



**[2] CONTINUATION: December 2, 2020 Burlington City Council Regular Session**

Attorney Wright, "I think that would be reasonable. I know that there has been a lot of concern expressed by people in the community about getting that thing cleaned up. I think it just brings ...it is not a positive symbol at this point over there. I think that that is not a lot of time but enough that they could keep moving. At least to make some kind of progress. Even if it comes in January and they have filed determination and are just waiting, then they have done something at that point. That would be cause to give them some more time. We can do that by resolution if need be in February."

Council Member Scothorn, "Can we make it sooner? Is five weeks our minimum?" Attorney Wright, "That's rough. So, it is all a timing issue when you probate a case because you have to publish it in the paper. It all depends on... I don't know when the Republican publishes down here and what the deadline is. In my experience is that sometimes you get the orders ready to go on a Thursday but you had to have the publication in on Wednesday by noon in order to publish by the next Thursday. Five weeks is generally--." Council Member Scothorn, "What we have to run in the paper, does that run concurrently with the five weeks or is that afterword?" Attorney Wright, "Well that is only three weeks in the paper, and I just added a couple weeks because of the timing to get it into the paper. That is really pushing it to get it done in five weeks but reasonable." Mayor Luke, "We would also need to put it out for bids." Attorney Wright, "As far as the demolition procedure of finding somebody, I don't know. You guys would have a better idea, because you have been involved in that before, of how long that would take."

Council Member Lenard, "Let me ask this, if we go ahead and proceed, can we put in the request that the bids are good for 60 to 90 days and we will run some of this in a parallel path. So, if we don't see that movement, then we can go ahead; if the bids are still good, then we can continue. This has happened before where the weather hits and then it gets drug and drug. If we can run a parallel path and we can get our bids that are good for 60 to 90 days, then whenever we decide to pull the trigger, we can go ahead with it." Attorney Wright, "That sounds good. I think that would be ideal. It is really do these guys want to hold their bids open for that long? I don't know the contractors down here." Council Member Lenard, "It will be weather dependent anyway." Mayor Luke, "Right, that would be in the bid itself."

***Close Hearing: Council Member Tschantz, "I move to close the Public Hearing." Council Member Jasper, "I second the motion." Hearing no discussion on the motion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.***

***Council Member Lenard, "I move to approve Resolution 2020-06, Declaring Structure(s) at 216 Hudson Street to be Condemned and Demolished, and the bid process to begin for the demolition and cleanup of the property and all bids to be submitted no later than 10:00 a.m. on February 1, 2021, and bid opening to begin at that time, at Burlington City Hall." Council Member Tschantz, "I second the motion."***

Council Member Scothorn, "Can it go sooner?" Council Member Jasper, "You can..." Council Member Curtiss, "Did you want to have those bids to open for 60 days?" Council Member Lenard, "You would put that in the bid itself." Council Member Jasper, "So, we have a meeting on December 16<sup>th</sup> then we have January 6<sup>th</sup> and 20<sup>th</sup>. February 3<sup>rd</sup> would be the next meeting." Mayor Luke, "Yes, and the first is on a Monday." Council Member Scothorn, "Can we do January the 18<sup>th</sup>, then we would know it on the 20<sup>th</sup>?" Council Member Curtiss, "Is that five weeks?" Council Member Scothorn, "Six and a half weeks."

Attorney Wright, "If I might, I would err on the side of giving them more time. To be perfectly honest with you if they can do this, it is going to cost the City a lot less money. I would give them ample time while trying to keep the pressure on them to get it done. I would err on giving them a little bit more time than less time. The other thing I want to clarify too is that there are actually two draft resolutions in your packet. We didn't know if anybody was going to appear tonight or not, but nobody did. So, we would be referring, as far as the resolution, to the one that says that they did not appear. I just wanted to make sure that everybody was aware of that." Council Member Lenard, "So, are you okay with February 1<sup>st</sup>?" Attorney Wright, "I would be much more comfortable with February 1<sup>st</sup> than something before that. There is a meeting on the 3<sup>rd</sup> anyway; at that point you can make a decision on what to do." **Hearing no discussion on the motion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.**

Mayor Luke, "Do we need to notify the attorney or will you?" Attorney Wright, "I'm going to be in contact with Mr. Kauffman, so I will let him know. I also told Mike Powell that I would let him know kind of what was going on. I think the more I do, the more it is going to kind of make them do something. I'll maintain contact."

**PUBLIC COMMENTS:**

None.

**ELECTRIC DEPARTMENT: DISTRIBUTION Update**

***General:*** Electric personnel have been doing many line locates, customer service requests, tree trimming, shop maintenance, preventative line maintenance, and vehicle and equipment maintenance.

***Christmas Lights/Decorations:*** Superintendent Schneider, "We did assist the Parks Department Monday by taking down the Veterans banners. Then we put the Christmas lights up. Tuesday morning, we turned the lights on the downtown buildings on. We ran out of time Monday."

**[3] CONTINUATION: December 2, 2020 Burlington City Council Regular Session**

**Outage:** Superintendent Schneider, “The outage that we worked yesterday was about seven minutes, roughly. It affected all of our customers in town out of the power plant substation, --same old thing. A squirrel got into the grid structure, which caused the tiebreaker to trip. Luckily it was before noon, so everyone was there. The crews were coming in to finish up before lunch, so everyone was coming in at the same time. We were able to get the squirrel out of there and inspected for damage in the structure. We were able to get that reenergized fairly quickly.”

**ELECTRIC DEPARTMENT: PRODUCTION Update**

**General:** Power personnel have been performing normal power plant and equipment maintenance, over current relay maintenance, plant reports, and substation maintenance.

**Routine Maintenance:** Superintendent Schneider, “They are cleaning and painting. Also, dusting generator windings to keep dust out of them.”

**Permits:** Superintendent Schneider, “I did submit our bulk fuel storage permits to KDHE for 2021. That is ready to go.”

**Christmas Lights/Decorations:** Superintendent Schneider, “I worked with Kansas Power Pool SCADA people yesterday. The fiber link between the two substations, one of the servers was down and not communicating metering data. To save them a trip from coming out to look at it from Wichita, I went down to the industrial park substation and did some troubleshooting on the server.”

**QUESTIONS/COMMENTS:**

Mayor Luke, “I got a phone call about the corner of Neosho and 4<sup>th</sup> Street. That candle or whatever Christmas decoration is there did not light up.”

**WATER AND WASTEWATER: Distribution Update**

**General:** Personnel have been doing the normal duties: line locates, work orders, reading meters, meter rereads, maintenance on trucks and equipment, customer call-outs, and concerns.

**Water Leak (s):** Superintendent Hawkins, “We have had our fair share of water leaks. We had a water leak at 3<sup>rd</sup> and Miami, 6<sup>th</sup> and Cumberland, 11<sup>th</sup> and Cumberland, and a couple at 13<sup>th</sup> and Neosho. Tony Kimmi with Kansas Rural Water did come down to try to help us find a leak by the Rec Center. He located what he thought it was. We went up today, we dug it, and it was a dry hole. We are not going to give up on it. We will try again tomorrow, weather dependent, we will do spotting around some gas lines. That is why we will use the shop vac that we have so we don’t get into the utilities. But we are going to continue to keep pressing forward to see if we can find where or what it is that is going on up there.”

**AMI Radio Issue:** Superintendent Hawkins, “Sensus did come in and they did get all of the radios reinstalled at no expense to the City.”

**9th- 12th of Alleghany Waterline Project:** Superintendent Hawkins, “We did get our bacteriological samplings passed on Alleghany street. We will be starting services over there for the customers.”

**Water Service:** Superintendent Hawkins, “We are still installing water service on Jarboe and Kennedy for the two new houses going up over there.”

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

Superintendent Hawkins, “The plant is still running well.”

**Water Service:** Superintendent Hawkins, “We are doing maintenance on filter #4, inside the filter itself. We are doing inspections, cleaning, and working on it.”

**STREET DEPARTMENT: Update**

**General:** Superintendent Davidson, “We have been doing our normal duties. We have been doing truck and equipment maintenance, cleaning leaves out of catch boxes, cleaning ditches, sweeping curb and gutter, blading and rocking alleys, and servicing equipment.”

**Culvert Installation:** Superintendent Davidson, “We installed two new drive culverts on Jarboe for the two new houses.”

**Kennebec Bridge Project:** Superintendent Davidson, “Atmos has removed the gas line off of the Bowman Bridge. They had started that last week and finished it Monday. I did notice a line locate for Kennebec. Seahawk will be starting to place signs for the bridge project, probably Monday. We will borrow a couple of barricades from the County and do some road blocking in and around the neighborhood just to warn people. We will send notices to the Fire Department, schools, and EMS about the road closures.”

**[4] CONTINUATION: December 2, 2020 Burlington City Council Regular Session**

**2021 Street Improvements:** Superintendent Davidson, “In your packets you have the 2021 Street Projects. If you want to look those over and then if there is anything else you would like to add or delete, please get in contact with me.”

**POLICE DEPARTMENT: Update**

**Cases:** City Clerk Brown, “There was an unattended death on Wednesday the 25<sup>th</sup>. They arrested an adult male for possession of meth and other charges. A high school student called in his pickup as stolen from the BHS parking lot; it turned out that his parents had picked it up with a trailer and hid it. The vehicle was not registered or insured, and the kid had been instructed not to drive it.”

**Academy Training: KLETC (Kansas Law Enforcement Training Center):** City Clerk Brown, “Officer Rachel Hale returned to KLETC after the Thanksgiving Break. She should have three weeks of training until Christmas break. Assuming things don’t go bad again, she will go back to KLETC.”

**Animal Shelter – Incident:** City Clerk Brown, “Officer Kyle Black went to take care of the dogs at the shelter Saturday (21<sup>st</sup>) morning. He wound up breaking up a dog fight and got bit. He went to the clinic, he did need some stitches, but he is okay. He turned in his report and he is back at work.”

**City Court:** City Clerk Brown, “City Court is scheduled for Thursday, December 10 beginning at 4:30p.m.”

**QUESTIONS/COMMENTS:**

Council Member Scothorn, “Any idea why the overtime is up? I know it’s not your job.” City Clerk Brown, “With all of the cross -training and everything else going on, we have not had time to do those reports. I’m sorry about that.” Council Member Scothorn, “No, that’s alright.”

**PARKS DEPARTMENT: Update**

**Thank you’s:** Superintendent Boyce, “First, I would like to thank Jimmy and the Electric Department for helping out with the banners (taking down Veterans banners).”

**General:** Superintendent Boyce, “We have been cleaning public restrooms and buildings. We have been doing building and equipment maintenance, mulching tree leaves in Kelley Park, and trimming trees and bushes in multiple parks.”

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

Superintendent Boyce, “I have been working with B&B Bridge Company. The little project we were waiting on, which most of you have probably been down and have seen it, but they have poured the first section of the wall. They went ahead and tied that all in. Today in our conversation, if they charge us for it, it will be for additional concrete, which will not be very much.

“What I handed out, we can act on that tonight or we can wait until the next meeting, possibly by the next meeting they could be waiting on our decision. This was all discovered yesterday, and they got the numbers to me right before I came here. If you go to the second page, I highlighted what we are talking about. From the stairs down, underneath the stairs, the engineering firm just had that designed as just being dirt underneath there. If you flip to the last page, where I highlighted there, it shows the dirt and the slope which is out in the flow of the river. So, if we had flooding conditions like we did in 2019 or even less than what we had, there will be water up in that area. If it washes the dirt out from under those stairs, then there will be nothing supporting the stairs. So, B&B Bridge Company is proposing that we bring concrete all the way down to the ground with drainage holes in there so if water gets in it, it will still drain out when the water goes down. There will still be dirt sloped on the outside of that wall. If the dirt does wash away, the stairs are still supported.”

Council Member Curtiss, “So, all the yellow, that is concrete?” Superintendent Boyce, “On the last page, that is dirt. It goes all the way through underneath those stairs. It is dirt right now. What they are proposing is changing that to where underneath the stairs, there will be a concrete wall all the way down, both sides of the stairs. That will be filled with aggregate, so it will drain if water does get in there.” Council Member Jasper, “So, basically two stem walls.” Superintendent Boyce, “Yes. In the long run, this will save us money if that did happen.” Council Member Jasper, “That is still under budget for what you originally budgeted.” Superintendent Boyce, “Yes, the engineer, I believe, estimated around \$54,000.00 for stuff like this.” Mayor Luke, “What is the governing body’s pleasure?” Council Member Scothorn, “I’d say go ahead and approve it.” Council Member Jasper, “I think when you do something like this, you do it right once. “Council Member Curtiss, “Right.”

Superintendent Boyce, “The bridge company knowing the river, that is how they caught it. The engineer does not really know this river. They knew how high the water got in 2019 because they are from Saint Paul. They are downstream.” Mayor Luke, “Would you classify this as change order one or to be added?” Council Member Tschantz, “Change order.” Superintendent Boyce, “Added because there is already going to be what little difference with concrete that they already poured up where the chain-link area is.” City Clerk Brown, “So, this would be change order two.” Mayor Luke, “Then this will be change order two.” Superintendent Boyce, “Okay.”

**[5] CONTINUATION: December 2, 2020 Burlington City Council Regular Session**

Council Member Lenard, "I move to approve change order #2 with B&B Bridge Company for the total of \$18,584.12 for the support of the sidewalls on the south end of the retaining wall." Council Member Scothorn, "I second the motion." Hearing no discussion on the motion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

**FINANCE: Claims Ordinance & Payroll Ordinance**

a. Claims Ordinance	2020-22	\$	<u>88,255.16</u>
b. Payroll Ordinance	2020-24	\$	<u>87,146.98</u>
	TOTAL	\$	175,402.14

**CLAIMS 2020-22:** Council Member Tschantz moved to approve City of Burlington Claims Ordinance 2020-22 for the amount of \$88,255.16 for payment of city bills. Council Member Hall gave the second. Hearing no additional discussion, Mayor Luke instructed City Clerk Anne Brown to poll Council. All votes were in favor. Mayor Luke declared, "Claims Ordinance 2020-22 passed unanimously, 6:0."

**PAYROLL 2020-24:** Council Member Hall moved to approve City of Burlington Payroll Ordinance 2020-24 in the amount of \$87,146.98, as presented. Council Member Hall gave the second. Hearing no discussion, Mayor Luke instructed City Clerk Anne Brown to poll Council for a vote. All votes were in favor. Mayor Luke declared, "Payroll Ordinance 2020-24 passed unanimously, 6:0."

**PLANNING & ZONING: Update**

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

**Radio Antenna:** Zoning Clerk Hugunin, "Yesterday, the new antenna and repeater were installed. They got it up and running. I think that they radioed Richard (Foreman Mason) a few times to make sure it was working. That will cover all of the radios in the trucks and the handhelds; they should work fine now in town."

**CARES/SPARKS Program:** Zoning Clerk Hugunin, "The last thing we had from the taskforce COVID money we got was the automatic door openers. Those have been ordered."

**Goals& Accomplishments:** Zoning Clerk Hugunin, "I have been working on accomplishments and goals."

**City Hall Business Sign:** Zoning Clerk Hugunin, "I think I have the sign figured out somewhat."

**Banners:** Zoning Clerk Hugunin, "Like Kevin said, I helped the Parks Department with the banners."

**OTHER COMMITTEE OR COUNCIL BUSINESS:**

**LEGAL DEPARTMENT: Update**

City Attorney Wright, "I already gave you an update with the Hudson Street property. I've spent a little bit of time getting ready for municipal court. I've also spent a little bit of time kind of monitoring some COVID related HR issues, which was a conversation with Anne regarding some of those issues. Also, I did a little bit of research regarding Governor Kelley's orders on the mask ordinance. I had an issue with the City of Leroy and municipal court regarding a Leroy police officer of whether or not they should charge someone with something. That is about it."

**ORDINANCE:**

**RESOLUTION:**

**CITY CLERK: Update**

**General:** City Hall Staff have been busy with customers paying utility bills, many calls and inquiries, preparing work orders, vouchers for bill paying, payroll, and council meeting minutes. For November, we will be sending \$1,281.39 in delinquent utility accounts to the Kansas Set-Off program for collections.

**2021 Budget:** City Clerk Brown, "I am preparing to enter the 2021 budget figures into the line items."

**Sales Tax Report:** City Clerk Brown, "I worked on the revenue reports for the electric, water and sewer, and the sales tax report."

**Goals & Accomplishments:** City Clerk Brown, "I worked on goals and accomplishments."

**[6] CONTINUATION: December 2, 2020 Burlington City Council Regular Session**

**REPORT BY CITY OFFICERS:**

**MT Networks- Antenna:** Council Member Jasper, “Over the last month, I have been talking with Rob from MT Wireless in regards to our south water tower. They want to put an attachment in so they can provide wireless internet to the south end of town instead of putting infrastructure in through underground. He provided a contract that they had agreed on with the City of New Strawn which I did turn over to Anne. I just talked to him a little bit ago, and he wants to get put onto the Agenda for the next meeting; his board approved him. He doesn’t think that he will get any equipment in January through his vendor. But he is going to come ask our permission at our next meeting. There is an amount on the attachment and everything in the contract. I just let Anne distribute out the contract so everybody can look at it for the next couple of weeks.” City Clerk Brown, “I did send him an email earlier, too, and I didn’t hear any response back from him.” Council Member Jasper, “He is on vacation this week. So, he just got word back from his board to go ahead and move ahead. He is going to show up at the next meeting. We will see if we have an answer for him then or not, but he is going to ask for that just to give the Council a heads up.”

Mayor Luke, “Mary, make sure that is on the next meeting.” City Clerk Brown, “Do you want us to email that out?” Council Member Jasper, “That’s fine, however everybody wants to receive it.” Mayor Luke, “How long is it?” City Clerk Brown, “The one from New Strawn was pretty long. We had a shorter one with Farmer’s State Bank that we have had for quite some time that was pretty short. I could send both of them.” Attorney Wright, “If I might, let’s not email it to everybody because that will create a public meeting.” City Clerk Brown, “Okay.” Attorney Wright, “If you did it one at a time, that would be fine. If she emails everybody that creates a public meeting.” Council Member Lenard, “If you use blind copy, does that satisfy that Phil?” Attorney Wright, “I would say you’re probably better off doing it one at a time.”

**2021 Street Improvements:** Council Member Lenard, “I was going to ask, once again commendable on the streets here, Mark. But I see in here we have some last rehabs in 1996 and 1970, are those numbers correct?” Superintendent Davidson, “Yes.” Council Member Lenard, “Those have really held up well.” Council Member Jasper, “Well, 1996 would be the concrete project for Heather Street, right?” Council Member Lenard, “Yes, but then we have a paving from 1970. Most of these are designed to go five to seven years, correct?” Superintendent Davidson, “Most generally, yes.” Council Member Lenard, “So, this is really good.”

**MAYOR’S COMMENTS:**

**FUTURE AGENDA ITEMS:**

<b>GENERAL:</b> City Debt - How to fund projects Expense Tracking on Projects Budget 2021 Flooding 5-2019 – Updates	GAAP - Infrastructure Capitalization City/County Grant Funds – Discussion on Matched Funding Council Discussions on Evaluations, Succession Planning, etc. Plan Council Work Session
<b>ELECTRIC DEPARTMENT:</b> Power Plant - Additional Generation	<i>RICE NESHAP 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.
<b>PLANNING AND ZONING</b> Work with Advantage Computers and City Departments to improve Cyber Security Nuisance Structure & Properties: Work with PD FIRM Floodplain Map Changes – Updates Burlington Corporate Boundary Updates on Map (Work with State)	Quarterly Construction Valuation Report Prepare Easements for any City-owned property without one Addition Nuisance Structures for Possible Condemn/Demolish Permits - Building/Zoning/etc.
<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 Pavement Management System/Asset Management System	Street improvement Plan, Paving Gravel Streets, Crack Filling, Street Improvements 2020 6 <sup>th</sup> & Alleghany Project Street Improvements 2020 Asphalt Project
<b>WATER &amp; WASTEWATER DEPARTMENT:</b> Sewer Lagoon Maintenance/	Sensus Water Meter Replacement Updates Storage Building for Dirt -Construction Sewer Lagoons - Analysis (KRWA/funds for dredging) Sewer Liftstations –Flushing Rags, etc.

Mayor Luke declared the meeting adjourned.

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