece of machinery that will fit the needs of all three departments. That will be a benefit as well."

"As far as what we do - meter pits, valves, meters, go out on the waterline replacement - the biggest thing is going to be having less utility hits. In other words, if there's fiber, phone, or whatever in the ground - so many times there's always that taking one more bite, and we pull the phone line out of the ground. It is going to help us go out and find utilities without destroying other utilities or having costs associated with that. As far as what we see, we see tremendous advantages - taking water valves on corners and being able to straighten them up. We won't be tearing up peoples yards. If we get a request to replace a meter pit, all we have to do is go out, put the meter over it, and paint a line; then all we do is cut out what we painted, pull the old one out, slide the new one in, pack a little dirt around it - we won't have trenching, ruts, back hoeing, fertilizing, or seeding. We see a tremendous advantage as far as our department."

Council Member Jasper inquired about the estimated cost of the machine. Superintendent Hawkins said, "With the smaller size of the machine, we won't use the amount that is budgeted."

Council Member Scothorn, "Is there any chance there are any used ones around?" Superintendent Hawkins, "I did not look in that arena." Superintendent Schneider, "When they were here, I did ask if the demo units would be available to buy? It would drop the price some; so that's another thing we can do when we prepare the invitation to bid, we can put in that if they have a demo unit available, could it be priced as well."

**Hearing no further discussion, Mayor Luke called for a vote on the motion which is: Council Member Tschantz made the motion, "I move to authorize Superintendent Hawkins to go out for bids for a new Vac Trailer for the Water/Wastewater Department, to be shared with the Electric and Street Departments." Council Member Lenard, "Second." Motion unanimously carried, 6:0.**

**STREET DEPARTMENT: Update**

**Street Reconstruction Projects:** Street reconstruction is finished for this year.

**Heavy Rain - Drain Boxes Full:** Superintendent Davidson reported, "Street personnel have been cleaning drain boxes. With the heavy rain, we had some drain boxes unable to take water on Highway 75 this morning; so we sent two trucks up on the highway to help with traffic control to get drivers to move over to the center lane to prevent accidents. There was so much water coming at once that the drain boxes just couldn't take it all."

**General:** Street personnel attended the KMU Safety Training, trimmed street trees, hauled waste to the landfill; and have been changing out some street signs.

**Weed Spraying by DBI:** DBI (Deangelo Brother) came in two weeks ago and sprayed for bindweed and some other weeds.

**Personnel - CDL:** Kyle Dauber is working on getting his Commercial Drivers License.

**POLICE DEPARTMENT: Update**

**Fire - Trailer House at 15th & Hudson:** Chief Jones reported, "We had a couple of fires in town. A trailer house at 15th & Hudson was a total loss. I talked to the Fire Chief on that one, and it is still undetermined. They don't have cause of origin on that."

**Fire - 318 Neosho:** Chief Jones, "We had a fire at the Chinese restaurant (Red Dragon), and that was a cooking fire. She went to make a phone call, came back to stove and the wok was on fire; and for whatever reason she tried to put it out with water, and it went straight up the vent pipe. When the officers got there, there was flame and smoke coming out of the vent on the back side of the building. They had to evacuate on either side of it. The Fire Department set ventilation up afterwards. We blocked off traffic and were out there about an hour - that's all the longer it took for that to be brought under control."

**Wrestling Mats:** Chief Jones, "There's a picture on each table of three wrestling mats that we have acquired on a deal with Coach Vander Linden, the KIDS Club Wrestling. Kevin (Superintendent Boyce) allowed us to borrow one of the trailers from the Parks Department; so we did the transport and had some people to help with the manpower to lift it - help from the wrestling team, help from the high school football team; and we came out with a pretty good deal because it didn't cost us any money."

**OK Kids:** OK Kids is this weekend - rain or shine.

**High School Intern Working with PD:** Chief Jones reported, "We do have a high school intern working with us this semester."

**2019 Dodge Charger - Update:** Chief Jones, "I did hear from Jack Pouley with Davis Moore in Wichita, and he is very hopeful that we will actually see the new car by the end of this month."

**Drive-Thru Flu Clinic:** The Drive-Thru Flu Clinic has been scheduled for Friday, September 28th from 10 a.m. to 1 p.m. at the ambulance bay at the hospital; and again not quite a month later, at Burlington Fire Station #3, on October 22nd from 5:30 to 6:30 p.m. The outlying towns in the county will be doing their Flu Clinics at their fire stations throughout that timeframe.

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**PARKS DEPARTMENT: Update**

**General:** Parks personnel have been doing normal duties, cleaning public buildings and restrooms, mowing - not much with the rain we've had this week, weedeating, spraying weeds, watering trees and flowers, and doing building and equipment maintenance.

**Veterans Park - Dean Kirchner Memorial (Eagle):** Superintendent Boyce reported, "We got the Eagle set in Veterans Park. We've had a lot of good comments about that."

**Flowers (Removed due to Drought):** The street flowers downtown were moved out for the Water Emergency and Watch, and the water was shut off for that.

**FINANCE: Claims Ordinance & Payroll Ordinance**

a. Claims Ordinance	2018-16	\$134,287.99
b. Payroll Ordinance	2018-17	\$ 83,536.27
c. Payroll Ordinance	2018-18	\$ 84,678.78
	TOTAL	\$302,503.04

**CLAIMS 2018-16:** Council Member Lenard moved to approve City Burlington Claims Ordinance 2018-16 in the amount of \$134,287.99 for payment of city bills, as presented. Council Member Scothorn, "Second." Mayor Luke called for discussion. City Clerk Kewley said, "We have Brenntag: \$4,764.90; Core & Main: \$4,792.27; and Landis+Gyr: \$4,050." Hearing no additional discussion, Mayor Luke instructed City Clerk Kewley to poll Council for a vote. Mayor Luke declared Claims Ordinance 2018-16 approved by unanimous vote, 6:0.

**PAYROLL 2018-17:** Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2018-17 in the amount of \$83,536.27 as presented. Council Member Hall, "I 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 2018-17 approved by unanimous vote, 6:0.

**PAYROLL 2018-18:** Council Member Hall moved to approve City of Burlington Payroll Ordinance 2018-18 in the amount of \$84,678.78 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 2018-18 approved by unanimous vote, 6:0.

**PLANNING & ZONING: Update**

**General:** Zoning Clerk Hugunin has been doing normal duties, updating the City's Facebook and webpage. He issued a few permits; and got all the approved permits over to the County Appraisers office.

**City Hall Network Issues:** Zoning Clerk Hugunin reported, "Last week there was a problem with City Hall's network and it took two days to figure it out. The battery backup in the City Clerk's closet was letting everything freak out; so we've got a new one ordered. I hope that keeps the network live and we will no longer have problems with the phones."

**US Cellular Tower:** Zoning Clerk Hugunin reported, "I have been still been spending a lot of time working with US Cellular on a new tower they are wanting to put in town. They're looking at a lot of rental properties. I told them no, that there is not even a special use on it in residential. So they're looking at commercial or industrial properties, which they're pretty limited in town; but they want the tower in town; and if they do that, it's allowable by a special use permit. They've got all that information. I don't know which way they're going to go. They're kind of leaning towards doing something at the school and working with the school district on the lease or something like that so the school benefits. I'd kind of like to see something like that there because they can camouflage it and make it look like a flag pole - there's a lot of things they could do."

**Fire - Trailer House (15th & Hudson):** Zoning Clerk Hugunin reported, "The trailer house the Chief was talking about earlier where they had the fire at 15th & Hudson. I was told as soon as everything is done on the Fire Department's investigation, the trailer is leaving; and I don't think another one will come back in there."

**Nuisance - 415 S. 6th (Darnell Property):** Zoning Clerk Hugunin reported, "Mr. Darnell is continuing to make progress on his mother's property. It's looking a lot better. This weekend or next, they are planning on taking several loads with a two-ton truck to the landfill. Up until now, he's been hauling everything in the trunk of his car, making several trips a day to the landfill. Slow progress, but with a bigger truck it will move faster."

**Mowing Responsibilities:** Zoning Clerk Hugunin said that after putting the notice on Facebook and the webpage for resident's responsibilities for mowing of the ditches, and a notice for not blowing grass out into the street when mowing; a lot of ditches are being mowed, but they are still blowing a lot of grass in the road. With all the rain we've been getting, it will be a while before mowing can be resumed.

**OTHER COMMITTEE/COUNCIL BUSINESS: None**

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

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**LEGAL DEPARTMENT: Update**

**Drought Emergency (update):** Attorney Robrahn reported he helped Superintendent Hawkins and Administrative Assistant Stroh regarding the water emergency status change.

**Municipal Court Report:** Attorney Robrahn stated, "I called Phillip (Assistant City Attorney Wright) and got a Municipal Court Report. He said the speeding ticket contests have gone up quite a bit this year. There are more trials; but the City is still prevailing on those contests, so that's good on that part. He also says domestic issues are still high."

**CITY CLERK: Update**

**General:** City Clerk Kewley reported "City Hall Staff 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."

**Budget 2019 and Audit of 2017 (distribution):** City Clerk Kewley mentioned she had passed out the 2019 Budget and the 2017 Audit.

**LKM Conference - October 6-8:** City Clerk Kewley reminded everyone the League of Kansas Municipalities Annual Conference will be October 6th through 8th, at Topeka Capital Plaza. She said, "The deadline for registration is September 21st; so if you want to attend, please let me know prior to that because I will be registering on that day." Council Member Curtiss and Mayor Luke are going.

**REPORT BY CITY OFFICERS: None**

**MAYOR'S COMMENTS: None**

**FUTURE AGENDA ITEMS:**

<b>GENERAL</b> City Debt – How to fund projects Water Rate 2018 forward (updates) Promote Businesses with Business Showcases at Council meetings	GAAP – Infrastructure Capitalization Ks Dept. of Labor - Inspection Corrections Utility Billing Supv. - Fill Position that will be Vacant 8/24/18 Thermal Imaging of Electric System
<b>ELECTRIC DEPARTMENT:</b> Power Plant-Add Generation: Proposals Engineering, Design, Construction--on hold	
<b>PARKS DEPARTMENT:</b> Events in the Parks (Updates) City Dam West Wall Repair	General Update, Activities, etc. Banners (Veterans)
<b>LEGAL DEPARTMENT:</b> Municipal Court	Misc. Legal - Documents, Cases, Contracts, etc.
<b>PLANNING AND ZONING</b> 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.
<b>POLICE DEPARTMENT</b> Nuisance Updates (work with Zoning Clerk)	Department Activities/Cases/etc.
<b>STREET DEPARTMENT:</b> 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
<b>WATER &amp; WASTEWATER DEPARTMENT:</b> 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.**

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