

## BURLINGTON CITY COUNCIL REGULAR SESSION 11-20-2019

City of Burlington Governing Body met in Regular Session at City Hall's address, 1013 N. 4<sup>th</sup> Street, Burlington, Kansas at 6:00 p.m. Wednesday, November 20, 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)                       Mary Mader (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:** Paul Abendroth

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

**MINUTES 11/6/2019:** *Council Member Curtiss, "I move to approve the draft minutes of November 6, 2019 as presented." Council Member Scothorn, "Second." Motion unanimously carried, 6:0.*

### **APPOINTMENT:**

None.

### **PUBLIC COMMENTS:**

Paul Abendroth, "I was wondering what the backfill of the downtown area was that was in the paper?" Mayor Luke, "I'll answer that. At this point in time that is undetermined." Paul Abendroth, "Okay." Mayor Luke, "We have not forgotten about it." Paul Abendroth, "I was curious as to what it was." Mayor Luke, "That has not been determined. There are several items in consideration." Paul Abendroth, "Okay."

### **ELECTRIC DEPARTMENT: DISTRIBUTION Update**

**General:** Electric personnel have been doing many line locates, customer service requests, some line maintenance, and distribution maintenance and repairs.

**System Upgrades:** Superintendent Schneider, "We have been doing customer service requests repairs and upgrading services."

**Christmas Lights/Decorations:** Superintendent Schneider reported, "Most of our time has been spent on Christmas lights downtown and getting those ready. We have also been repairing the receptacles along the highway for the lights that hang on the poles. Those have been up for many years, we have made repairs throughout the years. We went ahead and strung new THHN in there to power those to save us more potential outages. Those are tied to the street light circuit so if one were to short out, that takes those lights out as well, so we did those repairs."

**Bucket Truck Repairs:** Superintendent Schneider, "We had a few repairs on our 2002 bucket truck; it is now back in service. We also did general vehicle maintenance."

**Outages:** Superintendent Schneider, "We worked one outage since last Council. One morning last week, we had a very quick response; it was isolated in one block and four houses. It was a squirrel."

**School:** Superintendent Schneider, "We helped the school with the stoplight between the Rec. Center and Cross Street. We helped them change the bulbs that were burned out."

### **ELECTRIC DEPARTMENT: PRODUCTION Update**

**General:** Power Plant personnel have been performing normal power plant and equipment maintenance.

**Generator #6 Repair:** Superintendent Schneider, "The repairs on generator #6 heads are complete. It was tested today and the generator is running as it should be. We are back to full capacity."

**Presentation:** Mayor Luke, "I wanted to let everyone know that Alan had a presentation at the school board of education today. I got a text back from the Superintendent thanking Alan for doing a good job."

### **WATER AND WASTEWATER: Distribution Update**

**General:** Personnel have been doing the normal duties: line locates, work orders, reading meters, meter rereads, city wide clean up, maintenance on trucks and equipment, customer concerns.

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**Water Line:** Superintendent Hawkins, “Most of our time has been on Alleghany Street. A lot of you have probably seen us over there. We have been shutting the road down, the reason for that is that we have been trying to get that done as quickly as possible. We are running two backhoes at the same time, trying to do one backfilling and one digging on the next one. So far we have done really well and I am very pleased with how everything is going. The bore has been going well. So far we have seven new customers on the new line right now, so we have seven left to do. With weather permitting we will be done very shortly. It is going very well.”

**Generator:** Superintendent Hawkins, “We are still working with the committee in the generator project for the water plant.”

**EPA (Environmental Protection Agency) Visit:** Superintendent Hawkins, “I did end up completing a new EPA volunteer mandatory survey report that I had to fill out again. I received a response from them saying to not lose the email for two years and they will come back to visit. So, we will be visited again.”

**WATER/WASTEWATER: Production – Water Treatment Plant Update**

Superintendent Hawkins, “The plant has been running just fine. We got done with our calibrations on equipment and everything is done with that. We have eliminated a lot of the HACH equipment. So, by us doing our own calibrations we have eliminated a lot of the contracts that we were using through HACH. Right now we have about an \$8,900 a year savings by us doing all of the work. I am pleased with that.”

**WATER AND WASTEWATER: Sewer Lagoon RipRap Bids**

Superintendent Hawkins, “I had three bids that went out, Victory Excavating out of New Strawn, S.R. Coffman out of Emporia, and Schmidt Excavating from Burlington. My recommendation is to use Mike Schmidt’s bid for \$65,100.”

***Council Member Jasper, “I move to accept the bids presented for the sewer lagoon riprap for the Water Department as bone fide.” Council Member Scothorn, “I second the motion.” Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.***

Superintendent Hawkins, “One last thing with that, I visited with Mike Schmidt as well. He had said that the rock quarry that is doing the rock for four inch is behind and they do not actually have it. As soon as they get it crushed it will be available for whoever gets the bid.” Mayor Luke, “Any other questions?” Council Member Lenard, “Do we know why Victory did not submit a bid?” Superintendent Hawkins, “Victory ended up coming in an hour and ten minutes after we had closed the bid wondering if they could put their bid in. We were already done.”

***Council Member Hall, “I move to accept the bid from Schmidt Excavating for the sewer lagoon riprap for the Water/Wastewater Department, for the total bid of \$65,100.00 as being in the best interest of the City.” Council Member Tschantz, “I second the motion.” Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.***

**STREET DEPARTMENT: Update**

**General:** Superintendent Davidson said, “We have been working on sweeping curb and gutter, cleaning ditches, hauling waste to the landfill.”

**2020 Schedule:** Superintendent Davidson, “Richard Mason and I had a meeting with Norm Bowers to go over the 2020 schedule. Most of our money will be spent on Country Club Heights this year replacing Heather Street. We do have some other small projects in town that we will go over again with Norm when he has everything finalized.”

**Repairs:** Superintendent Davidson, “We have done some repairs to our dump trucks. We had rust showing on some of the fuel tanks and we took that off and repainted them.”

**Sign Replacements:** Superintendent Davidson, “Several signs have been run over. One was out at the elevator and we chose to move it up onto a utility pole. It had been run over at least once a year or two years.”

**Mount Hope Cemetery:** Superintendent Davidson, “The biggest thing that we have been doing lately, is at Mount Hope Cemetery. The guys have done a fantastic job down there. We have cleaned up along the fence line; we’ve found some hidden headstones that were covered up with brush. We needed about another 45 minutes today and we would have been finished up but we got rained out. Hopefully, we can get back tomorrow to finish that up. I’d like to, on winter days when it’s not too cold, to get out there and straighten up some of the headstones. I’d like to get that all back up in decent shape.”

**2019 Street Projects:** Superintendent Davidson, “Ken Massengil with Killough Construction stopped by. He told me earlier this fall that they couldn’t get to Martindale Street because they were so far behind. With the weather being warm like it has been the last few days and into next week, they are going to come down and do the parking lot at the museum. Then they will come in and do Martindale Street and that will finish up our 2019 projects.”

**Other:** Council Member Scothorn, “The cemetery is looking good. I see it every day when I come home from work.” Superintendent Davidson, “Thank you. I will pass that along to the men.”

**POLICE DEPARTMENT: Update**

**General:** Chief Jones, “Normal Duties; juveniles, individuals with mental health issues, domestics, sibling fights, neighbor disputes, and traffic.”

**City Court:** Chief Jones, “We had City Court last week with no trials. We were hoping we would be done in a timely manner but it was after 7:30p.m. before we got out of there again.”

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**Craft Fair:** Chief Jones, “A reminder that the Craft Fair is this Saturday at the High School and Middle School. So, watch the traffic on Cross Street during that time frame, it always gets crazy up there.”

**POLICE DEPARTMENT: Personnel Resignation**

Chief Jones, “I have had an officer Justin Atchison submit his resignation for medical reasons. His last day with us will be November 30<sup>th</sup>. I would like to ask for Council’s permission to advertise for an officer position.”

***Council Member Lenard, “I move to authorize Chief Jones to advertise for a police officer until the position is filled.” Council Member Curtiss, “I second the motion.” Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.***

Chief Jones, “Also, with Justin’s last day being November 30<sup>th</sup> that is going to leave us very tight, on four of us, getting our use or lose vacation time used up. I would like the Councils feelings on requesting a 60 day extension to try to use up that time. Chris Allen and Kyle Black do not have any yet. Bonnie and Becky will not have an issue with theirs. Deb, Randy, Devin and I still have use or lose time that is going to be pretty tight for the next couple of months on getting time off.” Mayor Luke, “What’s your pleasure?” Council Member Lenard, “I would like to consult with Gina (City Clerk Kewley) at some point. I think we could be flexible.” Council Member Jasper, “I’d like to get some background and look into the city policies. We don’t need to answer anything tonight, do we?” Chief Jones, “It’s not pressing. Hopefully, we are able to get a little bit used in the next month. I can request that this be put on Council agenda for one of the December meetings.” Council Member Jasper, “So, the committee and Gina will hash it out from there.”

Council Member Scothorn, “Being short an officer is that going to jump up the overtime?” Chief Jones, “It might.” Council Member Lenard, “We have holidays coming up too.” Council Member Scothorn, “This month was up a tad bit but it’s for reasons unknown to me.” Chief Jones, “I do have one officer in the academy since September 30<sup>th</sup>. So, I have been running one person short.” Council Member Lenard, “Have you been using your reserve officer?” Chief Jones, “Between some medical stuff and the outage just finished up, he is just now back to the point where he will start working with us again.”

**PARKS DEPARTMENT: Update**

**General:** Superintendent Boyce reported, “We have been cleaning public buildings and restrooms. We are mulching tree leaves in Kelley Park. We are doing equipment and building maintenance which has been taking up most of our time. We are getting caught up on things that we were lagging on when we were doing most of the mowing.”

**Hazard Tree Removal:** Superintendent Boyce said, “This week we have been cleaning up the stump grindings from when we had the hazard trees removed. We clean up the stump grindings, fill the holes back in with dirt, grass seed, and put fertilizer down.”

**PARKS DEPARTMENT: City Dam Retaining Wall Repair (West)**

Superintendent Boyce said, “The survey and the borings have been done. It is still in the drawing stage. I haven’t heard anything from them. Hopefully, we are getting close on that to where we can go out for permits on that.”

**Vehicle Repairs:** Superintendent Boyce said, “The 2014 Ford truck is at Ford Dealership at this time. They were supposed to get back with me today on what it’s going to cost on repairs. We noticed a leak under it. It is coming from the transmission right where the drive shaft goes into the transmission. They pulled the drive shaft; the sleeve that goes into the transmission was blued, so there is a bearing out in the back tail shaft of the transmission or something. I have not heard anything back from them yet.”

**Roofing Projects:** Superintendent Boyce, “I did not get the roofing quotes on the agenda but I did hand them out. We can wait until the next meeting or we can do them tonight.” Council Member Jasper, “Once we accept the quotes, do we have a timeframe with our insurance that the work has to be completed?” Superintendent Boyce, “No. He knows it will be spring before we start on them. I was busy with other things where I couldn’t get that taken care of. I did email him these numbers that I handed out and he was good with it. So, I’m turning that in to insurance. I’ve discussed this with Chief because his numbers for the Police Department and Animal Shelter are in here. So, H&H is the lowest, it has that 5%, they are four dollars from hitting that 5% mark. My recommendation would be Alpha at \$61,027.98.”

***Council Member Jasper, “I make a motion to approve Alpha Roofing to move forward with our insurance claims on our roofs for \$61,027.98.” Council Member Scothorn, “I second the motion.” Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.***

**FINANCE: Claims Ordinance & Payroll Ordinance**

a.	Claims Ordinance	2019-21	\$	<u>319,955.31</u>
b.	Payroll Ordinance	2019-23	\$	<u>88,126.81</u>
		TOTAL	\$	408,082.12

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**CLAIMS 2019-21:** Council Member Jasper moved to approve City of Burlington Claims Ordinance 2019-21 for the amount of \$319,955.31 for payment of city bills. Council Member Scothorn gave the second. City Clerk Kewley said, "We have payments tonight to Kansas Power Pool \$206,633.44 and Wheeler World \$22,615.56." Hearing no additional discussion, Mayor Luke instructed City Clerk Kewley to poll Council. All votes were in favor. Mayor Luke declared, "Claims Ordinance 2019-21 passed unanimously, 6:0."

**PAYROLL 2019-23:** Council Member Hall moved to approve City of Burlington Payroll Ordinance 2019-23 in the amount of \$88,126.81, as presented. Council Member Scothorn 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, "Payroll Ordinance 2019-23 passed unanimously, 6:0."

**PLANNING & ZONING: Update**

**General:** Zoning Clerk Hugunin, "Normal duties."

**Nuisance Properties:** Zoning Clerk Hugunin, "I'm still dealing with a few nuisance properties."

**House Fires:** Zoning Clerk Hugunin, "I'm still working with the camper on Alleghany and the trailer house there."

**Inventory:** Zoning Clerk Hugunin, "Most of my time now has been getting inventory updated. I think I've gotten everything back from every department. That will keep me busy until the end of next month."

**PERMITS: Building Permits issued by Zoning Clerk Hugunin:**

2019-031 Kerri Weltha 1211 Yuba - Shed

**LICENSE**

None.

**RESOLUTION**

**OTHER COMMITTEE OR COUNCIL BUSINESS**

City Clerk Kewley, "It's the time of year for the Christmas gift certificates for the Board Members, City Attorney, City Treasurer, City Council Members, and the Mayor to do \$20 gift certificates through the chamber. So, I would need a motion and a second if you all would like to do that."

Council Member Jasper, "I move to give a \$20 Chamber of Commerce Christmas gift certificate to each Board Member, City Attorney, City Council Member, City Treasurer and the Mayor." Council Member Curtiss, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

City Clerk Kewley, "Then for the employee Christmas gift, for numerous years now the Council has been good enough to give us an extra day off in lieu of gift certificates. I know the employees really appreciate that. We were looking at December 24<sup>th</sup> if you all still want to do that."

Council Member Curtiss, "I move to give each City of Burlington employee the gift of an additional paid day off for Christmas, with the day off for this year to be Tuesday, December 24<sup>th</sup>, with the option that if an employee is on duty that day, the employee can arrange for another day off in lieu of the 24<sup>th</sup> of December." Council Member Hall, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

**Council Meeting Schedule:** City Clerk Kewley stated, "We were looking into next year and with January 1<sup>st</sup> being New Years Day and that being a Wednesday, what are your thoughts on only having one Council meeting in January? That would be the 15<sup>th</sup> of January and we have done this in the past, being close to or on New Year's."

Council Member Hall, "I move to have only one City Council meeting in January, on the third Wednesday, January 15, at 6:00 p.m." Council Member Tschantz, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

**LEGAL DEPARTMENT: Update**

Mayor Luke, "Tom (Attorney Robrahn) is absent. He said there wasn't anything earth shattering in legal. He said that court went long but it was good. He didn't have any other comments to make."

**CITY CLERK: Update**

**General:** City Hall Staff have been busy with customers paying utility bills, many calls and inquires, preparing work orders, vouchers for bill paying, payroll, and council meeting minutes.

**Goals & Accomplishments:** City Clerk Kewley, "Mary (Administrative Assistant) handed out the Goals and Accomplishments to the department heads and Jimmy (Zoning Clerk Hugunin) and if we could please have them back by January 3<sup>rd</sup>."

**Meetings:** City Clerk Kewley, "Anne Brown, Deputy City Clerk, attended the Master City Clerk Academy last week in Wichita. Yesterday I participated in the Wolf Creek Emergency Drill through Emergency Management."

**LKM Regional Supper:** City Clerk Kewley, "I wanted to thank the Parks Department for setting up the Kelley Hall for the League Regional Suppers last Thursday."

**[5] CONTINUATION: November 20, 2019 Burlington City Council Regular Session**

**City Hall Supplies:** City Clerk Kewley, “Also, our new drop box arrived today. So, hopefully soon we will have a new drop box out front at our new location so we can take after hour payments.”

**Closing:** City Clerk Kewley, “A reminder that City Hall will be closed the Friday after Thanksgiving on the 29<sup>th</sup>.”

**REPORT BY CITY OFFICERS:**

**MAYOR’S COMMENT(S):**

**FUTURE AGENDA ITEMS:**

<b>GENERAL:</b> City Debt - How to fund projects Expense Tracking on Projects Budget 2020 Flooding 5-2019 – Updates	GAAP - Infrastructure Capitalization City/County Grant Funds – Discussion on Matched Funding Council Discussions on Evaluations, Succession Planning, etc. City Hall Location Updates Negotiations for Real Property
<b>ELECTRIC DEPARTMENT:</b> Power Plant - Additional Generation	<i>R.I.C.E. N.E.S.H.A.P. Compliance</i>
<b>PARKS DEPARTMENT:</b> Events in Parks (Updates) City Dam - West Wall Repair – Engineering Services Proposals	Kelley Park Light Poles – Repair/Replace (also see Legal) Girl Scout Rock Garden - Updates
<b>LEGAL DEPARTMENT:</b> Municipal Court Updates Misc. Legal - Documents, Cases, Contracts, etc.	Park Agreements: 1) Agr of 12-2018 - City & Rec. Com. – <i>Review in Spring 2019</i> 2) Committee – Review and Update Park Contracts
<b>PLANNING AND ZONING</b> Industrial Park Lots for Sale, etc. Work with Advantage Computers and City Departments to improve Cyber Security Nuisance Structure & Properties: Work with PD F.I.R.M. Floodplain Map Changes – Updates Burlington Corporate Boundary Updates on Map (Work with State) Permits - Building/Zoning/etc.	Quarterly Construction Valuation Report Prepare Easements for any City-owned property without one City Hall - Awning Replacement (switch to metal) 415 S. 6 <sup>th</sup> (Theda Darnell Property) – Demolition-Hire Contractor Addition Nuisance Structures for Possible Condemn/Demolish
<b>POLICE DEPARTMENT</b> Nuisances (Work with Zoning Clerk) Voice Stress Analyzer Project	Department Activities and Cases
<b>STREET DEPARTMENT:</b> Concrete St. Repairs/Free State Ct. Replacement/Repair Excess Hot-Mix from APAC Litigation/Redo S 3 <sup>rd</sup> St. Municipal Parking Lot in 2019 Pavement Management System/Asset Management System Old Penny’s Concrete Building – renovation/door/etc.	Street improvement Plan, Paving Gravel Streets, Crack Filling, Street Improvements 2019 6 <sup>th</sup> & Alleghany Project Street Improvements 2019 Asphalt Project
<b>WATER &amp; WASTEWATER DEPARTMENT:</b> Sensus Water Meter Replacement Fire Hydrant – 3 <sup>rd</sup> & Neosho Storage Building for Dirt -Construction Flooding	Sewer Lagoons - Analysis (KRWA/funds for dredging) Sewer Lagoon Maintenance/Updates 6 <sup>th</sup> and Alleghany Waterline Project Sewer Liftstations –Flushing Rags, etc. Quick Coupler Bucket Updates

Mayor Luke declared the meeting adjourned.

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