

BURLINGTON CITY COUNCIL REGULAR SESSION 1-16-2019

City of Burlington Governing Body met in Regular Session at City Hall, 301 Neosho Street, Burlington, Kansas at 6:00 p.m. Wednesday, January 16, 2019. 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: Wade Bowie (Coffey County Attorney); Jennifer Fagan (Republic Services); Tammy Hughes and Scott Bolley (Wolf Creek); Christy Over (U.S.D. #244); Emma Krueger (USD #244 Student) and parents, Ashley and Travis Krueger, and her two younger siblings.

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

MINUTES 12/19/2018: *Council Member Hall, "I move to approve the draft minutes of December 19, 2018 as amended." Council Member Scothorn, "Second." Motion unanimously carried, 5:0.*

PUBLIC COMMENTS: Emma Krueger, SE Kansas winner of 'If I Were Mayor' Essay Contest

Mayor Luke stated, "I would like to recognize a young lady who put out some extra effort and accomplished a task that no one else in School District #244 has ever completed. Emma Krueger, would you come up, please?" Applause ensued as Miss Krueger came forward. Mayor Luke said, "Emma entered into the competition that was sponsored by the League of Kansas Municipalities and Kansas Association of Counties. The competition is done annually for seventh graders."

"She wrote an essay on 'If I Were Mayor', and was recognized as the winner for the southeastern region of the State of Kansas. Emma was invited and will be in attendance at the Mayor's Luncheon (Local Government Day & KMA Lunch) next Wednesday as they will announce the State winner out of those six. There were over 450 seventh graders around the state who submitted essays; so, it's quite an accomplishment. I just hope that what she says doesn't embarrass me. It took a lot of initiative on her part, and the essay had to be totally her ideas. I've seen some essays over the years, and it is kind of interesting."

Mayor Luke, "Emma, if you would not mind, I would like you to read your essay." Miss Krueger read, "I would like to add a couple of entertainment buildings, such as the following: a rolling skating rink, a movie theater, or even an aquarium. There are a few challenges. First of all, there is money. A city would have to find or earn enough money to build or provide a building or buildings for the entertainment. Another challenge is that we might not have enough area to build a building if we choose to build it. For a change in the city, we need an area for entertainment, we need people to run the building, and people to work inside the building. We would also need plenty of supplies for the building, too. We will need plenty of help to accomplish this task. Sincerely, Mayor. Emma Krueger" (A round of applause.)

Mayor Luke, "What gave you the incentive to actually do this?" Miss Krueger, "Just to try something new." Mayor Luke, "Are you going to enter into the government field as an occupation?" Miss Krueger, "Possibly." Mayor Luke, "You could be our 4th female governor to start with, and go on from there." He asked for questions. There were none. Mayor Luke asked her father if he is going to take Emma to Topeka; he is. Mayor Luke asked if Christy Over is the seventh grade Government teacher. Mrs. Over said she is. Luke said, "I've done several things with her class and also with the High School Seniors." He asked Ms. Krueger, "Were you at our Constitution Day?" She was. Mayor Luke, "We had that this year for the first time, and next year as an eighth grader, I may call on you. Thank you for coming and being with us tonight; and good luck next Wednesday." Miss Krueger, "Thank you." (Applause) Her little sister asked, "Can we go home now?" Mayor Luke said, "Yes, you can go home now."

APPOINTMENT: Jennifer Fagan: Republic Services' Rate Increase and Revised Agreement

(Allied Waste's November 23, 2006 agreement carried over to Republic Services d/b/a Allied Waste in 2008.) Jennifer Fagan introduced herself and said, "We have been working on revising the agreement we had in place, bringing it up to date. We have asked for a little over 3% price increase (*actually 3.39%*). Currently I think our rate is \$10.70 (for residential trash service) and it's going to go up to \$11.06. Our commercial rates would increase, also."

Referring to each person at the council table having a copy of the Agreement and the proposed Ordinance, she said, "Basically, nothing has really changed. We updated the pricing, made a few little changes here and there. It's a one-year agreement with five one-year renewals. Each year if we ask for an increase, it will be based off CPI for water, sewer, and trash, not to exceed 4%; so, that way you will have protection in place. It's been a long time – I can't even remember when we asked for an increase; but it's probably been a lot longer than five years." Mayor Luke, "I think it was in 2009." Ms. Fagan, "It's not that we don't do them, because we do; but locally we haven't really seen an increase – just on our maintenance side, trucking side, wage side, and all of that. Most everything I've been doing with the company for sixteen years, but most everything now is going through the water/sewer/trash. That's what everything will be based off of."

"We appreciate the partnership we have with you guys. It has been fantastic. I assume everything is going well. I haven't had a whole lot of complaints; every once in a while, we miss something and I think we're pretty good about getting it taken care of." Mayor Luke, "Once in a while we hit your driver up for something." Ms. Fagan, "That'll work." She asked for questions, there were none.

Mayor Luke, "Tom, you have reviewed this?" Attorney Robrahn replied, "I have, yes. Susan (Administrative Assistant Stroh) and I have gone over this extensively, and it looks to be very much in order." Mayor Luke asked the Council's pleasure.

Agreement: Council Member Scothorn moved to approve the Agreement for Solid Waste Services between City of Burlington and Allied Services, LLC d/b/a Republic Services. Council Member Hall, "I'll second." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0.

Ordinance 861: Council Member Scothorn moved to adopt Ordinance 861, Establishing Trash Rates, to be effective February 13, 2019. Council Member Hall, "I'll second." Hearing no discussion, Mayor Luke instructed Deputy City Clerk Brown to poll Council for a vote. Motion unanimously carried, 5:0.

Mayor Luke declared the Agreement for Solid Waste Services and Ordinance 861 to establish trash rates to have been passed.

APPOINTMENT: Tammy Hughes & Scott Bolley, WCNO Community Party In The Park (6-14 & 15)

Wolf Creek employees Tammy Hughes and Scott Bolley introduced themselves as being with Wolf Creek's Communications department. Ms. Hughes, "I didn't realize there was a policy or procedure that you have in order to reserve the Kelley Park six months in advance or special permission; so we did not have our stuff together so well last year that we were within the 90 days. It was June 1st last year, and we were competing with several other things and didn't have a great turnout."

"This year, we're asking for June 14th and 15th. The 14th(Friday), we'd like to do a meet and greet. I think we called it a Chamber Mix last year. (*It was the 2018 Wolf Creek Pre-Party in the Park; June 1, 6-8 p.m., @ Kelley Park 4-H Building*). We'd like to have a whole lot more than Chamber if possible. It was fairly attended. It was 6 p.m. to 8 p.m. We just had hors d'oeuvres and drinks. Several of our executives came and a few people in the community. I think we'd like to work with Kim (Kim Tate, Chamber Director) and the Chamber, and maybe reach out to the rest of the little communities and see how well...." Mr. Bolley, "If we spread it county-wide, we may get better attendance." Mayor Luke, "You'll need to talk to Kim quickly because she is resigning as head of the Chamber in February (effective 2-8-2019)."

Ms. Hughes, "Saturday (June 15th), we've got to have the whole park – both buildings and the whole park; because we have...." Mr. Bolley, "The big band, as you are aware, didn't make it last time because we need to have a very large footprint for all the bounce houses, we did the train – it was more of a glorified lawnmower – that was like six cars that drove through the entire park; so we'll have all the areas blocked off (reserved) to make sure we don't have a lot of traffic going through there. We get a lot of kids running around; so, it's really occupying the whole footprint of the park, and required also for safety, also is the foot print of all the equipment."

Ms. Hughes, "The whole day is free. There's no charge for anything. We're serving lunch from 11:00 to 1:00. Barbeque, what Hoovers does best, smoking, pulled pork, hot dogs for the kids, snow cones. There will be all kinds of stuff: face painting, all the stuff that really matters, popcorn, kettle corn. It's just a really good community event that we want to continue. We just want to get ahead of the game and get that (the park reservation) secured so we can get other vendors secured." Mayor Luke, "Does anybody come in and bring stuff in on the 14th, other than" Ms. Hughes, "No, we're talking about a movie night for the kids on the 14th." Mayor Luke, "Okay then, why don't we just block off everything for June 14th and 15th at the whole park? Otherwise, you may have this piece and that piece – this way you will have the entire park reserved for both days." Ms. Hughes, "Okay. That would be good." Mr. Bolley, "If I remember correctly I think we're going to have some Johnny-On-The-Spots brought in, so having the park blocked off for the whole time would be good." Mayor Luke, "We don't have anything going either day, do we, Kevin?" Superintendent Boyce, "Not that I know of. I checked the Parks Rental book – they're (Wolf Creek) already penciled in; so it must be good."

(continued)

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Mayor Luke, "Okay. Anything else?" Ms. Hughes, "No. Do you guys have any questions for us?" Superintendent Boyce, "As far as last year's event, everything in the park was good; I mean what you needed?" Ms. Hughes, "Yes, it was." Mr. Bolley, "I think we had some trouble. There were some things/areas that were locked when we were trying to get the barricades to make sure we didn't get any traffic going through. We might just double-down on making sure we have access to stuff for the park so we can" Mayor Luke, "Kevin and Mark (Superintendents Boyce and Davidson) will work together on that." Ms. Hughes, "And we typically have Digsafe every year and have them mark off. I know nothing's changed, but the guy....." Superintendent Boyce said, "I've called them." Ms. Hughes, "Yes, you have. I think Tim Smith has been working with you, which he is assigned that job – the marquee and all that stuff. I don't think anything's changed as far as the digging part, but I know the guy from Iola that sets up the bounce houses will not set anything up until he's fully secure and knowledgeable that there is nothing he can hit, damage, hurt somebody; so we'll make sure that's done. We'll try to leave the park in as good a shape as we find it."

Mayor Luke, "Are there any other questions?" Council Member Scothorn, "Kevin, are you good with it, then?" Superintendent Boyce, "Yes." Mayor Luke, "What is the Council's pleasure?" **Council Member Hall stated, "I move to approve the request for Wolf Creek Generation Station to use Kelley Park for a Community Party on June 14 and 15, 2019, at no charge." Council Member Lenard, "Second." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0.** Mayor Luke, "The park is yours." Ms. Hughes, "Thank you. I hope you all come and bring the family, and tell everybody. Mark and I will be there." They were told the Chamber of Commerce was holding their meeting next door at 303 Neosho, and said they might go on over and talk with Director Kim Tate.

APPOINTMENT: Wade Bowie, Coffey County Attorney - Introduction

Wade Bowie introduced himself to each person at the Council table; then said, "I appreciate the opportunity to be here and to introduce myself to everybody. Wade Bowie (Boo-ie), new Coffey County Attorney. I've been here since December 3rd. It's been a busy time. Since I've been here there's been plenty of work. I think everybody knows a little about me and what my connection to Kansas is. I just came from Michigan, Detroit area. In Allen County (Kansas) from 2005 to 2014, I served as the Assistant County Attorney starting out; and then later on I was appointed and elected the County Attorney. I left by resignation – not for anything nefarious – in December of 2014 to go back to Michigan. I grew up in the metro Detroit area and have family up there."

Most recently, I worked in the Wayne County Prosecutors Office, which is Detroit Proper. I was on part of a team, which is how that Prosecutors Office – they're in divisions and each handles that part of the law. I was on a cold case sexual assault unit that dealt with rape kits from the 1990s that had not been tested. The majority of the cases I worked were from 1996-1997; and there are lots of talented and different things that go on with that with the case being twenty-plus years old – finding witnesses, finding victims, law enforcement, and medical personnel. So, they were challenging; but in that time, I learned a lot of things that I didn't learn while I was in Allen County – specifically, going into depth with some of the rules of evidence, and probably most importantly DNA. I dealt with a lot in each one of these cases; dealt with DNA; had to learn the ins and outs of the inner workings of the testing and what the different terminology meant, and how to present that to a jury."

"Chris Phelan, the outgoing Coffey County Attorney, worked with me. I hired him at Allen County, so we had a connection there; and then he left Allen County - two or three months before I left – to come to Coffey County. I came to Coffey County because I saw the opportunity. In Wayne County, I was one of the people who – I think my abilities were kind of being held back. Because I'd been in a leadership role before. I have no problem being in a leadership role making the tough decisions, the tough calls. I think bringing the integrity that Chris had in the position. He and I have similar philosophies on how we handle things. One of the things I've told law enforcement – I've met with Burlington and I've met with the Sheriff's Department – is, there's nobody who is going to hold me to a higher standard than I hold myself as County Attorney. What I mean by that is, integrity and doing things the right way is number 1; and if you ever think or see that there's something you think I'm not doing right and it has to do with integrity or anything else, feel free to call me, come by and see me. The door is always open. I'm willing to sit down and talk with anybody about anything at any time."

"As I said, since December 3rd it's been kind of shoot me out of a cannon. There were quite a few files setting on the desk that were high level felonies that I have kind of had to triage and deal with; and also new felonies that I've had to file since I came here, but I am starting to get into a nice pace and get things to the point where I can actually see the top of the desk for once. Today, I walked in and I think for the first time since I've been here, I could see the top of the desk."

Mr. Bowie added, "I work for each and every one of you, everybody in this room, everybody in the county; and I will represent you in a way that will make each and every one of you proud – whether I'm in Coffey County, whether I'm in Kansas City, whether I'm anywhere across the country. I always believe that no matter where I am, what I am doing – twenty-four hours a day, seven days a week - I represent the people; and to me, that's an awesome responsibility and one that I wholeheartedly accept in each and every thing I do no matter

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where I am, because I work for you. That's my introduction. I don't know if anybody has any questions; but I appreciate the time and opportunity to speak to you tonight."

There were no questions. Mayor Luke said, "I've let some of the Superintendents know. I didn't catch Danny – he runs our Water Plant, but we'll get him around and look at the facilities he has and you'll have a feeling for what we've got." Mr. Bowie thanked Council, and stayed for the remainder of the meeting.

ELECTRIC DEPARTMENT: DISTRIBUTION Update

General: Personnel have been busy doing normal work: line locates, line maintenance, customer service requests. They did quite a bit of street light repairs; some building maintenance and maintenance and repairs on vehicles and equipment; and changed out some power poles.

Street Light installed: 6th & Niagara: Superintendent Schneider reported, "I did get a request to add a street light. We added a dusk-to-dawn street light about half a block north of the 6th and Niagara intersection at the parking area just south of the courthouse because it gets really dark."

Street Light Controller on N. 3rd: The linemen worked on a street light controller for a string of lights on N. 3rd Street. It was a temporary repair to keep it working until a replacement comes in.

ELECTRIC DEPARTMENT: PRODUCTION Update

General: For the most part, Production personnel have been performing normal duties, power plant maintenance and repairs.

Generator #2 – Maintenance: Personnel did a maintenance run last week on Generator #2.

Building – Cleaning/Organizing: Superintendent Schneider reported, "The men are still working in the basement of the Power Plant cleaning and organizing parts and equipment."

Power Plant Pickup Truck: Personnel did some maintenance on the Power Plant Pickup.

Training – Safety: Personnel attended KMU safety training on January 7th.

WATER AND WASTEWATER: Distribution Update

General: Superintendent Hawkins reported that personnel have been doing normal duties, line locates, work orders, customer concerns, call-outs, reading meters, and rereading meters as requested.

Service on S. 6th Street: Personnel completed water meter service on S. 6th Street for Vernon Hess.

Inventory: Superintendent Hawkins reported, "We completed our inventory, got our Goals and Accomplishments done, and completed the end of the year filing for all the KDHE requirements. I am getting ready to complete the sewer usage and water usage end of the year report with Gina (City Clerk Kewley)."

KDHE Discharge Permit: Superintendent Hawkins reported that we received our permit from KDHE for discharge of the Backwash Holding Basins samples. [Permit Number I-NE07-PO05, Kansas Water Pollution Permit and Authorization to Discharge Under the National Pollutant Discharge Elimination System (NPDES); which will expire 12-31-2023]

Weather – Preparations: Superintendent Hawkins said, "We've been preparing for this wonderful weather we are about to receive. We've been checking meters we've had trouble with in the past, making sure they are airtight so they won't freeze up. The guys have been checking heaters and making sure everything in the pump stations are up and ready for the cold weather, as well."

WATER/WASTEWATER: Production – Water Treatment Plant Update

Personnel Training: Superintendent Hawkins stated, "In the Water Treatment Plant, we are still doing a lot of intense training. It's been kind of enjoyable to sit down and visit with the guys to see where they're at. It is going really good; and I am really pleased with Chris Hammond, the new employee. He is catching on quickly and has been good help and an asset to us. I am very pleased with Chris and the work he's done for us."

Water Plant Update: The Water Treatment Plant is running good. We haven't had any major issues inside the Plant; and the Plant's winter usage is roughly around 470,000 gallons.

STREET DEPARTMENT: Update

Gravel Roads: Superintendent Davidson said they have been cutting shoulders along some of the gravel roads, took the street sweeper out to clean leaves from the catch (drain) boxes. In a few days they will go out and work on the alleys and add rock and fill potholes as needed.

Hospital Parking – Painting Lines: Superintendent Davidson said, "We have been painting parking lines on Garrettsen Street at the hospital. Somehow we've taken over that little parking lot to the south of the hospital. They're having us maintain the lines up there, which is not a problem; it's just we usually don't do it for other parking areas."

Old Snow Plow Put to Use : Superintendent Davidson, "We had an extra snow plow that came off of one of our trucks from back in the 1990s. It's been sitting out in the shop; so, we got some metal and built some brackets and put it on our skidsteer to help downtown. It's a lot easier to go out and clear intersections with it than it is with one of the trucks. We've got it up and running for very little money, and I hope it's going to be an asset to us."

6th & Alleghany: Concrete Settling: Superintendent Davidson said, "The next two items will run together. We've had a couple of calls from the Sheriff's Office concerning 6th and Alleghany. Several years ago there was a water leak at that intersection, and after the repair, the street was put back with concrete. It's started to do some settling and is starting to hold water on the west side. When it freezes, we go down and salt it so it turns back to liquid, and gets splashed out onto 6th Street and turns to ice there. Then we get a call from the Sheriff's Office to go down and put some mix or salt – we put down both."

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6th Street Project - Coincide with 6th and Alleghany Waterline Project: Superintendent Davidson said, "From the above, we will lead into the 6th Street Project. I was visiting with Danny (Superintendent Hawkins) last fall. One of his goals for this year is to replace the waterline down the west side of 6th Street. He indicated they would be in part of the intersection – the west side of 6th on Alleghany. This would be an opportune time to go in, rebuild that intersection, and do away with the dip that is there."

"We're hoping we would be able to do that somewhere within the \$50,000 to \$60,000 range. What we would like to do, if you have any concerns or questions about this, I'd like to bring several engineers and discuss the project with them. The guys at the Street Shop and I have had some ideas. Maybe we could put a catch box (drain box) on the north side of the corner, and then put a culvert down the north side of 6th Street and make that a daylight drain; and then we will be able to bring the water from the south side of 6th Street and let it continue down 6th as it is now; and then come in and reload the asphalt, build the intersection back up, and pretty much do away with the gutter. At the same time, we need to repair the ADA (Americans with Disabilities Act) ramp on John Trueloves side – the south side of the street. We will be putting some curb and gutter in; and we will be doing curb and gutter on the north side. We're going to do a little changing (restructuring) of the ditch line there. Of course, this is only with your permission. I think, even if you decide not to do the project, we still need to go in, tear out part of the concrete, repour it, and make it so it will drain."

"Also, we have some gutter about twenty feet north of the intersection that has dropped on us also, so we're still looking at possibly another \$10,000 to \$15,000 project to go in there and tear out the curb and gutter and some concrete, pour it all back, and replace the ADA ramp."

Mayor Luke asked, "Are we looking at including that in 2019 when Danny does the waterline?" Superintendent Davidson, "Yes, if you so desire, I'd like to get that done before his project; and then we can have everything put back. We'll go in and do a little extra compaction to make sure we don't have any settlement in a few years; and then Danny can come in and do his water line. Hopefully, we will then have this problem taken care of – because as it is now, it has become a problem. We went down there this week and tried to cut a panel in the existing concrete with a jackhammer to try to drain the water; but it's a temporary fix and it's not a beautiful project that we just did."

Mayor Luke, "At this time then, what you are asking for is permission to meet with engineering firms to look at it, and then come back with a recommendation how to address the issue?" Superintendent Davidson, "Yes." Mayor Luke, "Okay, what is the Governing Body's pleasure?" Council Member Scothorn, "Do we need a limit on how much we're going to pay the engineers? Are they just in for a day and out, or what?" Mayor Luke, "For coming in looking at it and giving their estimates and pricing, is there a charge associated with that? Any that you are aware of?" Superintendent Davidson, "To my knowledge they do not charge anything to come and look at it."

Council Member Scothorn, "If we're going to do it, we need to do it right." Mayor Luke, "As far as the Governing Body is concerned, you can go ahead and meet with the engineers to get an idea of how to do it correctly, and then we...." Superintendent Hawkins, "Was it \$60,000 that we talked about at the budget meeting?" Superintendent Davidson, "Yes. We discussed it at the budget meeting. We put basically a \$60,000 amount on it." Mayor Luke, "Right now, we're at no cost until we get something from the engineers." Superintendent Davidson, "Correct. I assume the engineering firms will be requesting to look at it." Council Member Lenard, "We have a budget line item for it." He added, "I don't know that we've ever put.... I know we've had discussion on how we manage RFPs (Request For Proposals) and how many; but the ideal is to have good competition with two or three." (*RFTs were discussed Council 2018-01-03 under electric.*) Attorney Robrahn, "I don't believe we ever have."

Mayor Luke, "They're not going to bid on it, unless we let them come and look at it; so we'll just have the same people (that looked at the City Dam) come and look at it; and then upfront, then they will know what they're going to be talking about." Superintendent Davidson, "I've asked Kevin (Superintendent Boyce) if he can give me the names of the engineering firms for the City Dam, so I can get it approved and get in contact with them and have them come down." Mayor Luke, "Okay. We don't need a motion if we just go out to talk with them." Superintendent Davidson, "I just wanted Council to know what we were thinking about."

POLICE DEPARTMENT: Update

Court: Chief Jones said, "It's been pretty much normal calls for us. City court was last Thursday; we got through that in a timely manner. I think we finished at 6:10. We've had the usual: traffic complaints; domestics, including a guy that got a cut on the palm of his hand that actually nicked an artery; and watching the weather."

2019 Dodge Charger is here: Chief Jones said, "We did finally, after five and a half months, get the new car in and put into service as of Monday of this week."

POLICE DEPARTMENT: Request to Purchase a 2019 Dodge Charger on Kansas State Contract

Chief Jones stated, "Since we have budgeted for the replacement car for the 1996 unit, I got the quote from Davis-Moore in Wichita, who has the State Contract this year, for \$25,123.67. He is offering \$6,500 trade-in, which would bring the purchase down to \$18,623.67. I would like to get the Council's permission to go ahead and purchase a 2019 Dodge Charge on Kansas State Contract. Hopefully, it won't take near as long as the last one did; but even at best, I'm still looking at April or May before we get the car in and get it in service. As with everything else, we would actually pay for the car when we take delivery on it, which easily could be twelve to sixteen weeks or more out; so, I'd like to go ahead and get that process started."

Council Member Lenard, "And then there will be no purchase next year?" Chief Jones, "Yes. What we had talked about was that we would skip next year. Because we would actually be basically on track, we would basically be able to skip a year. (Refer to rotation explanation during Councils 01-03-2018 and 02-07-2018.)"

Council Member Lenard stated, "I move to authorize Chief Jones to purchase a 2019 Dodge Charger from Davis-Moore of Wichita on State of Kansas contract, with the purchase price being \$18,623.67, after deducting \$6,500.00 for trade-in of the 2013 Dodge Charger." Council Member Tschantz, "I second." Mayor Luke called for discussion.

Council Member Scothorn had questions concerning vehicle rotation, "Which one just came in?" Chief Jones, "The replacement for the 1994 came in, which is the car that was wrecked in June. Council gave us permission to order that one; insurance paid a significant chunk of that. We ordered that on, I think, August 4, 2018. The 1997 was replaced by the car we got last April."

Council Member Jasper, "How many miles are on the 2013?" Chief Jones, "On that one, I believe there is right at 81,000 right now." Council Member Jasper, "Is there something concerning you about it?" Chief Jones, "Just the normal wear and tear of the rotation on it. It is also one of the used cars we had purchased from the Highway Patrol. We're starting to see some wear. We've done normal maintenance: new oil filter, tires, brakes. We're starting to see some wear on the front A arms – the bracket that holds the front tires up." Council Member Jasper, "How many miles were on the car when you purchased it?" Chief Jones, "49,500 miles is what the Highway Patrol sells those at." Council Member Jasper, "What did we actually pay for that – off the top of your head?" Chief Jones, "I'm thinking it was right around \$16,550 to 18,500." Council Member Lenard, "I think it was \$16,500." Council Member Jasper, "So, we basically leased the car for \$10,000?" Chief Jones, "In effect, yes. We bought it for \$16,500; we're going to sell it for \$6,500; so yes, right around \$10,000; roughly \$2,500 a year for however much use we got out of it."

Council Member Jasper, "Could we go through this take-home car program again? What is the main purpose behind it?" (Refer to explanation during Council 2-07-2018.) Chief Jones, "There's a couple of things. One is that we actually have less total miles per vehicle, less maintenance cost per vehicle because we're not driving them as hard or constantly. We've had cars that were basically on the road 24 hours a day, 7 days a week. Now, we're putting 40 to 50 hours a week on a car instead of 120 – 160 hours. Also, this is a morale benefit. Basically, the pride of ownership on the officers – that is their car, it's assigned to them, they are responsible for that car." Council Member Jasper, "Well, we've got fifty other employees in the city, too, that don't get to take a car or a truck." Chief Jones, "And they're also not responsible for responding to emergency call-outs on seconds notice."

Council Member Lenard, "Over the years, we've had our tough times when it's been difficult to attract law enforcement officers in our community. We don't have a whole lot of flexibility with wages; and one of the opportunities we do have is with the vehicle; and we have seen a lot better care taken of the vehicles when they are assigned to one officer." Council Member Jasper, "Okay, so do these officers do their maintenance?" Chief Jones, "They're responsible for scheduling the maintenance; and the maintenance will be scheduled generally at one of four different businesses in town." Council Member Jasper, "I just don't see us saving \$18,000 a year on maintenance by buying new cars." Chief Jones, "We've been through this and I've got the numbers. If I'd known you were wanting to discuss this, J.J., I would have brought those numbers with me." Council Member Jasper, "I would love to table this until I've seen them." Council Member Tschantz, "I thought every City Council Member got a copy of what it takes for maintenance and everything on these vehicles. I know I've got my copy at home." Council Member Lenard, "I think we need to update it, but I would disagree with tabling it." Council Member Hall, "So do I." Council Member Jasper, "That's fine."

Mayor Luke, hearing no additional discussion, called for a vote on the motion on the floor, which is: Council Member Lenard stated, "I move to authorize Chief Jones to purchase a 2019 Dodge Charger from Davis-Moore of Wichita on State of Kansas contract, with the purchase price being \$18,623.67, after deducting \$6,500.00 for trade-in of the 2013 Dodge Charger." Council Member Tschantz, "I second." Council Members Hall, Lenard, Scothorn, and Tschantz voted "Aye". Council Member Jasper voted "Nay". Mayor Luke declared the motion carried, 4:1.

PARKS DEPARTMENT: Update

General: Superintendent Boyce reported that Parks Department personnel have been cleaning public buildings and restrooms and doing building, vehicle, and equipment maintenance. They have been staying indoors during inclement weather, and on nicer days they have been mulching tree leaves in Kelley Park and working on removal of some small hazard trees mostly at Kelley Park on the riverbank. The inventory was completed; and the banners were changed out from the holiday banners to the 'Welcome To Burlington' banners. Personnel also attended the KMU safety training on January 7th.

[7] CONTINUATION: January 16, 2019 Burlington City Council Regular Session

PARKS DEPARTMENT: Coffey County Fair Association – Kelley Park Lease Extension and Schedule

Superintendent Boyce said, “Renewing the Fair Board lease agreement is something we do every year.” Mayor Luke, “It’s a fifteen year contract that we just extend from year to year so that it’s always fifteen years.” Attorney Robrahn, “There have been no amendments to that to my knowledge.”

Council Member Hall stated, “I move to grant Coffey County Agriculture Fair Association a one-year extension to the Kelley Park Annual Lease Agreement for the use of Kelley Park from July 8th through July 31st, 2019, and for other scheduled events as listed by the Fair Board for 2019.” Council Member Scothorn, “Second.” Hearing no discussion, Mayor Luke called for a vote. *Motion unanimously carried, 5:0.*

FINANCE: Claims Ordinance & Payroll Ordinance

a. Claims Ordinance	2019-01	\$	<u>611,655.72</u>
Payroll Ordinance	2018-26	\$	<u>93,671.34</u>
b. Payroll Ordinance	2019-01	\$	<u>84,782.50</u>
	TOTAL	\$	<u>790,109.56</u>

CLAIMS 2019-01: A motion was made to approve Claims Ordinance 2019-01; however during discussion, Superintendent Boyce commented the total was not correct; and Council Member Hall said the total actually adds up to \$611,655.72. The total was corrected to the amount shown in the list above and in the following amended motion. *Council Member Hall moved to approve City of Burlington Claims Ordinance 2019-01 for the maximum amount of \$611,655.72 for payment of city bills. Council Member Scothorn gave the second.* Deputy City Clerk Brown reported, “Some of the larger items are: Freeman Plumbing & Heating for \$8,464; Kansas Power Pool; Stanion Wholesale for \$18,000; Wheeler World for \$8,000; and we also have our big bond payment of \$215,922.” **Hearing no additional discussion, Mayor Luke instructed Deputy City Clerk Brown to poll Council for a vote. All votes were in favor. Mayor Luke declared, “Claims Ordinance 2019-01 has passed by unanimous vote of 5:0.**

PAYROLL 2018-26: *Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2018-26 in the amount of \$93,671.34, as presented. Council Member Lenard gave the second. Mayor Luke called for discussion.* Council Member Scothorn, “My famous one. Was all that overtime for Christmas and New Years?” Chief Jones, “Yes. There was some training in there, as well, which is noted on there; but most of that is holiday hours, which is budgeted.” Mayor Luke, “You’ve also got Street Department and others that had overtime (due to the weather, etc.)” **Hearing no further discussion, Mayor Luke instructed Deputy City Clerk Brown to poll Council for a vote. All votes were in favor. Mayor Luke declared Claims Ordinance 2018-26 approved by unanimous vote, 5:0.**

PAYROLL 2019-01: *Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2019-01 in the amount of \$84,782.50, as presented. Council Member Lenard gave the second. Hearing no discussion, Mayor Luke instructed Deputy City Clerk Brown to poll Council for a vote. All votes were in favor. Mayor Luke declared Claims Ordinance 2019-01 approved by unanimous vote, 5:0.*

FINANCE: Utility Billing Charge-Off of 2017 Delinquent Accounts

(As City Clerk Kewley explained last year, even though the amount is approved for charge-off, it is still in our system. We still try to collect through the Kansas Set-off Program; and if somebody moves out without paying their utility bill, they will need to pay before getting utilities again.) Mayor Luke explained that we continue to try to collect on the delinquent charged-off accounts. We turn accounts over to the Kansas Set-off Program and they collect from tax refunds whenever possible. Last year, we charged off 2016, this year for 2017.

Council Member Lenard stated, “I move to approve the Utility Billing Charge-off of 2017 Delinquent Accounts in the amount of \$13,499.19.” Council Member Hall, “I’ll second.” Mayor Luke, hearing no discussion, called for a vote. *Motion unanimously carried, 5:0.*

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

Council Member Hall stated, “I move to approve the BlueCross/BlueShield health insurance policy for City employees for 2019.” Council Member Scothorn, “Second.” Mayor Luke called for discussion. Hearing none, he called for a vote. *Motion unanimously carried, 5:0.*

FINANCE: Flexible Spending

Mayor Luke explained a change that is occurring with the employee Flex Spending accounts. The change will be beneficial for the City as well as the employees who take advantage of Flex Spending. *Council Member Hall stated, “I move to authorize City Clerk Kewley to sign the documents to enroll in the Flex Spending Plan offered by Bay Bridge Administrators, LLC, with City of Burlington paying the administration fee of \$3.50 per month for each employee who elects to participate in the Plan.” Council Member Lenard, “Second.”* Hearing no discussion, Mayor Luke called for a vote. *Motion unanimously carried, 5:0.*

PLANNING & ZONING: Update

General: Zoning Clerk Hugunin has been doing normal duties: updating Facebook and the City's webpage, and working on inventories. He also finished the Planning & Zoning Goals and Accomplishments, and got the Street Department's new laptop set up with everything transferred from the old one to the new one.

Tree City USA application: The Tree City USA application has been submitted. We should hear back from them within a month.

Cyber Security Assessment & Training: Zoning Clerk Hugunin reported, "Stan (Mayor Luke) had me working on a Cyber Security Assessment. I did that, and we scored in the middle of 0 to 300. We were at 173, so I'm sure there are areas we need to improve on. I will learn more when I go to a Cyber Security Academy with KPP (Kansas Power Pool) and APPA (American Public Power Association). That will be every Wednesday, starting February 13th through March 20th in McPherson."

Coffey County Multi-Jurisdictional Mitigation Plan – Update: Zoning Clerk Hugunin said, "I have been working with the State and the County to update the Mitigation Plan, which is done every five years."

Matt Barrett: Zoning Clerk Hugunin reported, "I am also working with Matt Barrett on getting a partially torn down trailer removed from his trailer park."

Tree Board Meeting – Scheduled for 2-21-19: A Burlington Tree Board meeting is scheduled for February 21st, noon, at Pizza Hut.

Nuisance Property – 415 S. 6th Update: Council Member Hall inquired about the nuisance property. Zoning Clerk Hugunin replied, "Actually, they've been doing a lot of work over there. She has volunteers helping her out. She can't get out and do much." Council Member Hall asked when the public hearing is set for. It was set by Resolution 2018-05 to be on February 20th.

Zoning Permit 2019-001, Levi Saueressig, 1040 Planter, Single-Family Dwelling: Council Member Scothorn asked, "That's a country address, is that where he's....?" Zoning Clerk Hugunin, "Yes. That is in our 3-mile extraterritorial area. He is on the west side of Planter Road which is in our 3-mile; but if he was on the east side, he would not be – it would be in the county. There's a map on my office wall. The green line is (shows) the extraterritorial area. We don't do anything but give him the building permit." Council Member Scothorn, "Who's he pay taxes to?" Zoning Clerk Hugunin, "The County, but we charged \$16 for the permit."

OTHER COMMITTEE OR COUNCIL BUSINESS: LKM & KMA Leadership Summit Conference

Mayor Luke explained that Leadership Summit & Mayor's Conference, sponsored by the League of Kansas Municipalities and Kansas Mayors Association, on Friday and Saturday, April 12th and 13th, 2019 is not only for mayors, but is for any elected government officials.

OTHER COMMITTEE OR COUNCIL BUSINESS: Local Government Day & KMA Lunch

Mayor Luke said that Emma Krueger will be at the January 23rd Local Government Day & and KMA Luncheon in Topeka, sponsored by League of Kansas Municipalities and Kansas Association of Counties. He said, "I wish her luck. She is one of the six finalists of the 'If I Were Mayor' essay contest. Hopefully, everything goes well there."

LEGAL DEPARTMENT: Update

Trash Agreement & Ordinance: City Attorney Robrahn stated, "I worked with Susan (Administrative Assistant Stroh) on the Republic Services Trash Agreement and Ordinance 861 for rates that we passed earlier tonight.

Municipal Court: Attorney Robrahn has been helping Assistant City Attorney Phillip Wright with a municipal court matter.

CITY CLERK: Update

Deputy City Clerk Brown gave City Clerk Kewley's report.

General: City Hall personnel have been busy preparing meter readings for utility billing this month. They have been preparing work orders, vouchers for bill paying, payroll, and council meeting minutes. Administrative Assistant Stroh worked with Attorney Robrahn and Zoning Clerk Hugunin to prepare the two resolutions for this meeting.

Delinquent Utility Accounts-Set-Off Program: For December, we are pleased to report we do not have any delinquent utility accounts to submit to the Kansas Set-Off Program.

BC/BS Employee Health Insurance: City Clerk Kewley met with Jeremy Ignoto, Blue Cross/Blue Shield, to review and discuss our 2019 health insurance policy.

LEPC Meeting: City Clerk Kewley attended the Local Emergency Planning Committee meeting last Wednesday, the 9th.

Coffey County Commissioner's Annual Discussion: City Clerk Kewley attended the Coffey County Commissioner's annual elected officials' discussion last Friday, January 11th.

Goals & Accomplishments: Deputy City Clerk Brown referred to the copies of the Goals & Accomplishments each of the Governing Body had been given. City Clerk Kewley had said the Administrative Assistant Stroh had done a great job getting them reviewed and ready for distribution.

Republic Waste Trash Hauling Agreement & Rates Ordinance: City Clerk Kewley worked with Sue (Administrative Assistance Stroh) and Tom (City Attorney Robrahn) on the trash contract and rate ordinance.

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BC/BS Health Insurance: City Clerk Kewley has scheduled Tuesday, February 12th for the Annual Employee Benefits Meeting at Kelley Hall from 9:00 a.m. to noon. Our benefit providers will meet with the employees and review what services they provide and changes that have been made to benefits; and if employees want to make changes to their benefits, they can do so after the discussions. It is open enrollment, so if employees want to participate in something they are not already, they can sign up at that time. Benefit providers will be Blue Cross/Blue Shield, Kansas Public Employees Retirement System (KPERS), OFG Financial, Empower Retirement (KPRS457), and the Employee Assistance Program (EAP).

2018 Expenses Paid tonight: In our claims ordinances, which were approved tonight, we are paying our 2018 expenses.

Closing 1-21-2019: City of Burlington will be closed Monday, January 21st, Martin Luther King, Jr. Day.

OTHER: City Hall Staff have been handling normal calls and inquiries.

FUTURE AGENDA ITEMS:

GENERAL: City Debt - How to fund projects Promote Businesses with Business Showcases	GAAP - Infrastructure Capitalization	
ELECTRIC DEPARTMENT: Power Pant - Additional Generation Christmas Lights/Decorations – Change to LED Lights	Thermal Imaging of Electric System	
PARKS DEPARTMENT: Events in Parks (Updates)	Kelley Park Light Poles – Repair/Replace (also see Legal) City Dam - West Wall Repair – Engineering Services Proposals	
LEGAL DEPARTMENT: Municipal Court Misc. Legal - Documents, Cases, Contracts, etc.	Park Agreements: 1) Agr of 12-2018 - City & Rec. Com. – <i>Review in Spring 2019</i> 2) Form a Committee – Review and Update Park Contracts	
PLANNING AND ZONING Industrial Park Lots for Sale, etc. Work with NexTech and City Departments to improve Cyber Security Nuisance Structure & Properties: Work with PD Old Equipment & Misc. – Sell on purplewave.com Departmental Inventories Tree City USA Application, etc.	Quarterly Construction Valuation Report Prepare Easements for any City-owned property without one City Hall - Awning Replacement (switch to metal) Permits - Building/Zoning/etc. 415 S. 6 th (Theda Darnell Property) Condemn to Demolish	
POLICE DEPARTMENT Nuisances (Work with Zoning Clerk) Dodge Charge – Purchase approve 1-16-2019 - Updates	Department Activities and Cases	
STREET DEPARTMENT: Concrete Street Repairs/Free State Ct. Replacement/Repair Sidewalk Repairs on City Rights-of-Way Excess Hot-Mix from APAC Litigation/Redo S 3 rd St. Municipal Parking Lot in 201	Pavement Management System/Asset Management System Street improvement Plan, Paving Gravel Streets, Crack Filling, Street Improvement Projects – 6 th & Alleghany Project	
WATER & WASTEWATER DEPARTMENT: - KDHE Survey Updates Sewer Lagoon - Maintenance/Updates	Sewer Lagoons - Analysis (KRWA/funds for dredging) 6 th and Alleghany Waterline Project Personnel – Hiring a W/W Non-Cert. Operators	TTHMs

Mayor Luke declared the meeting adjourned.

Approved by the Governing Body and signed by Anne C. Brown, Deputy City Clerk