

COUNCIL MINUTES OF 10-3-2018 MEETING

City of Burlington Governing Body met in Regular Session at City Hall, 301 Neosho Street, Burlington, Kansas at 6:00 p.m. Wednesday, October 3, 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: Lyndon Blackwell, Eric Torrez

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

MINUTES 9-19-2018: *Council Member Curtiss, "I move to approve the minutes of September 19, 2018 as presented." Council Member Scothorn, "Second." Motion unanimously carried, 5:0.*

APPOINTMENT: Lyndon Blackwell - Close Part of Neosho for Trunk or Treat on Halloween

Lyndon Blackwell addressed Council, "First Assembly of God and some other churches in town are wanting to do Trunk or Treat on the 31st of October, a Wednesday, for a four hour window from 3 o'clock to 7 o'clock. We are requesting two blocks of Neosho be blocked off for street use, from 2nd Street to 4th Street. One block will have candy distribution; the other block will have some activities and entertainment going on; so we are asking for two blocks. Again, I believe it's on this side (East) of 4th so we don't affect the heavy traffic heading to the west, as we did the year before."

Council Member Lenard, "How did it work having it on the west side?" Mr. Blackwell, "It worked very well last year. We only had it for two hours or so; but there was a lot of traffic coming by. They would come down the highway and turn to the west on Neosho; so the east side would be better because most of the traffic turns to the west instead of this way."

Council Member Lenard, "Would you be opposed to going back over there because this side has restaurants and businesses that are open in the evening, and we'd take away their parking? If you need two blocks, I think we can accommodate that." Mr. Blackwell, "How about a block and a half (on the east side)? Come a half block on 3rd Street and 4th, that way folks could come in from the other end? There would be parking in front of the restaurants." He asked for Chief Jones help with this, concerning traffic control.

After some discussion, Mr. Blackwell said, "The preference is this side of 4th Street, we can make do; but I'm pretty sure we want two blocks." Council Member Curtiss, "Did you not use the city parking area (Municipal Parking Lot by Caboose Park) last year?" Mr. Blackwell, "Yes. We'll use it again this year. People will park there and walk over for candy and events, I'm sure." Council Member Curtiss, "If you're over there." Mr. Blackwell, "Either way. We're expecting hundreds of people to come down."

Chief Jones, "We'll make it work, whatever you're (Council's) decision is." Mayor Luke, "My preference would be from 4th to 6th." Chief Jones, "It would be less businesses affected. From 4th to 6th, the only businesses would be Cook's Plumbing, the Bank (closes at 4), Farm Bureau (closes at 5), Hills Auto Parts (open until 5:30)." Mr. Blackwell, "We'd be glad to contact those businesses." It was discussed that there are several more businesses on the east side that are open until 5 or 6, and some even later. Mayor Luke, "I would prefer the west side. Let the businesses that are going to be open after 3 o'clock know."

Mr. Blackwell, "I prefer the west side myself; but my pastor told me what to say. He'll be disappointed." Council Member Curtiss, "I think over there is a lot better than here."

(continued)

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Council Member Lenard, "I move to approve closing Neosho Street between 4th Street and 6th Street for the First Assembly of God to have a Trunk or Treat on Halloween, October 31, 2018 between 3 p.m. and 7 p.m." Council Member Scothorn, "Second." Mayor Luke called for discussion. Superintendent Davidson, "I assume you want barricades?" Mr. Blackwell, "Please." Chief Jones said, "They usually do the school parade around 2 o'clock, and is usually done by 3 o'clock; so that shouldn't be a problem either." **Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0.** Mr. Blackwell, "Thank you very much."

Easement at 1316 Des Moines: Mr. Blackwell, "I also thank you to Mark (Superintendent Davidson) and all his people for cleaning up a kind of strange easement at 1316 Des Moines. It was appreciated."

ELECTRIC DEPARTMENT: DISTRIBUTION Update

General: Superintendent Schneider reported, "It's been pretty much normal: line locates and customer service requests, including removal of an electric service from a house that is to be demolished on the south side of town. We attended the KMU Safety Training on Tuesday morning. The men have also been trimming trees."

Conversion: Superintendent Schneider reported, "We are in the process and are almost done over on 3rd Street with converting overhead service from overhead at a customer's residence to underground per the customer's request."

Wood Chipper - Demonstrations & Preparing Invitations to Bid: Superintendent Schneider said, "We have been trying wood chippers from different vendors, and will complete our final demonstration this week. The men have been putting the wood chippers to the test. I will work with Susan (Administrative Assistant Stroh) to get the specs and request for bid proposals out in the mail to the vendors I have been visiting with, hopefully by the end of this week."

ELECTRIC DEPARTMENT: PRODUCTION Update

General: Production personnel have been working on required reports, and performing normal duties, including maintenance and repairs.

Fence work to keep dogs out: Superintendent Schneider reported, "We have been having trouble with the neighborhood dogs getting into the fenced area surrounding the Electric Department, and have had to chase them out of the substation. The men have been over there trying to improve the fence to keep dogs out." Chief Jones inquired who the dogs belong to, and said he'd ensure Animal Control Officer visits with them. Superintendent Schneider said, "I think she was over there again either today or yesterday. Thank you."

ELECTRIC DEPARTMENT: KPP offering 25kw Project (Community Owned)

Superintendent Schneider. "We visited a little about the KPP solar offering, and last meeting Mr. Chesney talked about it. KPP wants to know if the City has any input and if they're interested in participating in this. I told them we have council meeting tonight, and we would discuss it and see what everybody's thoughts are on that, so I can give them an answer. They are trying to prepare an engineer site visits and get those scheduled."

"You all have some notes I made, entitled, 'KPP 25Kw Community Owned Solar Offering'. If you have questions, please ask. They are looking to add a 25Kw unit. With a 20% capacity factor on these units, the output isn't a whole lot in perfect conditions. My guesstimate is roughly 3,600 kilowatts per month is what the unit would produce during the peak hours. Council Member Curtiss, "I'm not in favor." Council Member Scothorn, "For no more than we'd get out of it, I don't see any use of it."

Council Member Jasper, "Is it something we can use to help our power plant along during a blackout situation as far as using it to startup generators or anything like that?" Superintendent Schneider explained, "J.J., the output isn't there for that." Council Member Jasper, "Thirty-six hundred kilowatts is what - a house and a half during peak hours in summertime?" Superintendent Schneider, "Depending on the customer, yes - four or five houses at best when it's operating at full capacity."

Council Member Lenard, "One of the alternatives is maybe visit with the committee (Electric Committee), It's a small size. I did ask Alan (Superintendent Schneider) if we have space around the plant; or if we take something out of production at the industrial park." Superintendent Schneider asked if he got his response to that. He did. Council Member Jasper said, "It looks as though we've got the space there." Superintendent Schneider, "We would have the space south of the Industrial Park Substation, but not at the Power Plant. The only option at the Power Plant would be straight west of the distribution shop - cut those trees down and put it in there facing west; but there are some trees on the park property that would probably be an issue. Like I said, even at that, the capacity is not there to pump up those air compressors even to run the oil pumps."

Council Member Jasper asked if KPP was possibly looking at something on a larger scale. Superintendent Schneider, "The Mayor may be able to explain it better since he does attend KPP's monthly meetings. My understanding is they don't have anything scheduled for full-scale size, say 5 or 10 megawatts. No, that hasn't been spoken of to the regular members." Mayor Luke, "Solar does not have the capacity. It is not of interest on a large scale for the Pool." Superintendent Schneider, "Keep in mind - this really isn't stored energy either. This will come on our grid will be distributed; and the only way to gain capacity would be to set up a battery system to store that energy." Superintendent Jasper, "And that's not a part of the package?" Superintendent Schneider, "It is not a part of the package. I couldn't even tell you what that dollar would be."

Council Member Jasper, "It sounds like four or five cities are interested." Mayor Luke, "Yes, four cities have already responded and said they would like to have a unit." Superintendent Jasper, "What's that going to do with membership fees going forward?" Mayor Luke, "Absolutely nothing. There are current funds that

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came out of savings that would go into our cash revenue; funds which give us our debt payment coverage. Some of those funds are being used to fund these projects."

Council Member Curtiss asked how many KPP is planning to do. Mayor Luke said, "However many cities agree to have a unit. Early this month everybody has to give KPP their decision, Yay or Nay; so I won't know until the next Kansas Power Pool Board meeting how many cities actually decided they would like to do it."

Council Member Tschantz stated, "I'll say no." Mayor Luke stated, "We need a motion saying we do not wish to participate with KPP's 25Kw Community Owned Solar Project. That way we will have an official record that we chose not to participate. Council Member Lenard, "For now." Mayor Luke, "Yes." **Council Member Scothorn made the motion that City of Burlington chooses not to participate with Kansas Power Pool's 25Kw Community Owned Solar Project at this time. Council Member Tschantz gave the second. Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0.**

WATER AND WASTEWATER: Update

General: Superintendent Hawkins, "We've been doing normal duties, line locates, customer concerns."

Water Main Breaks: Superintendent Hawkins reported, "We repaired a water main break at 16th & Housatonic; and we're now out at 13th and Neosho. We also have another one at 6th and Neosho, a small one at the intersection. I am trying to orchestrate it to know exactly where it is. I'm talking with Tony Kimme with the Kansas Rural Water Association to see if he can bring his water leak tester and help us so we don't just tear up the whole street. As soon as Tony comes in, I'm going to orchestrate with the Sheriff's Office, the Courthouse, and mostly that whole block and the whole intersection."

Kansas Department of Labor - Safety Inspection: Superintendent Hawkins said, "Today, I completed the Corrective Actions for the KDOL Safety Inspection."

Water Meter Replacement: Department personnel have been replacing water meters around town.

Chlorine Burnout to resolve issue: Superintendent Hawkins reported, "We did have an issue with the Chlorine residuals, as I mentioned last meeting. The Chlorine residuals went down. I don't know whether it was the source water. We weren't the only one with this issue, I was told the City of Iola did the same thing. I contacted the Kansas Department of Health & Environment. I contacted all the surrounding cities; and Jimmy (Zoning Clerk Hugunin) put it on our webpage for me - thank you - and so we went ahead and did a chlorine burnout. We finished today with flushing lines, but we have a few more on 16th. Other than that, we're wrapped up; so we're contacting our customer Rural Water Districts and cities to tell them that they need to flush a little more to get the Chlorine residuals out in their areas as well; so we're trying to work with them, too, and help them out. I'm hoping by next Friday we can wrap that back up and be back online with the water."

Water Treatment Plant - Cleanup of front: Personnel cleaned up the front of the Water Treatment Plant. They removed the mud and sludge that was built up and cleaned the blades off. It's just normal annual things we needed to get done.

Water Drought Emergency/Watch (Update): Superintendent Hawkins stated, "I got an email from the Water Assurance District #3 (CNRBWAD#3). I reported last meeting that that we were out of the Warning, back to the Watch, and I still had to report the numbers (water use, etc.) to the Assurance District. Now they say they don't need that reporting any longer." City Clerk Kewley, "Are we out of the Watch?" Superintendent Hawkins, "The Governor still has us in a Warning, the Kansas Water Office still has us in a Watch; and we're not reporting now. We're kind of in limbo as to where we're at. I don't know any more than that."

WATER AND WASTEWATER: Utility Vac Trailer - Present Bids

Superintendent Hawkins, "We did go out for bids for the Vac Trailer, with Alan and Mark (Superintendents Schneider and Davidson). We did not get a bid from Ditch Witch. We did get bids from Vermeer from Olathe, Kansas and Mayer from Goddard, Kansas."

	Ditch Witch (Olathe, KS.)	Vermeer (Olathe, KS)	Mayer (Goddard, KS)	Mayer (N/A) Not in Spec. (Goddard, KS)
NET BID PRICE	No Bid	73,547.00	87,588.00	62,890.00
Less Trade-in, if any		0	0	0
SUBTOTAL		73,547.00	87,588.00	62,890.00
LESS DISCOUNT, if any		0	0	0
SUBTOTAL				
PLUS OPTIONAL EQUIPMENT		2,269.92	n/a	n/a
TOTAL BID (not including tax)	No Bid	75,816.92	87,588.00	Not up to Specs
DELIVERY DATE		11-1-2018 or sooner	21 - 22 weeks	

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"Goddard's bid of \$62,890.00 did not meet the requirements of the bid (specifications). I'm not sure why he even gave us that bid. Goddard's bid of \$87,588.00 we couldn't even test without purchasing it. It's difficult to decide which one to get if you cannot test it."

"Vemeer's Vac came with all the optional equipment at a bid of \$73,547.00, plus the extras (the options) for \$2,269.92. The options were for the different hoses needed by each of the three departments (Water/Wastewater, Electric, Streets). The total bid is \$75,816.92, which is under the budgeted amount."

Superintendent Hawkins stated, "My recommendation is to accept the bid from Vemeer." Council Member Curtiss asked how much was budgeted. Superintendent Hawkins, "The amount budgeted was \$80,000, and it is split between the three departments."

Council Member Lenard, "Wasn't it a couple of councils ago that there was dialog about the usage by all of the departments? Hours? Rental? Somebody asked about how much we would use it. Purchase versus rental. Did we ever get that answered?" City Clerk Kewley, "I've got some numbers for two years, but need to add some to it because we haven't gotten the bill in yet on the boring on a previous project. It was \$20,545 expensed for rental for two years; and insurance on the vac trailer will be approximately \$689 per year."

Superintendent Hawkins, "The other thing Vermeer offered, as well, is that if we decide to go with theirs, they offered to (loan us a vac trailer tomorrow to use until the new one comes in the 1st of November. Basically, that's a \$6,400 savings, because their rental fees for the vac trailer are either \$600 a day or \$1,600 a week and four weeks would be \$6,400."

Council Member Jasper, "When we have these vac trailers filled up to capacity load, we have a pickup within our fleet between all the departments that will pull that?" Superintendent Hawkins, "Yes. That was the thing - I really thought with my department, we would need a bigger machine, but we went with testing the smaller ones and we had no problem and we have no problems pulling them. We brought it down to a size smaller than we originally thought we needed." He agreed a 3/4 ton pickup would handle the vac trailer nicely.

Mayor Luke, "What's the Council's pleasure." Council Member Tschantz stated, "I move to accept the bids presented for a Utility Vac Trailer as bona fide." Council Member Lenard, Second. Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0.

Council Member Tschantz stated, "I move to accept the bid from Vemeer Great Plains for a Utility Vac Trailer (2018 Vactron LP57SDT-H) for the cost not to exceed the bid of \$75,816.92, as being in the best interest of City of Burlington." Council Member Jasper, "Second."

Superintendent Hawkins said, "I do thank you for that. I know there was a lot of concern with that. It's a machine you will see used a lot, it will come in handy." Council Member Tschantz, "I know, watching you guys putting waterlines and sewerlines and everything in with that rental, it's a lot of effort off you guys."

WATER/WASTEWATER: Waiver of Annexation for Water Outside City Limits, 1082 Lynx Lane,

Superintendent Hawkins, "I now have the Waiver of Annexation for Mr. Abendroth for 1082 Lynx Lane."

Council Member Lenard stated, "I move to approve Waiver of Annexation (Application and Permit for Water Service Outside the Corporate Limits of City of Burlington, Kansas for Michael Abendroth for 1082 Lynx Lane, Burlington, Kansas." Council Member Curtiss, "I second it." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0. Superintendent Hawkins, "Thank you. I appreciate it."

STREET DEPARTMENT: Update

Drake Park - Sinkholes found: Superintendent Davidson reported, "We've found several sinkholes at Drake Park. We went down and started digging, not sure what we would find. There were some old tree stumps that had rotted. We took them out and filled the area back in with paved rock. We don't know how many more there are, we'll just have to wait and see what comes up."

Ditches and Culverts: Street personnel have been cleaning ditches, tilling and seeding ditches, and have replaced a few culverts.

Crack Sealing: Superintendent Davidson, "Our department has done a tremendous job of crack sealing the hotmix streets. We started in the spring, worked another project, and got back to crack sealing. We've done everything from Housatonic to Neosho from 3rd Street to 16th Street this year. That's a lot of material, a lot of walking, a lot of work. They've done a very good job."

Kelley Park - Sweeping: Street personnel did some sweeping today at Kelley Park for the Taste of Fall Festival.

POLICE DEPARTMENT: Update

Drive-Thru Flu Clinic: Chief Jones reported, "We did the Flu Clinic on Friday. The numbers are definitely down. I was talking to Lindsey Payer at the Health Department - there are so many different places that have been offering flu shots right along; and some places started offering them in August even though the CBC says it's way too early. We have one more coming up on Monday, October 22nd at the fire station."

Cases: Chief Jones reported, "We are still doing a lot of domestic violence, bond violation stuff, and suspicious activities. We do have city court next week."

Police Vehicle: Chief Jones reported, "Late this afternoon, I heard from Jack Pulley, of Davis-Moore in Wichita. The car is scheduled to be delivered to Wichita on the 11th, a week from tomorrow."

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Overtime Questioned: Council Member Scothorn, referring to a printout, said to Chief Jones, "You put down overtime but it doesn't say what the overtime was for." Chief Jones said that the time he turns in to City Hall, and that he has a sheet that each officer writes down what the overtime is for - and he signs off on that. He does not generate the Overtime Report. Chief said it was most likely June and July, some August, and that was for the burglaries they were working, some training, and such. City Clerk Kewley said Deputy City Clerk Brown does a computer report every pay period (this report with payroll ordinance) is a manual report that we don't do any detail on. Anne does a different overtime report every month. Chief Jones said that Szambecki had 11 hours overtime for training and investigation.

PARKS DEPARTMENT: Update

General: Superintendent Boyce reported, "We have been cleaning public building and restrooms, mowing, spraying weeds. Most of our time has been spent mowing. It has slowed down this week, but they're forecasting five inches of rain this weekend, so we'll probably pick up more on mowing. We have also been doing building and equipment maintenance."

Taste of Fall Festival Preparations: Superintendent Boyce said, "We have been preparing for the Fall Festival. I'd like to thank the Street Department for sweeping in the park."

Rock Creek / 6th Street Bridge - Concrete Slabs: Superintendent Boyce stated, "Last year we had some washing out on the east side of the 6th Street bridge across from Rock Creek beside the bridge. The Street Department went in and cut that back a little bit and laid some concrete slabs in there. Hopefully, that will help with that in the future. It makes it hard for us to mow up in there and turn around and get out without possibly sliding into the creek. I'd like to thank them for taking care of that."

FINANCE: Claims Ordinance & Payroll Ordinance

a. Claims Ordinance	2018-18	\$	<u>107,818.22</u>
b. Payroll Ordinance	2018-20	\$	<u>81,649.63</u>
	TOTAL	\$	189,467.85

CLAIMS 2018-18: Council Member Lenard moved to approve City of Burlington Claims Ordinance 2018-18 in the amount of \$107,818.22 for payment of city bills, as presented. Council Member Scothorn gave the second. City Clerk Kewley reported, "Computer Information Concepts (CIC) for \$7,800.00; Coffey County Highway Department for \$25,585.22; Midwest Electric for \$6,672.45. **Hearing no additional discussion, Mayor Luke instructed City Clerk Kewley to poll Council for a vote. All votes were in favor. Mayor Luke declared Claims Ordinance 2018-18 approved by unanimous vote, 5:0.**

PAYROLL 2018-20: Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2019-20 in the amount of \$81,649.63, as presented. Council Member Curtiss gave the second. **Hearing no additional discussion, Mayor Luke instructed City Clerk Kewley to poll Council for a vote. All votes were in favor. Mayor Luke declared Payroll Ordinance 2018-20 approved by unanimous vote, 5:0.**

PLANNING & ZONING: Update

GENERAL: Zoning Clerk Hugunin reported he has been doing normal duties, getting building permits ready to be submitted to the County Appraiser. He's been getting the email and computer ready for when our new employee, Laura Riccobono starts on Monday, October 8th; and set up/updated Kerri's (Utility Billing Supervisor) email. He has also been spending time at the Street Department fixing some printer issues.

NUISANCE PROPERTIES: Today, Zoning Clerk Hugunin drove around delivering fall cleanup flyers to those with property nuisances. Most of them were not home, but he left the flyers. He said, "This year I've printed more flyers than I ever have."

Darnell Property: Freddy Darnell is slowly progressing with abating his mother's nuisance property.

Burned out trailer: The property on Alleghany is down to one car. A couple of flyers were stuffed into the door.

LEGAL DEPARTMENT: Update

Attorney Robrahn, "We will have Municipal Court this Thursday evening. This Friday, Phillip (Assistant Attorney Wright) and I will be in Topeka at the City Attorney's meeting put on by the League of Kansas Municipalities."

CITY CLERK: Update

Delinquent Utilities - Kansas Set-off Program: City Clerk Kewley reported, "For September, we will be sending \$1,883.22 in delinquent utility accounts for collection through the Kansas Set-Off Program."

Level Pay Sign-up for Utilities: City Clerk Kewley reminded everyone the deadline to sign up for the Utility Level Pay Plan for 2019 is October 20th.

City Hall New-Hire: Laura Riccobono is scheduled to start work at City Hall on Monday, October 8th in the position of Utility Billing Clerk/Municipal Court Clerk.

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EMMA Filing: City Clerk Kewley reported, "I finished working with Kutak Rock, our Bond Counsel. We had to complete the disclosure document, which is an annual requirement for the EMMA website. We did get that done before the deadline of September 28th. [The Electronic Municipal Market Access system, or EMMA®, is the official source of municipal securities data and documents. EMMA provides free public access to objective municipal market information and interactive tools for investors, municipal entities and others to make informed decisions when participating in the municipal market.]

General: City Hall Staff handled normal calls and inquiries.

GOVERNING BODY COMMENTS, ETC.: None

FUTURE AGENDA ITEMS:

GENERAL: City Debt - How to fund projects	GAAP - Infrastructure Capitalization
Water Rate - 2018 Forward (updates)	Promote Businesses with Business Showcases
ELECTRIC DEPARTMENT: Power Pant - Additional Generation	Thermal Imaging of Electric System
Wood Chipper - Bids	
PARKS DEPARTMENT: Events in Parks (Updates)	Taste of Fall Festival 10/2017
City Dam - West Wall Repair	Veterans Banners and Brackets for Utility Poles
LEGAL DEPARTMENT: Municipal Court	Misc. Legal - Documents, Cases, Contracts, etc.
PLANNING AND ZONING Industrial Park Lots - for Sale, etc.	Quarterly Construction Valuation Report
Work with NexTech and City Departments to improve Cyber Security	Prepare Easements for any City-owned property without one
Work w/PD on Nuisance Structure regulations and other nuisances	City Hall - Awning Replacement (switch to metal)
City-Wide Cleanup / Brush Removal	Permits - Building/Zoning/etc.
POLICE DEPARTMENT Nuisance Updates (Work with Zoning Clerk)	Department Activities and Cases
STREET DEPARTMENT: Concrete Street Repairs	Pavement Management System/Asset Management System
Sidewalk Repairs on City Rights-of-Way	Street Improvement Projects
WATER & WASTEWATER DEPARTMENT:	Drought Update
Sewer Lagoon - Maintenance/Updates	Sewer Pump Station #9
TTHMs - KDHE Survey Updates	Blue-Green Algae (Assist KDHE watch)
	Sewer Lagoons - Analysis (KRWA/funds for dredging)

Mayor Luke declared the meeting adjourned.

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

