

BURLINGTON CITY COUNCIL REGULAR SESSION 7-17-2019

City of Burlington Governing Body met in Regular Session at City Hall's temporary address, 1013 N. 4th Street, Burlington, Kansas at 6:00 p.m. Wednesday, July 17, 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: Carla Hoch, Nancy Bodenhamer, Bob Logan, Paul Abendroth

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

MINUTES 6/19/2019: *Council Member Hall, "I move to approve the draft minutes of June 19, 2019 as presented." Council Member Tschantz, "Second." Motion unanimously carried, 6:0.*

PUBLIC COMMENTS: There were none.

APPOINTMENT: Carla Hoch – Cancer Support – Dress Down Day

Carla Hoch addressed Council, "I'm Carla Hoch and this is Nancy Bodenhamer. We are representing Coffey County Cancer Support Group. We are a non-profit organization 501(c) and our group was born in 2004 and at the time they met for emotional support for people that were undergoing cancer treatments or families of those people. For the first few years, there were no funds for this group. Finally families started leaving their memorials to us. We had fundraisers and since 2008 we have provided approximately \$280,000.00 to assist area residents during their cancer treatments. \$165,000 of that \$280,000 has been paid out since 2017 which has helped a total of 103 individuals in that time frame. As you can see, the need for assistance continues to grow and our funds that are coming in are not keeping up with the funds that are going out so that is the reason for our visit today. We have sent out requests to all of the businesses in Coffey County asking them to support a dress down day. So, one day a month, anybody that would like to, we ask that they wear a Cancer Support T-Shirt and pay \$2.00 each time that they do that. It doesn't have to be a new one; it can be an old one. That money would be collected by somebody at the business. Then we would go around the next week and pick it up. We hope to get this started this month next week and keep it going as long as we can so we have some steady money coming in. I did talk to Gina and I understand that some of the City employees can't wear the T-shirts that we have. They have to wear special clothes for their jobs which we totally understand that but we wanted to get the word out to them. If they want to make monetary donation once a month or a one-time donation they can, we will take anything. So, what we want to do is designate the last Friday of each month as Coffey County Cancer Support Dress Down Day. We just need to be aware of those wishing to participate that way we can make the trip around to pick up the money or get the money somehow from them.

"Currently our group has 2 major fundraisers that we use to provide support for people. Those are the Soup Lunch in March which a lot of you have participated in and supported over the years which we greatly appreciate. We raise normally over \$10,000 at that event. Then we have the Golf Tournament in August, which that one is coming up on August 17th, we welcome teams, volunteers, and any donations or door prizes. Everything earned goes right back to the individuals who are going through cancer treatments. So, everything that we do is all volunteer; there is nothing that we do that we get paid for. The Golf Tournament also raises over \$10,000. So, as you can see \$20,000 a year won't go very far if you're paying out \$165,000 or half of that \$85,000.

"We provide \$500 quarterly to those individuals while they are receiving treatments. They do have to apply for it then the board approves it. That money is given in \$300 BP fuel cards, because it costs money to get to the treatments, and also a \$200 check to help with other incidentals. We also give extra assistance based on need, which is a separate application and that money can go towards paying medical insurance, utility bills, car payment, or anything that a person might need that normally their income would pay for. Many people are not allowed to work while they are going through these treatments so they are really down on their luck. The extra assistance is just a one-time assistance for \$1000.

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“Another thing that we do is that we provide sympathy tubs to families of those that have passed that we have helped along the way or families of an individual who passed who left their memorial to our group. The tub contains items such as paper products, coffee & tea bags, and things like that that a family would need at that time; things that would cost money to go out and get. Please know that all of our money stays local. None of it is used outside of Coffey County, none of it goes to salaries, it is all spent on our patients or their families. Does anyone have any questions?”

Council Member Curtiss, “Can the general public participate?” Carla Hoch, “Yes.” Council Member Curtiss, “Do I just bring my \$2.00 to Gina up here?” City Clerk Kewley, “Well, I approved my department because we do dress down on Fridays. So, we are doing it in here but we haven’t designated a person to take the money. I have someone who is interested in taking the money but she hasn’t committed yet.” Council Member Curtiss, “Okay. If I can’t bring it here then do I just give it to you? (Carla Hoch)” Carla Hoch, “That would be fine. Thank you for asking that. Another reason we are trying to do this is because you would be surprised how many people, even just in Burlington, that are not aware that this organization exists or what we do. So, unless it has touched you personally or your family then you may not even have a clue. So, we are trying to get the word out there and spread the word that there is help out there but yet we also need help.” City Clerk Kewley, “We did put the information in the pay stubs this last Friday for all the employees for information.” Carla Hoch, “Thank you. We are always open for any donations. We ran into Stan (Mayor Luke) on Monday and he has graciously donated a week in Branson for our Soup Lunch. So that will be auctioned off at our Soup Lunch. So, feel free to share it with neighbors and family to get that word out there. For you guys who are superintendents please share with your departments. If they have any questions or you have any questions any time, feel free to call one of us; our numbers are on the letter. Any questions?”

Paul Abendroth, “Do you have any mailing going out to individuals around town?” Carla Hoch, “We sent it out to all the businesses but not to individuals.” Paul Abendroth, “I’ve gotten a bunch of cancer stuff in the mail and I didn’t know if any of them were directly related to you or not.” Carla Hoch, “All of ours say Coffey County Cancer Support Group on the return address. Anything else cancer related is not associated with us.” Paul Abendroth, “Okay.” Carla Hoch, “That’s a good idea though; we could have put something in the newspaper.” Council Member Curtiss, “Right and maybe have a place to put their money.” Carla Hoch, “Right. We really appreciate your time.” Council Member Curtiss, “Thank you.”

APPOINTMENT: Bob Logan – Ultimate Horsemen’s Challenge Association (UHCA)

Bob Logan addressed the Council, “Good evening and thanks for giving Coffey County Saddle Club an opportunity for presentation this evening. We are hosting the Ultimate Horsemen’s Challenge event. Participants in this event can win points towards the Extreme Cowboys Association. We have held it here at Coffey County at our arena about four years in a row now and plan to hold it again August 17 and 18. We will have participants arriving on the evening of the 16 to camp and perhaps get their horses loosened up and warmed up that evening. It is a competition that they earn points at and they have a year-end finalist event following our event. This same group of people was just at the Calgary Stampede in Canada last weekend and the winner of that event, Josh Rushing, will be here at Burlington. He is from the state of Missouri. We have participants come from Oklahoma, Missouri, Nebraska, Arkansas, and Kansas to this event. They like camping a great deal at Kelley Park, it has wonderful facilities for them to clean up and take care of their animals. The event in Canada had \$30,000 in prize money and we will be having prize money as well but I don’t think it will compete with what the Calgary folks put on.

“Dennis Noonan is here, he is the president of our club. Tonight we primarily wanted to ensure that we had your approval for the camping that goes on with this event and do exactly what we have done in years past, like collect money for the campsites. That money that the City normally gets will be paid to the City and we charge a fee for putting it on and part of that is collecting through the camping as well. Is there anything that I’m missing? If any of you have any questions I think we can make an attempt to answer it. Jim Ochs has been here in the past but Jim wasn’t able to make it this evening, but he is still competing and planning to be there as well. We plan to have a pretty good show, and the public is welcome to attend. They will attempt to answer your questions but it is a little slow because there are 2 levels of competition going on at the same time, an expert level which is adults on down to children. So, there will be a novice course and an adult course for the different levels of participation and some of them will bring more than one horse and some of them will compete in several different classes.”

Council Member Curtiss, “How many people do you usually average?” Bob Logan, “We usually have about 80 competitors and each competitor will enter multiple classes of competition. So, each individual will compete typically numerous times.” Superintendent Boyce, “In the past we haven’t had any issues with them. They leave the park clean when they are done. The only thing I ask is to keep the horses east of Kelley Hall.” Bob Logan, “We will do that and we also communicate with the Rec. Commission personnel because we do use the grounds that they have. We do have an alternate site, at Jim’s farm, in the event we should have a downpour that left the ground so muddy that we would be potentially causing damage to the soccer fields and baseball fields that the children use. We hope that we don’t have to go to another site and we have never had to do that in the past. Hopefully, this August 17 date we have our typical August weather and we should be able to work around and not cause any damage to the field.

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We try to keep your facilities cleaned up to the best of our ability. They helped out a lot last year. I went back the day after the event to look over the grounds, I believe your mayor did as well, and I think we as a group are proud of the way that we've been able to leave the park when we are done and we are proud that we have this type of facility to offer visitors to our area."

Council Member Scothorn, "It's the 17 and 18 that you need it?" Bob Logan, "Yes, and the evening of the 16th as well because some of the people will be arriving then." Council Member Scothorn, "Okay." Bob Logan, "Thank you."

Council Member Scothorn, "I move to approve Bob Logan's request for the Ultimate Horseman's Challenge Association to use Kelley Park Grandstands & Arena on August 16, 17, and 18 of 2019." Council Member Curtiss, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

ELECTRIC DEPARTMENT: DISTRIBUTION Update

General: Electric personnel have been doing line locates, customer service requests, a little bit of tree trimming, some line maintenance, and distribution maintenance and repairs.

Moving Electric Service: Superintendent Schneider reported, "We did convert an electric service from overhead to underground for a customer adding an addition to his house. The overhead service was going to be in the way, so we did convert that to underground. We also moved two customers electric service that were crossing over that same customer's backyard because it was going to interfere with construction. So, we put it out on the property line to keep it out of the way and off of everyone else's property."

New Electric Service: Superintendent Schneider, "We did dig an electric service for a new commercial customer down in the Industrial Park. We have been working with their electrician to make sure we are caught up with them so, when they are ready to start producing what they are doing, and once they have poured their concrete pad, we will set a transformer in there. We will work with the electrician then to get it fired up and everything permanent. Also, thank you Mark (Superintendent Davidson) with the Street Department for bringing your trackhoe down and digging across the road for us. They made sure we got everything backfilled properly and hopefully the compaction is there and we don't have any issues down the road."

Outage: Superintendent Schneider, "On Saturday the 13th we did work one outage. It was isolated to just two customers."

ELECTRIC DEPARTMENT: PRODUCTION Update

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

Generator Repair: Superintendent Schneider reported, "Power Plant personnel performed maintenance runs since our last Council meeting on 3 of our generators to ensure that they were ready. The week before last we did our annual generator capability testing which is now complete. I will take those results along with the cost of that generation, and I will turn all that into Kansas Power Pool and they will reimburse us for that generation for that testing procedure. That testing actually establishes our payment for Kansas Power Pool every year for capacity payments."

Protective Equipment and High Voltage Equipment Testing: Superintendent Schneider reported, "Also, since last Council, Protective Equipment Testing Laboratory out of Great Bend came to do their annual inspection and test all of our trucks and our high voltage hoses and equipment. They came, tested everything, and everything passed with flying colors. We had a really good inspection. Also, if I could, please, I would like to visit with the Electric Committee for just a couple of minutes after council. I won't take very much of your time."

WATER AND WASTEWATER: Distribution Update

General: Personnel have been doing the normal duties: line locates, work orders, reading meters, meter rereads, customer concerns.

Water Outside City Limits – Wayde Thomsen for 1057 Lynx Terrace: Superintendent Hawkins, "We did get the Wayde Thomsen project completed. They have been billed for materials as well."

Water Service: Superintendent Hawkins, "We have been installing new water meters. We are getting really close to wrapping those up for this year."

WATER AND WASTEWATER: Downtown Services – Waterline/Meter Replacement Project

Superintendent Hawkins reported on the downtown water service, "I would like to thank Mark (Superintendent Davidson) and his department for helping us cut the streets down there on that project. The project has been going very well, I'm very pleased. The biggest worry we had was shooting our mole underneath the street and hoping that we didn't hit something really bad. Fortunately, we only have a few left to do, but we progressed very well. As of today, we have 8 meters hooked up, and we have had a lot of very pleased customers down there. They are very happy with the pressure that they are getting now.

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We have been trying to keep it clean and trying to keep customers coming and going from businesses as well. So, it has been really good. We should be done by Monday, is what we are hoping. If we continue down the path we are going, we will be done Monday. We are still getting requests all over town to go out and remove meters at local spots and residents. We are getting those rounded up, so once we get done with downtown we can go out and finish those and other projects.”

WATER/WASTEWATER: Production – Water Treatment Plant Update

Superintendent Hawkins reported, “The water plant is running good. The only thing that we have done differently is that we have increased the flow to 1200 gallons per minute. Due to the hot weather more people are using more water. So, we have increased the flow to 1200 gallons per minute. The only other thing we have been seeing is a lot of algae and backed up water that was in the fields from the flood, and are working their way down the river. So we have increased our sodium permanganate and our carbon to ward off the algae and the musty water and stuff. So, we are adding quite a bit more of that. Other than that the plant is running really good right now.”

WATER AND WASTERWATER: Personnel: Position Change

Superintendent Hawkins said, “I would like to have a request to change the position of Austin Brown from Non-Certified Operator to a Trainee Operator.”

Council Member Jasper, “I move to authorize Austin Brown to change positions from Water/Wastewater Non-Certified Operator to Water/Wastewater Operator Trainee position with the wage to move from \$16.34 to \$14.11 effective immediately.” Council Member Scothorn, “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, “I’ve attended several meetings. One was a LEPC (Local Emergency Planning Commission) meeting at the court house. The other one was put on for Coffey County with BG Consultants and KDOT on safe routes for school. Basically, school routes and bridge funding.

We have been working on replacing street culverts, sweeping downtown, working on alleys, and tilling ditches. We cut a new ditch in behind Jim Dale’s property. He was concerned about flooding in his back yard, so we re-did that for him.

As Danny (Superintendent Hawkins) and Alan (Superintendent Schneider) have said, we have been assisting them. We attended the monthly safety meetings. We have been doing some hot-mix patches downtown where there have been some water leaks and we have gotten those taken care of.”

Killough Construction: Superintendent Davidson reported, “Killough Construction came in approximately three months earlier than what we expected. They had some downtime, called me to see if we were ready, and we were close to ready so I went ahead and had them come down. We had one block up on Martindale and Jarboe to Shea that we were going to redo, but it was so wet underneath that we now have it blocked off for probably another month. We are going to let it dry out before we go up and shape it. Killough Construction will be back this fall to do some work at the museum, so at that time we might go ahead and have them surface that street for us. We think a lot of it was due to the flooding, that block up there was heavily flooded, and we think it just soaked under the asphalt through some cracks that were there. As of right now, it’s very solid. We went up and scarified it with a motor grader and we haven’t found any wet spots.”

Equipment Repair: Superintendent Davidson, “One of our dump trucks is having engine trouble. The turbo is going out of it. We are going to be looking at about \$3,500 to replace it. We have talked with the mechanics, and we can probably drive it until fall. I would like to be able to get it worked on, and get it back up into good condition by winter time since it is one of our primary trucks for winter use.”

Sewer Lagoon Issues: Superintendent Davidson, “We have also had a problem with one of our sewer lagoons behind the Strawder property. With all the rain, part of the field has washed into drainage area and Coffey County did go down to survey it. Unfortunately, the ditch is on city property. There is quite a bit of water being held back and I have no idea how or when we are going to get in to do it. It is going to take some heavy equipment. I may contact Coffey County; they said they will furnish an operator and the equipment and all we do is pay on a basis that we can rent equipment from them. It might be simpler for them to go in and clean it than us spend a week down there. I just want to make you aware of that.”

Asphalt Millings: Superintendent Davidson, “Councilman Tschantz talked to me about our pile of millings, and he made a suggestion that we make that available to the public. Would you want to add your part to it Tom?” Council Member Tschantz, “Well, we haul all those millings out to the landfill every once in a while to get rid of some of them to knock the pile down. I had thought it might be a good idea for the City to sell those millings to city people to put in their driveways or whatever they want. It would make a little extra money for the City where they could donate the money to an organization or something. I don’t know how we would weigh it, if we weigh it by the ton it would go down to the elevator and weigh it off of their scales.” Council Member Jasper, “Are we loading the trucks? It is personal trucks they are bringing?” Council Member Tschantz, “We would be loading the trucks when they are available to load them.” Council Member Jasper, “What’s the liability on that, like if we damage something?” City Clerk Kewely, “Pretty high.”

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Mayor Luke, "I would suggest we have Tom (City Attorney Robrahn) look into our obligations and liabilities and insurance as to whether or not we can physically do that without any issues." Council Member Tchantz, "They haul them down to the landfill and it is getting full." Mayor Luke, "There is a difference between taking it and dumping it in the landfill and putting it in somebody's personal vehicle." Superintendent Davidson, "I wouldn't want to get rid of the entire pile. What we have been hauling is some asphalt, mostly dirt and rock, which they use that for cover when they spread the trash out. They use that for cover to keep the trash from blowing around. They are helping us and we are helping them by providing cover. It's not that we are just taking it out there, dumping a pile, and it's just taking up space." Council Member Tschantz, "It was just an idea."

STREET DEPARTMENT: Personnel

Superintendent Davidson, "My last thing is that Kyle Dauber has done his one year evaluation. I ask that he be moved up to \$16.83, it's a 3% increase."

Council Member Jasper, "I move to accept Kyle Dauber's first year personnel evaluation as presented, and to grant a pay increase to \$16.83 per hour, effective July 20, 2019." Council Member Scothorn, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

Council Member Jasper, "Well, Mark do you want to talk about the Stoplight Store?" Superintendent Davidson, "We can, that would be fine." Council Member Jasper, "Terry Swank purchased the Stoplight Store. He came to Mark and I about putting in a driveway approach from where his building ends on the west to however big he needs it for his van. He wants to put a garage door in, so he has access into it because he is putting his plumbing shop down there. There are ADA compliances that he would have to follow of course. We just wanted to bring it to the Council to see what they thought. We do need to look into if he is going to be within his boundaries. I don't have a problem with it, but we wanted to talk about it in an open meeting that way it is open." Mayor Luke, "Is he planning on coming in to present it to the Council?" Council Member Jasper, "Well, he just brought it to us so I guess I'm presenting it." Superintendent Davidson, "I was going to call him next week and tell him that he needed to come to Council to request the curb cut and give him some ideas on how we want the gutter poured back so it meets ADA compliance." Zoning Clerk Hugunin, "Also, I had Mary (Administrative Assistant) do some research on it and found that the last one on 3rd Street was a request to the Council." Council Member Jasper, "Okay." Mayor Luke, "So, you'll (Superintendent Davidson) get in touch with him and see if he will be at the next meeting?" Superintendent Davidson, "Yes."

POLICE DEPARTMENT: Update

General: Chief Jones, "We've made it through the last month with normal calls for us. There were no major incidents over the 4th of July. It has been the usual domestics and a couple of mental health issues that we have had to deal with. We had City Court last Thursday and there were no problems there."

POLICE DEPARTMENT: Personnel Authorize Employment and Compensation

Chief Jones said, "Our Police Committee, Gina, and I, interviewed our certified applicant on June the 24th. The interview went well. The Police Committee talked afterwards and I requested, what we are doing now with new hires, the applicant took the CVSA test, Computer Voice Stress Analysis, which is a truth verification test. He took that the next morning and passed that without any problems. We made an offer to Chris Allen at a starting rate of \$19.55 and he accepted the offer. His starting date is Monday July 22, 2019. I'm assuming the Council needs to ratify the committee's decision even though they gave the committee authority to proceed."

Council Member Lenard, "I move to authorize employment of Christopher Allen as a Burlington Police Officer, and to approve compensation at the rate of \$19.55 per hour, effective July 22, 2019." Council Member Hall, "I second the motion."

Mayor Luke, "We have a motion and a second is there any additional discussion?" Council Member Scothorn, "Yes, I have a quick question. Does he have previous experience?" Chief Jones, "Yes, he is a certified officer with 16 years experience." Mayor Luke, "Any other questions?" **Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.**

PARKS DEPARTMENT: Update

General: Superintendent Boyce reported, "We have been cleaning public buildings and restrooms; doing equipment and building maintenance. We have also been mowing, spraying, weedeating, and watering trees and flowers. Right now we are working in Kelley Park fixing a few maintenance issues and getting ready for the fair. We have been working with the Fair Board for a couple of requests that they are wanting."

Hazard Tree Removal Quotes: Superintendent Boyce, "We have been working on getting quotes for the hazard street trees for removals. I have one contractor so far and I have a couple coming."

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Freedom Festival: Superintendent Boyce, “We set up and tore down for the 4th of July celebration in Kelley Park. We set the stage up, dug the holes to put the tubes in for the fireworks to be fired out of, and placed picnic tables in the park and extra trashcans. After it was done, we filled in the holes we put the tubes for the fireworks in.”

PARKS DEPARTMENT: Mosquito Fogging

Superintendent Boyce, “I’ve had several questions on spraying for mosquitoes. I didn’t know if we wanted to discuss that now? I have a little bit of information on sprayers.” Mayor Luke, “What’s the governing body’s pleasure?” Council Member Jasper, “Yeah.” Superintendent Boyce, “Okay, my first question is, are we just going to spray in the parks or are we going to spray throughout the whole town? If we are just spraying in the parks, the sprayer for that would be a lot cheaper. It would basically be one that would mount on the tractor and it just has a tank. It would be like a Mr. Sprayer with a fan on it that blows the chemical out. If we go with one that we travel the streets through town, then it would be more of like a fog. That one would be quite a bit more expensive going that way.” Council Member Lenard, “I grew up with the city fogging. It seems if we just fog isolated areas it is like putting pellets out in standing water, it doesn’t do much good for the whole city. I believe if we are going to do it that we need to do the whole city.”

Council Member Tschantz, “My question would be are we going to fog at night or during the day?” Superintendent Boyce, “At night or early in the morning. It is going to create some over time.” City Clerk Kewley, “How much is the fogging machine?” Superintendent Boyce, “\$10,000 and then the chemical is around \$72 a gallon, \$65 to \$75 a gallon. Depending on the machine \$8,900 to \$12,500, the \$8,900 machine is about 10mph speed that you will travel as your driving the street to do this and the bigger machines, \$10,000 to \$12,500, they can run up to 20mph.” Mayor Luke, “How often do you need to do it?” Superintendent Boyce, “I believe LeRoy is doing once a week. I would think that as big as we are that we would start out doing it twice a week. I just got some quick information because we are busy with getting ready for the fair.”

Council Member Lewis, “So, is this something we would purchase then and not rent?” Superintendent Boyce, “Yes.” Council Member Lewis, “We did this all the time when I was a kid.” Council Member Tschantz, “They did the same thing in Ottawa.” Council Member Curtiss, “Well, with the west Nile and all of that out there.” Council Member Lewis, “You all read the report from the County I think it’s quite serious, it is unfortunate. I don’t know if the County could utilize it or help us. What about cost recovery? Is there anything with FEMA with stuff like this that we can get any assistance or not?” City Clerk Kewley, “I don’t know on a machine like that, they might on the pellets because that was something they were advocating for.” Superintendent Hawkins, “Maybe it is not my place to say this, and I’m not trying to speak out of place but I have a fogger and I use it for my deer farm. It is just like Kevin says, they are not cheap. I’m not after mosquitoes, I’m after midge flies but there are so many variables. Misting is different because it depends on what’s in the chemical for the size of the droplet and the fogger makes the size of material smaller for the target insect that you are after. Depending on what size of mosquitoes that you’re after depends on the cycle of when it’s happening. Do you understand what I’m saying? Every insect has a season and so, depending on that season of that target insect, you have to spray at certain times when it’s most prevalent. We fog, again it’s not the same target insect, but we fog every other day. Again, your chemical costs are very expensive.”

Superintendent Boyce, “With doing the whole town, I don’t personally feel like that is a Parks Department expense. If we were just going to do the parks then I would pick that up, but doing the whole town –.” Council Member Scothorn, “How far does a gallon go?” Superintendent Hawkins, “Usually they come in 2.5 gallon jugs depending on the size of the equipment.” Chief Jones, “What I heard at a meeting I was at over the lunch hour today is that LeRoy uses 2 gallons at a time when they spray.” Superintendent Boyce, “Are they doing once a week?” Chief Jones, “Twice a week.” Council Member Curtiss, “And they have a fogger?” Chief Jones, “They bought one of the \$10,000 machines.” Superintendent Hawkins, “You also have to look at if people have allergies or asthma; there are things there that you have to be careful with.” Chief Jones, “If you want to look at a little history on this, I don’t remember how far back it was, but I know Donald Brinkman was on the council at that time and this was a subject of discussion then. We are talking probably 15, 16, maybe 18 years ago now. There was quite a little bit of discussion and research done on it at that time. The upshot of that was why the City doesn’t spray for mosquitoes now. That was for concerns for the older citizens and respiratory problems.” Council Member Tschantz, “In an instance like that, that’s why most cities spray late at night, midnight, or early in the morning. A lot of people are not out at that time.” Chief Jones, “There has probably been quite a bit of change in the chemical composition, what is allowable and what’s not.” Council Member Scothorn, “15 years ago we didn’t have west Nile.” Council Member Curtiss, “Right.”

City Attorney Robrahn, “My understanding you have to spray when the mosquitoes are out, so late evening and early morning.” Council Member Jasper, “So, 1:00 in the morning isn’t a popular time to spray for mosquitoes I wouldn’t think.” Council Member Tschantz, “Late evening or early morning would be the best time.” Council Member Lenard, “What’s our window for getting this started to be effective?” Superintendent Boyce, “Spraying throughout the whole town, it was last year when I got numbers for that. So, I don’t know how soon we could have a machine and be set up. I just pulled those numbers for tonight.” Council Member Lenard, “If we wait two more months then we’ve missed it.” Council Member Hall, “No, that won’t do anyone any good.”

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Superintendent Boyce, “We aren’t kicking mosquitoes up in the daytime when we are mowing grass right now. Before, we had to spray with OFF! (insect repellent) just to run the lawn mowers because they were eating you alive. With as much water that we’ve had this year, that’s not the case. I think the water moved so much that it didn’t have time for the larva to do its thing in normal places.”

Council Member Jasper, “Where does the money come from with something like this?” City Clerk Kewley, “Well, that’s the thing we need to decide what department is going to pay for it and then what employees are going to be doing it.” Council Member Curtiss, “Can we ask the County for the money?” City Clerk Kewley, “We can pull it from each department; if it is benefitting different areas in town.” Council Member Jasper, “I didn’t know if there was an equipment budget.” City Clerk Kewley, “Oh yeah—.” Council Member Scothorn, “You have a budget for all equipment?” City Clerk Kewley, “Yeah, you just need to decide on which department you want to do it.” Mayor Luke, “Is the big fogger pulled behind something? It’s not something that you set in the back of your pick up?” Superintendent Boyce, “To do the whole town, yes, it will sit in the back of the pick up.” Mayor Luke, “How many gallons of water goes with that.” Superintendent Boyce, “I’m not going to say.” Mayor Luke, “Will we need a half-ton pick up?” Superintendent Boyce, “No. It will fit in the back of a Ranger, I’m pretty sure. The only one I’ve seen in operation was in the back of a Ford Ranger.”

Council Member Scothorn, “Can we go ahead and have him get prices? Just to see how much it would run?” Superintendent Boyce, “Yes, I can get prices.” Council Member Hall, “If we are going to start it then don’t we need to do it soon?” Superintendent Boyce, “If you want to just buy one then we will go get one or do you want to get the three quotes?” Council Member Lenard, “What did LeRoy pay for theirs?” Superintendent Boyce, “\$10,000. I’m pretty sure I can get at least two quotes quickly from a place in Iola and then a place by Salina.” Council Member Curtiss, “They have the foggers?” Superintendent Boyce, “Yes.” City Clerk Kewley, “Can you do a motion that allows him to go get quotes and then if they are reasonable approve it at the next meeting?” Mayor Luke, “Kevin, have you sprayed the park yet?” Superintendent Boyce, “No, I don’t have a way to spray it.” Mayor Luke, “Oh, you don’t? I thought you did.” Superintendent Boyce, “We used to spray it but that was my personal sprayer. I sold my tractor and the sprayer went with it. I can contact LeRoy and see if they would be interested in coming up and getting us started until we get our own going.”

Council Member Scothorn, “Where are we going to pull the money for people to run it?” Mayor Luke, “That will be direct salaries associated with each department and then we will have overtime associated with it. It may end up that several departments will operate it at different times.” Council Member Jasper, “Each superintendent could talk with their crew and find somebody that is willing to pick up extra hours.”

Council Member Scothorn, “I move to authorize the Parks Department to go forward to purchase a city fogger, for a price not to exceed \$12,500 and to purchase any additional chemicals needed to operate.” Council Member Hall, “I second the motion.” Hearing no discussion, Mayor Luke called for a vote. Council Members Lenard, Curtiss, Hall, Scothorn, and Tschantz voted, ‘Yea’ and Council Member Jasper voted ‘Nay’. Mayor Luke declared the motion passed, 5:1.

FINANCE: Claims Ordinance & Payroll Ordinance

a. Claims Ordinance	2019-13	\$	397,311.49
b. Payroll Ordinance	2019-13	\$	85,203.62
c. Payroll Ordinance	2019-14		98,022.81
	TOTAL	\$	580,537.92

CLAIMS 2019-13: Council Member Lenard moved to approve City of Burlington Claims Ordinance 2019-13 for the amount of \$397,311.49 for payment of city bills. Council Member Hall gave the second. City Clerk Kewley said, “We have payments tonight to Core and Main \$10,940.53, Trustees Burlington Cemetery \$8,010.27, Kansas Power Pool \$187,481.23.” Hearing no additional discussion, Mayor Luke instructed City Clerk Kewley to poll Council. All votes were in favor. Mayor Luke declared, “Claims Ordinance 2019-13 passed unanimously, 6:0.”

PAYROLL 2019-13: Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2019-13 in the amount of \$85,203.62, as presented. Council Member Hall 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 2019-13 passed unanimously, 6:0.”

PAYROLL 2019-14: Council Member Hall moved to approve City of Burlington Payroll Ordinance 2019-14 in the amount of \$98,022.81, as presented. Council Member Tschantz 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 2019-14 passed unanimously, 6:0.”

(Continued)

[8] CONTINUATION: July 17, 2019 Burlington City Council Regular Session

FINANCE: Budget Hearing for the 2020 Budget - Permission to Publish Notice

Mayor Luke requested permission to publish Notice of Hearing for the 2020 Budget hearing. *Council Member Lenard, "I move to authorize publication of the Notice of Public Hearing for City of Burlington's 2020 Budget, which will be held during the City Council meeting on August 7, 2019 at 6:30 p.m. at 1013 N.4th Street, Burlington, Kansas."* *Council Member Hall, "I second the motion."* Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

PLANNING & ZONING: Update

General: Zoning Clerk Hugunin, "Normal duties. I've been busy with building permits, and with all the office computers, printers, getting everything set up and functional. I've been working on getting quotes for a new server and firewall, and I think that we have that taken care of."

Neighborhood Revitalization Meeting: Zoning Clerk Hugunin, "I did attend the neighborhood revitalization meeting. There was a lot of good information there. There were several things that were brought up that they hadn't thought about, like the flood plains and how we do this. So they are going to check into that and they want to know about zones and how they were going to be broken up. Still a lot of information but Stacey (Stacey Haines – Director of Coffey County Economic Development) is going to be getting that and will be getting in touch to come to a future Council meeting to give you that information."

Local Emergency Planning Commission: Zoning Clerk Hugunin, "I attended the LEPC meeting on critiquing the flood response by all the agencies that were involved. I think overall we did a pretty good job."

BG Consultants & KDOT: Zoning Clerk Hugunin, "I attended the same meeting Mark (Superintendent Davidson) did with the County Engineer and KDOT with the bridge funds that could be available."

Flood 2019: Zoning Clerk Hugunin, "Since the last meeting I did get the letters to the people in Country Club Heights that are going to be in the flood plain or that are affected by that. It was about flood prevention and then the States recommendations on what can and can't be done there."

Nuisance Properties: Zoning Clerk Hugunin, "I have mailed out, I think, 15 courtesy letters on nuisance properties and then four or five, 10-day letters on getting yards cleaned up. So, that's been busy and Chief Jones has been helping me with that."

Other: Zoning Clerk Hugunin, "I helped Kevin (Superintendent Boyce) with drawings in Drake Park and Kelley Park for insurance purposes."

PERMITS: Building Permits issued by Zoning Clerk Hugunin:

2019-014 Christy Allen 721 Osborne -Garage

2019-015 Stephen Smith 515 N. 1st - Deck

2019-016 Tom Hugunin 1501 Potomac - Garage

2019-017 House of Praise 300 N 11th. - Shed

LICENSE

None.

LEGAL DEPARTMENT: Update

Attorney Robrahn reported, "I was asked to review this project manual for the Alleghaney and 6th Street intersection project and as you can see it's pretty comprehensive and it is. I think the lessons that we learned from the APAC case has helped me greatly as I review this. I find it to be a great response for any kind of issues or problems that might come up. I can only answer the legal part, I have to leave the construction issues up to Mark (Superintendent Davidson), and otherwise I think it's fine. That's all I have."

CITY CLERK: Update

General: City Hall Staff have been busy with customers paying utility bills, work, preparing work orders, vouchers for bill paying, payroll, and council meeting minutes. City Clerk Kewley, "For June's delinquent utility we will be sending \$630.94 to the Kansas setoff program. I participated in the Police Officer interview on June 24th. I also went to the same meetings that Jimmy (Zoning Clerk Hugunin) did so I won't get into detail on those. The LEPC meeting was really good, like he said they talked about the critique of the flood and all the agencies worked really well together. We did look at the pros and the cons and, overall we feel like we did a great job with it."

Budget 2020 City Clerk Kewley, "I've also been working a lot on the budget. I've been working with the superintendents on their expenditures for 2020, which now we will be looking at some more with the fogger. I handed out the second quarter financials for 2019, they are in front of you, and if you have any questions just come visit with me. I would be happy to sit down and go over it with you. With the budget almost getting done we have scheduled a finance meeting for July 22nd at 10:00a.m."

(Continued)

[9] CONTINUATION: July 17, 2019 Burlington City Council Regular Session

League Of Kansas Municipalities: City Clerk Kewley, “It’s that time again for the annual League Conference. This year it is in Overland Park Convention Center at the Sheraton Hotel and it’s October 12 through the 14. I did reserve rooms early because they go quick right there at the Convention Center. So, if you are interested in going this year, please let me know. I did get four rooms reserved. Also, I wanted to remind everyone that the City is hosting, through the League, a KOMA and KORA (Kansas Open Meetings Act and Kansas Open Records Act) class on Friday August 16th from 10:00 a.m. - 2:00 p.m. The registration deadline is August 13. I would encourage Governing Body members to attend if they could, if they are around that day because we are hosting it through the League. It is open to superintendents as well. We also will be hosting through the League, regional suppers and that will be Thursday, November 14. So, that would be coming up a couple months after that.”

REPORT BY CITY OFFICERS:

None.

MAYOR: Executive Session to Begin Negotiations to Acquire Real Property

Mayor Luke stated, “I would like to enter into an Executive Session Pursuant to K.S.A. 75-4319b6 for the preliminary discussion relating to the Acquisition of Real Property, for twenty minutes; to include the Governing Body, City Clerk, and City Attorney.”

Council Member Lenard made the motion to enter into an Executive Session Pursuant to K.S.A. 75-4319b6 for the preliminary discussion relating to the Acquisition of Real Property, for twenty minutes; to include the Governing Body, City Clerk, and City Attorney. Council Member Hall, “Second.” Motion unanimously carried, 6:0.

Council entered Executive Session at 7:04 p.m. and exited at 7:24 p.m. No action was taken.

MAYOR’S COMMENT(S):

None.

FUTURE AGENDA ITEMS:

GENERAL: City Debt - How to fund projects Expense Tracking on Projects LKM KOMA/KORA Class (Host in August 2019) LKM Regional Supper (Host in November 2019) Election 2019 – Mayor and Council All Wards, Position 1 Budget 2020	GAAP - Infrastructure Capitalization City/County Grant Funds – Discussion on Matched Funding Council Discussions on Evaluations, Succession Planning, etc. Flooding 5-2019 – Updates City Hall Location Updates Negotiations for Real Property
ELECTRIC DEPARTMENT: Power Plant - Additional Generation	<i>R.I.C.E. N.E.S.H.A.P. Compliance</i>
PARKS DEPARTMENT: 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
LEGAL DEPARTMENT: 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
PLANNING AND ZONING 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 th (Theda Darnell Property) – Demolition-Hire Contractor Addition Nuisance Structures for Possible Condemn/Demolish
POLICE DEPARTMENT Nuisances (Work with Zoning Clerk) Voice Stress Analyzer Project	Department Activities and Cases
STREET DEPARTMENT: Concrete St. Repairs/Free State Ct. Replacement/Repair Excess Hot-Mix from APAC Litigation/Redo S 3 rd 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 th & Alleghany Project Street Improvements 2019 Asphalt Project
WATER & WASTEWATER DEPARTMENT: Sensus Water Meter Replacement Fire Hydrant – 3 rd & Neosho Storage Building for Dirt -Construction Flooding	Sewer Lagoons - Analysis (KRWA/funds for dredging) Sewer Lagoon Maintenance/Updates 6 th 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