

BURLINGTON CITY COUNCIL REGULAR SESSION 11-7-2018

City of Burlington Governing Body met in Regular Session at City Hall, 301 Neosho Street, Burlington, Kansas at 6:00 p.m. Wednesday, November 7, 2018. Mayor Stan Luke called the meeting to order.

ROLL CALL: Stan Luke, Mayor

Council Members present:

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

Superintendents Present:

- | | | |
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| <input checked="" type="checkbox"/> Kevin Boyce (Parks) | <input checked="" type="checkbox"/> Alan Schneider (Electric) | <input checked="" type="checkbox"/> Mark Davidson (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 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: Jay Hale (CCEMA /God's Storehouse); and Westar Representatives: Brandon Sack, Silas Dulan, David Shupe

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

MINUTES 10/17/2018: Council Member Curtiss, "I move to approve the minutes of October 17, 2018 as presented." Council Member Hall, "Second." Motion unanimously carried, 5:0.

APPOINTMENT: None

PUBLIC COMMENTS: CCEMA new owner of 515 Neosho, God's Storehouse location

Jay Hale, Pastor of First Baptist Church and President of Coffey County Evangelical Ministerial Association (CCEMA), addressed Council. "If you saw today's newspaper, then you saw at the bottom of the first page that the Coffey County Evangelical Ministerial Association has taken ownership of God's Storehouse. It's good for us; we're looking forward to working in there. The bad news for the City is that we've applied to have that building removed from the tax rolls. The good news for the City is, that's one more building that will stay occupied downtown. We have some work to do on that, so we're talking to the guys who are doing the theater roof (Plaza Theatre). We've got to take care of the roof. We just wanted to let you know that we are the new owners, and that we're going to be parked downtown here for years to come, we hope."

ELECTRIC DEPARTMENT: DISTRIBUTION Update

General: Personnel have been busy doing line locates and customer service requests. They will start hanging Christmas lights pretty soon.

Veterans Banners: The Electric Department helped hang the Veterans banners along Highway 75.

Squirrel Power Outage Prevention Project: Superintendent Schneider reported, "The men have been spending most of their time trying to squirrel proof our system the best we can. They have been really concentrating on that."

Power Outage: Superintendent Schneider said, "We did have one outage in Country Club Heights this morning. It was caused by squirrels. We have not been there to squirrel proof yet. The men have been concentrating on the more heavily populated tree areas to get those resolved first."

ELECTRIC DEPARTMENT: PRODUCTION Update

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

Generator #2 - Turbo Charger Oil Filter System Upgrades: Superintendent Schneider, "The men at the Power Plant are still working on the Oil Filter System on Generator #2. They are actually installing and hooking up all the piping and everything. I'm hoping in about a week to have that unit back in service."

ELECTRIC DEPARTMENT: Personnel – Austin Birk's Evaluation

Superintendent Schneider reported, "Austin Birk is ready to advance from Second Year Apprentice to Third Year Apprentice. He did very well with a final score of 92%. I would recommend advancing Austin to Third Year Apprentice Lineman at \$21.19 an hour."

Council Member Curtiss stated, "I make a motion to move Austin Birk from Second Year Apprentice Lineman to Third Year Apprentice Lineman at the hourly rate of \$21.19, effective November 10, 2018." Council Member Lenard, "Second." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0.

[2] CONTINUATION: November 7, 2018 Burlington City Council Regular Session

WATER AND WASTEWATER: Distribution Update

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

Utility Vac Trailer (loaner): Superintendent Hawkins reported, "We have been going around using the vac trailer with removing water meter services. It's been working really good for us."

Disconnect for a Demolition: For Skillman Construction, personnel did a disconnect on a service for a demolition on S. 6th Street.

Water Meter-1082 Lynx Lane: Personnel did a water meter service for Mr. Abendroth on Lynx Lane.

Sewer Tap: Personnel also did a sewer tap on S. 6th Street.

2019 Ford F-250 (Update): Council Member Curtiss, "How about your truck?" Superintendent Hawkins, "We got our truck in last week. It actually went to Overbrook; and from Overbrook, I was told by Ford, it is setting up at Kansas City getting a Knapheide bed on it." Council Member Curtiss, "It took the Mayor to go down there and talk to them? Did you go down there?" Mayor Luke, "Yes, I talked to them. I'm not sure that was the reason why...." Council Member Curtiss, "Good, glad to hear that." Mayor Luke, "I wondered if you were going to report on that." Superintendent Hawkins, "It slipped my mind. I apologize."

WATER/WASTEWATER: Production – Water Treatment Plant Update

Clarifiers Cleaned, Pipe Cut, Recycling of Sludge Improved: Superintendent Hawkins, "At the Water Treatment Plant, we cleaned out two of the clarifiers. I want to thank my guys for staying late and helping to do that. While we were in there, we also did a project we've been wanting to do for a long time. Since we finally had access to it, we went in and cut a piece of three-inch pipe off of the recycle inside of the sludge clarifier. We took about fourteen inches off; so we are now actually recycling our sludge the way the Plant was originally designed. It's been working great ever since we cut that pipe. It didn't take long, only about an hour."

General: Personnel have also been doing normal duties internally within the Plant.

WATER/WASTEWATER: Personnel-David Mefford Submitted Letter of Retirement, effective 12/21/18.

Superintendent Hawkins stated, "I got a letter of retirement from David Mefford. I want to thank him for his service with us. He has been a great employee for us for years and years. He's been my head operator for a long time; and I'm very appreciative of Dave. Dave's final day of work will be December 21st." (*David has worked for the City since 2/26/2001, and is Senior Water/Wastewater Certified Operator*)

WATER/WASTEWATER: Personnel – Advertise for two Non-Certified Water/Wastewater Operators

Superintendent Hawkins said, "David Mefford's retirement leads me to two things. I am requesting permission to advertise for two employees. One is obviously to replace Dave. The other is because we did not replace Troy Payne when he resigned earlier this year. (*Council 3-7-3018*). We did not have waterline replacement; we just needed the year to catch up on some normal maintenance and routine maintenance done internally within the city. I have visited with the Water Committee and they let me wait until this fall; so I am now asking for the replacement of Troy Payne." (*At Council of 3-7-2018, Superintendent Hawkins presented Troy Payne's resignation, and said, "At this time, I ask that we delay filling the position due to the fact the position was filled (in February 2014) so we would have enough employees for Waterline Replacement Project, which is completed. Since we do not have a waterline project this year, we have absorbed the work that employee had. I am planning on in 2019 ramping up the Waterline Replacement Project. This year, we need to catch up on exercising valves and lots of stuff we've kind of neglected over the years. We need to have a year to get caught up, and then we will be doing another waterline project. I just ask to delay filling that position." The request was approved.*)

Council Member Scothorn asked, "How are we doing with just one person?" Superintendent Hawkins, "Not too bad. It cuts us short, especially if we get into a major project; and then to deal with comp time and vacation time, it makes it a little hectic. I want to thank Mark (Superintendent Davidson) because Mark helps us a lot – we call on Mark a lot if we need an extra body or something. That is where I'm at; and we have water line replacement coming up - and AMI (Automated Meter Infrastructure), if we do that. So, we've got a lot of projects we need to get done, especially on Alleghany Street, going down 6th Street, and stuff like that."

Council Member Tschantz stated, "I make a motion to advertise for two Non-Certified Water Wastewater Operators, until filled." Council Member Hall, "I second the motion." Mayor Luke called for discussion. Council Member Lenard, "Do you have concerns, Dallas?" Council Member Scothorn replied, "Well, where's all the money coming from, when we're paying all this overtime in other areas? Do we have money set aside for all this stuff?" Council Member Lenard, "What was it, three or four years ago, when we had our water treatment? We even had some temps in the summertime to help us; and we self-perform a lot of that work; so I think it was a tremendous value by having that staff."

Superintendent Hawkins, "We tried our best because of the financial side of it. That's why I held off as long as I could – because with not needing the manpower when we weren't doing waterline replacement, we were able to achieve all of our valve exercising, sewer cleaning, and the normal stuff. We've been pushing really hard for several years with waterline replacement and it still needs a great deal of attention, but we needed a year to catch up on stuff we were behind in. That was really my justification of asking not to fill that position, plus it saved our department some money as well. At this time, going into the future, we know that we've got big projects coming up and I'm going to need that manpower to help us move forward with it." **Hearing no further discussion, Mayor Luke called for a vote on the motion which was: Council Member Tschantz stated, "I make a motion to advertise for two Non-Certified Water Wastewater Operators, until filled." Council Member Hall, "I second the motion." Motion unanimously carried, 5:0.** Mayor Luke, "You can advertise for two." Superintendent Hawkins, "I appreciate that."

[3] CONTINUATION: November 7, 2018 Burlington City Council Regular Session

STREET DEPARTMENT: Update

Animal Shelter Doors: Superintendent Davidson reported, “We hung some new doors at the Animal Shelter, and they are air tight.”

General: Street personnel have been working on equipment and worked on some alleys.

Street Work: The Street Department went up to Jones Funeral Home and rebuilt the shoulder on the west side of the road, and made it a little nicer to look at.

6th & Neosho – Patched: Superintendent Davidson reported, “We patched the hole at 6th & Neosho where there was a water leak. We used a little over fourteen ton of the hot mix we’ve got coming from APAC, so we really didn’t have any expenditure for that. The patch turned out fairly nice.”

Quality of APAC Asphalt/Hot-Mix: Council Member Lenard asked, “Any questions about the quality of the asphalt we’re getting from APAC?” Superintendent Davidson, “No. It was hot-mix; we did find a couple pieces of that rubberized joint sealant in one load we got; but for what we were doing with it, it was fine. I just need to get with the Street Committee next year and see what we want to do with the remainder – we’ll have more than four-hundred-eighty tons to use. I have some ideas we will discuss at that time.”

Training - Snow & Ice Control: Street personnel went to a Snow & Ice Control class that was offered through ALTAP at the Courthouse.

Equipment Maintenance: Superintendent Davidson said, “We brought the spreader boxes and the plow in, checked those over, and exercised the spreader boxes – it’s getting that time of year. We had some front end repair we had to do on one of our pickups. Parts were ordered the first part of the week, and it was finished up today and new tires were put on the truck.”

Pavement Management System - Street Audit: Council Member Lenard, “Mark, do we have a street audit coming up?” Superintendent Davidson replied, “Yes, we do. Mr. Bowers (Bowers Civil Engineering) contacted me the end of last month, and wanted to do it sometime the first part of November. I expect within the next week or so, he’ll get in touch with me.”

POLICE DEPARTMENT: Update

Chief Jones stated, “We have been staying busy. Two of the important ones:”

Vehicle/Gun Burglaries Solved: “Working with the Sheriff’s Office in a very lengthy, very in-depth investigation. As a result of that investigation, we have a guy in custody; we have his girlfriend in custody; and his brother is in custody down in Oklahoma. We cleared up six vehicle burglaries – guns were stolen out of vehicles – that was just in town. There were about another twelve out in the County where a bunch of guns and stuff were stolen.”

Armed Robbery at Pizza Hut (2/2018) – Solved: Chief Jones said, “With that investigation, we even got far enough back as a result of this investigation, he has confessed – we solved the armed robbery that happened at Pizza Hut last February. We had a lot of work there. We had an interesting Sunday night. Officer Jessica Stice saw a car coming into town, it caught her attention. She pulled in behind it; the car turned off on Sanders going east, got over by the Apple Grove Apartments -Jessica hadn’t even turned the emergency light on her car on yet, and was just following the vehicle. All of sudden the car came to a complete stop in the road, and two people bailed out and took off on foot. The passenger came back to the car and turned himself in. A long search for the driver ensued, and we eventually found him in waiting room by the nurses’ station at the hospital. He had lost his shoes, so he was cold, wet, and miserable. He had supposedly spent most of the night hiding in a tree. He is under some charges for a few things, including possession of methamphetamines in pretty significant quantity.”

Trunk or Treat: Chief Jones reported that Trunk or Treat went well, with a very good turnout. Both the Police Department and the Sheriff’s Office gave out a lot of candy. It was a very good turnout.

Municipal Court: City Court is tomorrow night, and there is only one trial scheduled.

Training: Chief Jones reported, “We’ve got training next Wednesday (November 14th) sponsored by the Sheriff’s Office. It is going to be held at the 4-H Building in Kelley Park. It’s going to be on Human Trafficking, which is a very hot topic right now.”

2019 Dodge Charger – Waiting for Delivery: Chief Jones said, “I may have to borrow the Mayor. Our car is ‘due to be delivered any day now’ – I talked to our fleet rep at Davis-Moore and we still don’t know when we’ll get the car – it’s just ‘any day’ now.” (Delivery was to be by 10-11-2018.)

Nuisance Update: Chief Jones said, “I had a couple of things for the nuisance update, but they’ve already been commented on.”

Plaza Theatre (404 Neosho): The roofing crew worked on the Music Box (Plaza Theatre) yesterday and today.

Demolition: Chief Jones said, “What was Skillman Construction and is now Victory Excavating, is working on Diani Myers’ property on S. 6th Street. I don’t know what all they’ve gotten done, but I know they took out a whole bunch of trees around the property today. They’ve got a full crew and a bunch of equipment in there today. I’ll check tomorrow and see what they’ve gotten done. That was one of the properties that was on our list of things to get done when I talked to Mike Skillman, he agreed it would get done in a prompt manner.”

[4] CONTINUATION: November 7, 2018 Burlington City Council Regular Session

PARKS DEPARTMENT: Update

General: Superintendent Boyce, "We have been cleaning public buildings and restrooms, mowing, weedeating, building and equipment maintenance. We have finished up mowing with the big tractor so possibly tomorrow or the first of next week we'll get the snow removal equipment on."

Veterans Day – Banners: Superintendent Boyce reported, "We removed the City banners and put up the Veterans banners. That was October 22nd and 23rd. I thank the Electric Department for their help with that." Councilman Curtiss said, "The banners look nice." Council Member Lenard said, "I saw some over in Waverly. The banners are smaller, but they are still impressive." Mayor Luke, "They're in every town in the County. It's impressive. Waverly's are about the size of the ones we have on Neosho Street."

Veterans Day Celebration: Superintendent Boyce, "We've been working on getting everything set up for the Veterans Day celebration at Veterans Park on Sunday."

Winterizing – Water off: Superintendent Boyce said, "This week we've been winterizing public restrooms, campsites, and sprinkler systems downtown."

Cleanup Areas/Stump Grinding: Parks personnel have been working on cleaning up stump grindings, filling in the holes with dirt, and seeding the areas where they removed hazard trees this summer. They will work on that throughout the winter.

FINANCE: Claims Ordinance & Payroll Ordinance

a. Claims Ordinance	2018-20	\$	<u>324,274.18</u>
b. Payroll Ordinance	2018-22	\$	<u>83,402.36</u>
	TOTAL	\$	407,676.54

CLAIMS 2018-20: Council Member Lenard moved to approve City of Burlington Claims Ordinance 2018-20 in the amount of \$324,274.18 for payment of city bills, as presented. Council Member Scothorn gave the second. City Clerk Kewley reported, "Brenntag for \$4,892.99; Killough Construction for \$250,567.96; and R. E. Pedrotti for \$2,007.791." 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 2018-20 approved by unanimous vote, 5:0.

PAYROLL 2018-22: Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2019-22 in the amount of \$83,402.36, as presented. Council Member Lenard gave the second. Hearing no discussion, Mayor Luke instructed City Clerk Kewley to poll Council for a vote. All votes were in favor. Mayor Luke declared Claims Ordinance 2018-20 approved by unanimous vote, 5:0.

PLANNING & ZONING: Update

City Clerk Kewley said she will do the update for Zoning Clerk Hugunin who was attending Kansas Association of Code Enforcement Officer training in Topeka.

General: Zoning Clerk Hugunin has been doing normal duties, updating the City's website and Facebook. He has been working on the computers in City Hall, mapping IP addresses. He has been issuing permits.

Tree City USA: Zoning Clerk Hugunin started the Tree City USA Application process for 2019.

City Departmental Inventory: Zoning Clerk Hugunin will be working with each of the departments to get the end of the year inventory ready for our auditors.

Nuisance Properties: Zoning Clerk Hugunin is working with nuisance properties and is making progress with that.

OTHER COUNCIL BUSINESS: Reschedule 2nd Council Meeting of November

Mayor Luke stated, "Next council meeting is on, we'll call it, Thanksgiving Eve. In 2012, it was the same way and we moved the meeting from Wednesday night to the Tuesday. This year, it would be moving it from November 21st to the 20th. To do that, we would need a motion from the Governing Body to pass that change so we can notify the public."

Council Member Curtiss stated, "I move that due to the second Wednesday of November being Thanksgiving Eve, we move the second Council Meeting of the month to 6:00 p.m., November 20, 2018." Council Member Hall, "I'll second." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0.

LEGAL DEPARTMENT: Update

Attorney Robrahn stated, "I have been contacted by a Bond Attorney. It has to do with KCP&L (Kansas City Power & Light) project revenue bonds that were issued in 2007. It's not going to be anything like we went through three years ago; this is just to amend the indenture of back in 2007. All they're calling upon us to do is to pass a short resolution approving of the First Supplemental Indenture of Trust, which amends the amended and restated Indenture of Trust; so it sounds like it's been done a few times already. I think they're really pushing on that, so I think we may really need to do something on the 20th." City Clerk Kewley, "They were asking me on a date for the council meeting." Attorney Robrahn, "I'll keep you updated." Council Member Lenard, "Is that related to the merger?" Attorney Robrahn, "No, it's just some things they want to amend in their Indenture." Mayor Luke, "We've had that for quite a while. You will have that for us next meeting?" Attorney Robrahn, "I would expect they're going to have that for us." Mayor Luke, "If they want it for next meeting, they'll need to make sure they get it to us."

[5] CONTINUATION: November 7, 2018 Burlington City Council Regular Session

CITY CLERK: Audit Contract for Audit of 2018

City Clerk Kewley stated, "In your packets, you have a copy of the contract for Mize Houser & Company to perform our 2018 Audit. I do need a motion to authorize going into another contract with them to do the audit of 2018."

Council Member Hall, "I move to accept Mize Houser & Company's proposal, as presented, to perform City of Burlington's Financial Audit for Fiscal Year ending December 31 of 2018, at a cost not to exceed \$14,925.00." Council Member Scothorn, "Second." Mayor Luke called for discussion. He asked, "How many years now have they done our audits?" City Clerk Kewley, "We bid out for the audits five or six years ago, and they do quite a few of the municipalities. They do a good job." **Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0.**

CITY CLERK: Update

General: City Clerk Kewley reported "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."

Kansas Set-Off - Delinquent Utility Bills: City Clerk Kewley reported, "For October, we will be sending \$2,112.42 for collection through the Kansas Set-Off Program."

Licenses – Annual Renewals: City Clerk Kewley said, "This week, we sent out the renewal reminders to the businesses in regards to the Cereal Malt Beverage, Amusement, and Trailer Court Licenses for 2019; as well as the annual Trash Exemptions for 2019."

Wolf Creek Drill: City Clerk Kewley participated in the Wolf Creek drill last Tuesday, October 30th.

Kansas Power Pool Rate Forum: City Clerk Kewley attended the KPP Rate Forum in McPherson last Thursday, November 1st.

Veterans Day – Closing: City of Burlington will be closed Monday, November 12th in observance of Veterans Day, which is on Sunday, November 11.

Thanksgiving – Closing: City of Burlington will be closed Thursday, November 22nd for Thanksgiving. City Clerk Kewley said, "The City allows us to be off the day after Thanksgiving. It was approved in the past that employees could either take a vacation day, comp time, without pay; or work. No motion is necessary because the Governing Body authorized that years ago." (Authorized in 2000.)

General: City Hall Staff handled normal calls and inquiries.

GOVERNING BODY COMMENTS, ETC.:

Old Wal-Mart Store - Auction: Mayor Luke stated, "If you haven't been on the south side of town, there's an auction sign at the old Wal-Mart store. At noon, on November 28th, there will be an auction held in Wichita. You can appear in person; you can bid on phone; or you can bid online. No reserve. No minimum. So, the building will sell, assuming there's any bid at all."

Electric Committee Meeting: Council Member Curtiss said the Electric Committee will meet right after this meeting is ended.

FUTURE AGENDA ITEMS:

GENERAL: City Debt - How to fund projects Water Rate - 2018 Forward (updates)	GAAP - Infrastructure Capitalization Promote Businesses with Business Showcases
ELECTRIC DEPARTMENT: Power Pant - Additional Generation	Thermal Imaging of Electric System
PARKS DEPARTMENT: Events in Parks (Updates) City Dam - West Wall Repair	Veterans Banners and Brackets for Utility Poles
LEGAL DEPARTMENT: Municipal Court KCPL Project Revenue Bonds – Resolution	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 and other nuisances Old Equipment & Misc. – Sell on purplewave.com	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 (Work with Zoning Clerk) Patrol Car – Waiting on Delivery (Purchase approved 8-1-2018)	Department Activities and Cases
STREET DEPARTMENT: Concrete Street Repairs Sidewalk Repairs on City Rights-of-Way	Pavement Management System/Asset Management System Street Improvement Projects
WATER & WASTEWATER DEPARTMENT: Sewer Lagoon - Maintenance/Updates TTHMs - KDHE Survey Updates	Blue-Green Algae (Assist KDHE watch) Sewer Pump Station #9 2019 Pickup –Update (Purchase approved 7-18-2018) Sewer Lagoons - Analysis (KRWA/funds for dredging) Personnel – Hiring two W/W Non-Cert. Operators David Mefford's Retirement

Mayor Luke declared the meeting adjourned.

Regina R. Kewley, City Clerk