

**BURLINGTON CITY COUNCIL REGULAR SESSION 2-5-2020**

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, February 5, 2020. Mayor Stan Luke called the meeting to order.

**The Pledge of Allegiance**

**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:** Norman Bowers, Arden Payer, Jonathon Hess, Vickie Wolford, Becky Richwine, Paul Abendroth, Jay Hale

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

**MINUTES 1/15/2020:** *Council Member Tschantz “I move to approve the draft minutes of January 15, 2020 as presented.” Council Member Hall, “Second.” Motion unanimously carried, 5:0.*

**APPOINTMENT: Arden Payer – Fence at Kelley Park**

Arden Payer, “Thank you for seeing us tonight. I am here tonight to represent the Coffey County Fair Board. We would like to put a fence that goes from the chicken barn diagonally down across the yard. It’s 671 feet. During the Fair we put in a snow fence and that does not work. Knives take care of it really quick. We cannot keep it up. The reason we would like to have this fence is for security for some of our night programs. Also, it will benefit the Saddle Club a little bit. We know they won’t be able to help too much with it. It could help the City as far as flood control on that end. I’m just throwing that in. I’ve got some copies here of what we have got. We have a problem of people sneaking in to a lot of our events. The first step we did was talk to Kevin (Superintendent Boyce), the Fair Board, and the Saddle Club to make sure this was something that we could do. I’ve talked to Kevin a couple three times. Denny Noonan from the Saddle Club didn’t have a problem with it. The next thing we did was go out to get bids. Just to see what it would cost to put 671 feet of fence in. We are going to put in a gate by the chicken barn. Then we are going to put a 26 foot gate halfway between where the City put in a water hydrant. Another 26 foot gate halfway between the hydrant and the road. They are going to be two 13 foot slider gates to make the 26 foot. Then across the road we are going to put a 26 foot gate. Hopefully, that will help a little bit with security down there as far as us trying to make money. Fair Board does not make a lot of money, we rely a lot on sponsorships. We are trying to get some good programs down there, \$10.00 goes a long way with us.

“The next step is that I wanted to come here. I asked Kevin if it would be appropriate for me to come and present it to you guys, the Council. Before I go any farther, if it doesn’t get passed here then I won’t go anywhere else. I have three bids. The first bid is from Midland Fence Co. out of Emporia (\$14,383.87). Then Jonathon Hess, he helped me with it, and the president of the Fair Board Vickie Wolford, who is here tonight too. Davis Fencing came in at \$29,000.00 and Kent Fencing came in at \$32,895.00. That quote you see has sales tax included in it and we are tax exempt then it will drop it down to below the \$14,000.00.

“We have a four foot gate behind the chicken barn. Right by the hydrant, we will be putting another four foot gate in there so we have access to the hydrant. Then there will be the three 26 foot - 13 foot sliders.” Council Member Tschantz, “Is this behind the chicken barn going north?” Mayor Luke, “No, south.” Arden Payer, “Actually going from the south side of the chicken barn, it’s going south.” Vickie Wolford, “South East.” Mayor Luke, “And the gate across the road way would be open all the time, except when you’re having events?” Arden Payer, “Yes. The other gates can be open all the time except when we are having events.” Council Member Jasper, “That’s on the west side of the gravel road?” Arden Payer, “Yes. Well no on the East. Actually, which gravel road are you talking about?” Mayor Luke, “The one that goes down by the camping areas?” Arden Payer, “Okay, it will be on the west side. It would be on the east side of the one that rounds the arena.” Council Member Jasper, “Is this going to affect the campers coming in and trying to back their camper up?”

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Arden Payer, "Once they are pulled backwards it shouldn't. The far end one which is not used that often; they still have probably 70ft to 80ft to get it in there. There is plenty of turning room plus we are going to have that 26 foot slider gate so if they needed to pull through it then they could, then back it in. Up on this end they have to go through the ditch anyway to back in and most of them are side camping spots."

Council Member Curtiss, "So would the gates be open unless you have some kind of activity going on?" Arden Payer, "Yes." Superintendent Boyce, "Probably in the grass area the gates will be closed during the fair. Across the gravel road, unless they have an event going on, they will be open. The gate across the road would be the east-west road against the hedge row, along Sowder's property." Council Member Curtiss, "Okay, thank you." Mayor Luke, "Does that impact anything when you do fireworks?" Superintendent Boyce, "No. The main line of fireworks will be to the east of it. Then where it turns, they run some to the east and west, we would probably line that up through one of the gates."

Council Member Curtiss, "This wouldn't do anything about Rec Ball, right?" Mayor Luke, "No. it's not on their side at all." Arden Payer, "If you remember about two years ago we had one of our big horse teams that got a little wild and went running down that way, they would not have stopped if they hadn't hit those pickups. Come to find out they were more than on water. It would help us tremendously. I realize we only have fair for five days but this is one of those things that we don't have to put up every year. We put the snow fence up probably four or five times during the fair because that's how many times it gets pulled down. Our fair board is not that big that we can just walk around and police the grounds. Hopefully we make enough and bring a good act in here. We don't have anything Friday and night we do not have anything coming in. We are going to have the big draft horse on Wednesday night and on Saturday night will be our demo derby. That's still under discussion exactly how that is going to be run. Thursday and Friday night we are still kind of open but we haven't signed a contract. The other question I have, since our Fair Board is on redistricted funds, is a little bit of help from the City would help us out a lot as far as the financing of it. That's all I have."

Mayor Luke, "That last piece we will have to discuss." Arden Payer, "I knew that was going to happen." Council Member Jasper, "So, once it becomes for the fair board it makes it tax exempt?" Arden Payer, "Yes, we are tax exempt. The reason I went ahead and had him put that in there was because I wasn't sure and I didn't have the tax number up there, so we figured it in so we would be on top." Council Member Curtiss, "So, you're saying it would be about \$14,000.00?" Arden Payer, "The sales tax was a little over \$800.00, so it would be under that." Council Member Curtiss, "Oh, so \$13,500.00." Council Member Lenard, "The other two had tax in them as well?" Arden Payer, "Yes." Council Member Lenard, "So, looking at these, it is the same specifications for all three?" Arden Payer, "Yes." Council Member Lenard, "Okay." Arden Payer, "I didn't mention that we are going with nine gauge wire and 40 gauge steel pipe posts. They will be cemented in the ground." Council Member Jasper, "Utilities?" Superintendent Hawkins, "We should be good." Superintendent Schneider, "We will have to look at one line that feeds the river, we have one primary line that runs down there." Council Member Curtiss, "You are okay with this Kevin?" Superintendent Boyce, "It will not affect us. We mow it with the small mower anyway. When I was approached about it, I thought as long as everyone that uses that area is in agreeance with it then I will support it. I double checked with the Saddle Club today and they don't have an issue with it." Mayor Luke, "And we talked with the Rec Department the other day at our meeting." Council Member Jasper, "Good. Going forward through the years if the City wanted to do something different, not take anything away of course, but wanted to add something down there with the Rec Center or the Fair Board, my concern is the fence will hinder that. It's up the Governing Body though." Mayor Luke, "Are you looking for an acceptance motion from us?" Arden Payer, "I have Fair Board coming up on the 19<sup>th</sup> and I won't present it to them if we don't get it approved here."

**Council Member Lenard, "I move to approve the Fair Board's request for proceeding with the fence."  
Council Member Hall, "I second the motion."**

Council Member Lenard, "We will have to leave it at that and talk about the finances later." Mayor Luke, "When are you looking at doing this? Before this year's fair?" Arden Payer, "Yes. Right now, we will be going with Midland Fence, they are up here at the ball field and he said that it could be in before the Fair. He is waiting for warmer weather and I asked him to do it when it was dryer because Kevin does not like ruts. He said he would schedule it in when he is in the area." Council Member Jasper, "Going forward if everything gets approved and the fence is installed, if something is damaged, who is going to pay for it, you or are we 50/50?" Arden Payer, "I visited with Kevin and that's something I need to bring up here, the insurance on it. It is going to be sitting on City property and I don't know how that works." City Clerk Kewley, "We would have to get with our insurance company and talk with them." Arden Payer, "We have insurance also that covers all of our buildings and I would think that they could just add it on through the policy but why double insure." City Clerk Kewley, "Who do you have your insurance through?" Arden Payer, "Trustpoint." **Hearing no further discussion, Mayor Luke called for a vote. Motion carried, 5:0.**

Council Member Lenard, "One other thing, Do you have an estimate or ballpark of what you are looking for in assistance financially?" Arden Payer, "Any little bit helps us. We are planning on going out and trying to get some finances for us. It's a hard question to answer, we can use all the help we can get but I think it will be a benefit to us in the long run so I'll find the funds somewhere."

**APPOINTMENT: Norman Bowers – Bowers Civil Engineering – Street Conditions Report**

Norman Bowers presented his street condition report.

**Burlington Street Study Update**

by  
Norm Bowers  
February 4, 2020



How many miles of street in Burlington?

34.6

**Pavement Classes (Type)**

For purpose of predicting needed maintenance streets are divided into classes or groupings that will generally perform the same.

Within reasonable limits streets in the same class will need the same maintenance at the same interval.

**Chip Seal with Overlay**



Since 2001 have been overlaying chip seal streets. One overlay does not give enough strength to be classified as hot mix

**Street Maintenance Plan**

- Keep the roof fixed so mold doesn't develop (in our case alligators).
- Maintain the good streets in good condition and use remaining funds to work on the worse streets.
- Add base and pavement structure to reduce long term maintenance costs.

**Street Work Plan**



**Priority 1:** Hot mix streets that need work.

**Priority 2:** Chip seal streets with overlay.

**Priority 3:** Chip seal streets that can be saved. (Don't need reconstruction)

**Priority 4:** Reconstruct poor chip seal streets.

We are nearing end of reconstruction of chip seal streets.

**Street Study Update  
2011 - 2020**

This is an update of presentations to city council in 2011, 2014 & 2018.

- Pavement Classes
- Review of street maintenance plan since 2011.
- Street Condition Update
- Changes in annual work plan

**Chip Seal Streets**



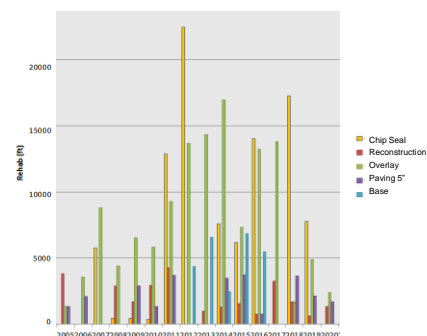
**Burlington Pavement Classes**

Pavement Classes
Concrete
Hot mix asphalt (4"+ thick)
Chip Seal w/2" overlay
Chip Seal over base
Chip seal
Rock

**Worst First?**

Why not work on the worst streets first?

- It costs about 10 times as much to reconstruct as performing routine maintenance. So while fixing one bad street 10 streets are neglected and will have to be reconstructed.
- So fixing the worst streets first results in the worst streets.
- Each year since 2011 there have been fewer streets in poor condition-so the plan worked.



Annual street work plan since 2011 has emphasized more overlays and base work.

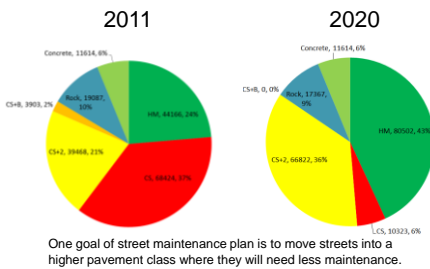
Maintenance Plan by Pavement Type

Pavement Type	Recommendations
Hot Mix 80,000 ft.	Overlay on 12 year cycle.
Chip seal + 2 67,000 ft.	Second overlay on an 8 year cycle then got to 12 year cycle.
Chip Seal 10,000	Chip seal on a 5 year cycle. Overlay if funds are available.

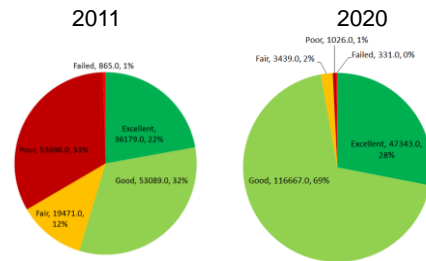
Burlington Pavement Classes

Pavement Class	2011 Length (Ft.)	2020 Length (Ft.)
Concrete	11,614	11,614.0
Hot mix asphalt (4" thick)	39,893	80,502
Chip Seal w/2" overlay	39,468	66,822
Chip Seal over base	3,903	0
Chip seal	68,424	10,323
Rock	19,087	17,367

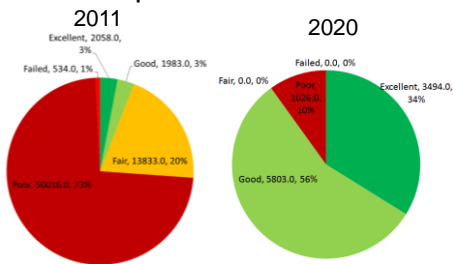
Street Type-Pavement Class



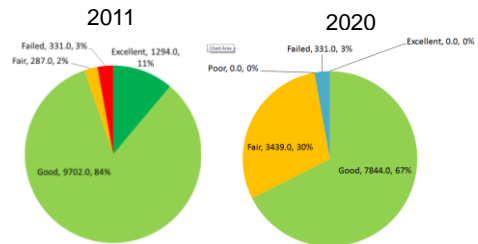
Condition of All Streets



Chip Seal Condition



Concrete Condition



Concrete streets are aging prematurely. Initial construction quality is the likely issue.

Concrete Streets are not aging well.



Heather was constructed in 1996 and has had issues for quite a number of years.

Concrete Streets are not aging well.



Burlingwood constructed in 1992 is only concrete street identified that has base or thickness issues.

Concrete Streets are not aging well.

Basically every concrete street has issues.

- Probable Causes
  - Poor concrete?
  - Limestone in concrete?
  - Water added at site?
  - Placing and vibrating?
  - Finishing?
  - Curing?
- KDOT has problems and they have better specs, better inspection and better mixing and placing equipment.
- KC Metro cities just gave up and started requiring granite in their concrete rather than limestone.

Observed Street Issues

- Concrete streets are huge liability and need to be converted to asphalt at the end of their useful life.
- Last reconstruction of chip seal streets is scheduled for 2020.

Questions?

Concrete Streets are not aging well.

City will be faced with reconstructing all concrete streets built since 1990's  
 Reconstruction of concrete streets to asphalt costs from \$200 to \$300 per foot.  
 11,600 ft. at \$250 = \$2,900,000  
 Fifteen year program \$200,000 per year plus inflation.

Note: Costs about \$100 per foot to reconstruct asphalt street.

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Council Member Curtiss, "Are all the streets at County Club Heights concrete?" Mayor Luke, "Yes." Council Member Jasper, "All the others, not Heather street, don't have any reinforcement. I believe Heather Street is the only one with reinforcement." Norman Bowers, "Some of those don't have much traffic on it and down towards the end doesn't have as much salt on it either, so they don't look that bad. Southwest of the High School has a lot of concrete out there too." Council Member Lenard, "So, basically if you take three million dollars and a 15 year program... I'm trying to figure out what's the formula of how we would plan out for that. Then what would we buy—maybe chip and seal over it or does that add to your net cost when you tear it out?" Norman Bowers, "I don't think it will add much to the cost to tear it out. What you'll get into from a political stand point is that people have a nice concrete street there and then when you start patching it, it starts looking ugly. I don't know if there is anything that you can put on top of the streets that's going to keep the concrete from deteriorating underneath. That is what you are up against. We use to overlay over bridge decks. What we found out was that the water goes through the overlay and then sits there on the bridge deck and deteriorates it. We don't do that anymore because we had a bunch of bridge decks rot out. That is probably what you would end up with having the concrete streets. It's hard to know. You are probably just going to have to patch as needed and get as much life out of them as you can. You kind of knew it was coming I think, probably not the scope of the issue. Don't build anymore more concrete would be my suggestion. You probably don't have the right aggregate to make that work anymore."

Council Member Jasper, "My understanding is that granite aggregate prices jumped significantly." Norman Bowers, "Right, and what has happened in the areas that require that is that they are only putting the curb down and then the pavements is asphalt. That stuff comes from Missouri someplace." Mayor Luke, "Will they need to take out the curbs when they take out concrete surface?" Norman Bowers, "That would be a hit and miss deal. Some of them were built different than others. If the curb is okay, just saw out 30 inches, but in some places the curb might have to come out, it depends on how bad it is deteriorating. I don't think the curb looked that bad on Heather Street." Superintendent Davidson, "We have about 70ft of gutter we are going to replace on Heather Street. The curb and gutter is in adequate shape." Norman Bowers, "Heather Street has a joint so it's not going to be too hard to tear the pavement out without tearing out the curb. Some of them aren't built that way." Mayor Luke, "All of them out there are."

Council Member Lenard, "So, is it cheaper to tear them all out and rebuild it then working around cutting it out." Norman Bowers, "Well, on that one you wouldn't be cutting it out" Mayor Luke, "Those are separate, they are just butted together." Norman Bowers, "Usually, if the curb is in good condition it would be cheaper just to cut it. They would have to just take that a project at a time. For one thing you are going to leave old curb in there." Council Member Jasper, "Our Street Department will just need to make the judgment call when the pavement gets torn out what parts of the curb needs torn out. You're saying 12 years on four inch hot mix before you need to look at repair." Norman Bowers, "Yeah, on this one I'd figure you go back with, what are you figuring Mark, 6 inches?" Superintendent Davidson, "Yes, the concrete was six so we will go back with six inches of hot mix." Norman Bowers, "Typically on hot mix on a street like this the first time the maintenance is needed, it's probably going to be longer than 12 years since its brand new, you would probably mill at the curbs and then overlay the street."

**PUBLIC COMMENTS:**

Jay Hale, "God's Store House is celebrating 15 years in April. That's a big deal to us. What we are hoping to do is have a party in town for the community and for our patrons. I have not talked to any of the Department Heads yet about this. What we want to do is use Eagle Park on the corner there across from the Court House. We would like to do this on April 25<sup>th</sup> and celebrate from noon to two. We wanted to do it earlier but I talked to Jim Hill and he is open until noon. Since he is our next door neighbor we are going to start at noon and go until two on that Saturday. We would like to, in the morning, block off those parking spaces right by Eagle Park and that building to the west of us, so people don't park there. Also to use that to rope it off for children and have some games out there on that east bound lane of Neosho Street. Again, I haven't talked to Doug or Mark or anyone about this yet. I wanted to get the temperature here first before moving forward on this."

Mayor Luke, "What about the parking on 6th street? Normally that's where the court house parks." Jay Hale, "Yes, I don't care if people park there. What we want to do is keep kids from getting run over on Neosho Street and get those cars out of there. I just wanted to see the temperature here on that and then I will start coordinating with Mark, Kevin, and Doug to get those things going." Council Member Curtiss, "Sounds good." Jay Hale, "I'll come back with more information once I have it." Mayor Luke, "Alright, I don't see any major issues but as you go forward we will see what we have." Jay Hale, "Alright, thank you."

**ELECTRIC DEPARTMENT: DISTRIBUTION Update**

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

**Vehicle and Equipment Maintenance:** Superintendent Schneider reported, "We have been washing and waxing our vehicles. We have also been cleaning and waxing the fiberglass booms on our trucks so they don't track electricity."

**Damage – Hail Storm:** Superintendent Schneider, "Back from the hail storm in August we had our shop doors damaged with hail and we finally had those installed a couple of weeks ago."

**Training:** Superintendent Schneider, "Cody Goracke and Austin Birk went to Garden City for the annual Underground/Overhead Metering School. They are out there for a couple of days and they will be heading back tomorrow."

**ELECTRIC DEPARTMENT: PRODUCTION Update**

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

**Generator Maintenance:** Superintendent Schneider, "Dee Francis and I came up to meet with the local CAT representative at City Hall. We spent some time making sure that transfer switch functioned properly because it was disabled. So before we put it into service we wanted to make sure everything checked out well. We came up with a needed maintenance list and schedule and the power plant personnel will exercise the generator. We will be changing the oil and fuel filters, mainly the fuel filters, pretty regularly for a little while. There is a lot of rust in that tank. We will get that filtered out and get that all back to normal there."

**Outage:** Superintendent Schneider, "I wanted to give you an update on power outage on January 29<sup>th</sup>. What happened was that we were getting ready to run a maintenance run on Generator #6. You have to match your 60 hertz cycles and your voltage to tie it to the grid. When they were adjusting the voltage to match up our tap changer on our 10mva transformer decided it wasn't going to stop it and it dumped. The two didn't like each other and the tie breaker tripped. It's a safety feature built in to protect the equipment and the personnel. We did an initial inspection and we could see where the problem was. We could see that we had a relay in there that had come apart for whatever reason. We put that together quickly and got the tap changer to go back to a normal operation. We watched it like a hawk to make sure it didn't take off on us again. We did have Mid-States Energy come in on Monday to verify that we repaired that correctly and there were no other issues to be concerned about. Everything checked out fine. That outage affected the power plant substation, which would be the people in the city here. The industrial park substation was unaffected."

**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.

**Sewer Lagoon RipRap:** Superintendent Hawkins, "I was in touch with Mike Schmidt again with the rock to see where we stood on that so we can get that going for the riprap with the sewer lagoons. He said the quarry has still not crushed any of the four inch rock yet. I am still at their mercy with that."

**Water Meter Replacement:** Superintendent Hawkins, "The department is still out moving and replacing water meters. We are doing that as weather permits."

**Maintenance:** Superintendent Hawkins, "We have been doing maintenance in house. We have been doing trucks and different things like that. The guys have also welded new racks on the new truck for the compressor and generator."

**Plumbers Committee:** Superintendent Hawkins, "We have been dealing with the plumbing committee and code enforcement around town. Hopefully, in the near future, working with Legal and the Plumbing Committee, we will be changing some ordinances to help tighten up and get that taken care of."

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

Superintendent Hawkins, "The plant has been running very well. We have been doing normal maintenance and also maintenance on the mixers."

**Kansas Department of Health and Environment:** Superintendent Hawkins, "I did receive a phone call from the Kansas Department of Health and Environment. Norman Foster and Chris Hammond went to a blue green algae bloom workshop that was in Topeka. What they are finding is that the blue green algae that is collecting in the reservoirs and the different streams there is what's called a cyanobacterial toxin. That is coming off of the blue green algae and what they are finding is that this toxin is very harmful to humans. The only way to capture it, treat it, and remove it is not through coagulation or polymers. What they are recommending is using carbon activated in the water. So, we have started feeding carbon because we are trying to be proactive. We have done a lot of research on the health effects of it for people. I contacted the committee to give them an update on what it is all about and I am still learning it myself. I don't understand it all exactly."

"One of the issues that we have is that we feed sodium permanganate in the river intake which helps us with zebra mussels control so we don't have zebra mussels that collects on the intake. The problem with that is when the sodium permanganate attacks this toxin in the water it actually lances it and causes it to be more harmful to humans. I called the EPA (Environmental Protection Agency) and KDHE and asked what they recommended."

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There are so many variables and things that are out there that they aren't going to tell you an exact approximation, they are just going to tell you based on concentration. With that being said, I started doing some research with it and we started feeding out 15mg per liter. It is just a proactive thing. If there is something there and the operators are obviously not going to be able to see a blue green algae toxin in the water. I am just telling you guys this if you see a cost or increase in chemicals at the plant, it's because we are feeding carbon. The State of Kansas is going to volunteer that we start testing for this toxin and then it's going to become mandatory in the future. I'm just trying to be proactive and make sure that we cover the public health of our suppliers. So, we are feeding carbon to try to offset that. As I learn more I will keep you posted."

**Plant Cleaning:** Superintendent Hawkins, "We did get the front of the plant cleaned."

**Riverbank Stabilization:** Superintendent Hawkins, "I am working with the permit for the river bank. During the flood it washed out a tremendous amount of bank next to the water treatment plant. In fact, the new fence that we just installed on the south end, the end of the fence is hanging out in the air. Mary (Administrative Assistant) gave me some information for the permit so I am trying to get it to El Dorado so we can get the permit in. Also, I would like Heather Street concrete from Mark (Superintendent Davidson) for the riverbank."

**WATER AND WASTEWATER: Generator Bids**

Superintendent Hawkins, "I have the generator bids. I'm learning, still learning, but I've been trying to research and do my due diligence and looking at each one of them. If any of you have a question as to why I came to the conclusion that I did, I can give you the same presentation that I gave to the committee, if you would like. I feel that what I found out based on maintenance, fuel consumption cost, and everything. I was pleased that the numbers did stay down, so competitive bidding did get numbers down below what we actually anticipated from the very beginning. My recommendation would be to go with CAT with the 175kw for \$61,467.91."

***Council Member Jasper, "I move to accept the bids presented for the generator for the Water/Wastewater Department as bone fide." Council Member Lenard, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion carried, 5:0.***

***Council Member Jasper, "I move to accept the bid from CAT for the generator for the Water/Wastewater Department, for the total bid of \$61,467.91, as being in the best interest of the City." Council Member Tschantz, "I second the motion."***

Council Member Lenard, "Just so I'm clear on this, Foley is from Topeka. Where are the other two at?" Superintendent Hawkins, "Gennerac is out of Lee Summit, Mo, a little over two hours away. Cummins Sales and Services is out of Wichita, also two hours away. Both places are roughly 115 miles away from us." Council Member Jasper, "I would like to add to that, CAT's maintenance guy is out of Carbondale" Superintendent Hawkins, "57 miles." Council Member Jasper, "He already has CAT generators in this area and throughout the county. He is through here all the time." Mayor Luke, "We have two at the City, one at the power plant and then one here." Council Member Lenard, "So, is there any common --." Superintendent Hawkins, "There are commonalities that we had with it. We had to take into consideration with run times, power, fuel, warranties, everything else. I'd be happy to go over everything if you would like." Council Member Lenard, "I get it. Many people will see that price on the surface and not think about those other things included." Superintendent Hawkins, "Exactly." **Hearing no further discussion, Mayor Luke called for a vote. Motion carried, 5:0.**

Council Member Jasper "We are looking at 14 to 16 weeks and the bid is good until the 27<sup>th</sup>, correct?" Superintendent Hawkins, "That is correct." Council Member Jasper, "I want to make another motion to allow the mayor to go to the county to see if they want to put skin in the game because this is county wide. We supply to LeRoy. This is a safety issue. If LeRoy has a fire and we have a power outage here, due to a storm or anything, we would still be able to supply them with water."

***Council Member Jasper, "I move to approve Mayor Luke to go to the County and ask them for financial support." Council Member Tschantz, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion carried, 5:0.***

Mayor Luke, "Based upon the decision tonight, I am on the schedule for 9:05 Monday."

**WATER AND WASTEWATER: Personnel Chris Hammond – Evaluation**

Superintendent Hawkins, "Chris's evaluation came up and I did give him a 5% raise. I am very pleased. Chris has done a great job. To kind of give you a feel of what he has done, we always send out to the Sacramento School for the sewer and water, those open book tests usually take about six months. Chris had it done in three weeks. He doesn't let anything grow underneath of him. I'm pleased with him. He has been good for the moral for our department, he has done a great job, and he deserves every bit of it."

**[8] CONTINUATION: February 5, 2020 Burlington City Council Regular Session**

**Council Member Jasper, "I move to accept Christopher Hammond's personnel evaluation as presented, and to grant a pay increase to \$17.16 per hour, effective February 8<sup>th</sup>, 2020." Council Member Hall, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion carried, 5:0.**

**STREET DEPARTMENT: Update**

**General:** Superintendent Davidson said, "We have been cleaning ditches, working on pot holes in the gravel roads, vehicle and equipment maintenance, and sweeping curb and gutters."

**Ice/ Snow Control:** Superintendent Davidson, "We have been doing ice control from the few little snows we had. We ordered 150 ton of ice control material out of Gas City, we had Brad Payer haul that in for us. That's what the County has been using."

**STREET DEPARTMENT: Sidewalk Cost-Share Applications 2020-01**

Superintendent Davidson, "I do have a sidewalk cost-share application for David Aucoin. It was approved last year and he wasn't able to get the sidewalk put in. It is year by year, so we just need to re-approve it for this calendar year."

**Council Member Tschantz, "I move to approve Sidewalk Replacement Cost-Share Application 2020-01, David Aucoin for 300 S. 3rd Street." Council Member Hall, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion carried, 5:0.**

**POLICE DEPARTMENT: Update**

**General:** Chief Jones, "Normal calls and duties. A few weather related things but nothing too unusual."

**Personnel:** Chief Jones, "We did get Kyle Black graduated from KLETC (Kansas Law Enforcement Training Center), the academy, on January 24<sup>th</sup>. We are delighted to have him back at work."

**Animal Shelter – Kennel Upgrade:** Chief Jones, "I have been talking with the Police Committee. We are doing some upgrades to the dog kennels at the shelter. We had tried doing the less expensive kennels hoping that by having them inside they would hold up better. They have not. We have five Mason brand kennels down there right now. Three of those have been here longer than I have, so over 20 years old. The other two are about 17 or 18 years old. They have held up well. We are going to go ahead and spend the money to get good, matching, Mason kennels. We will do this out of our existing funds. It will be around \$4,700.00 to get this done. We are doing our own labor and install. I've kept the Police Committee up on this and this is just an upgrade project. We are looking for kennels that are going to be here for the long haul."

**Cases:** Chief Jones, "The other big piece, this goes with what J.J. (Council Member Jasper) just said about putting skin in the game. The last several years we have been working on a radio project county wide. Motorola stopped making these radios in 2014. They stopped making parts for them and providing service and support for them as of 2019. If one of these radios breaks there is nothing we can do about it except buy a replacement. So, for the last three or four years we have been working on coming up with the funding County wide, getting the entire project together. The total project cost comes to about \$2.1 million and that is with the discounts. That is for everybody. That is for EMS, Fire Department, which is a big chunk because that's 150 fire fighters, Sheriff's Office, and everyone. We made our presentation to the County Commissioners Monday morning and they have agreed to take on the entire project and fund it. Instead of taking additional infrastructure money over to the City and the City turn around and give it back, the County is paying the entire cost at no expense to the City. We were absolutely delighted for that because that just saved us \$80,000."

Council Member Lenard, "Afterwards I would like to have a quick Police Committee meeting."

**PARKS DEPARTMENT: Update**

**General:** Superintendent Boyce reported, "We have been cleaning public buildings and restrooms. We are doing equipment and building maintenance."

**Public Buildings Cleaning:** Superintendent Boyce, "In the 4-H and Kelley Hall buildings we went through all the tables and chairs to clean them, we removed gum that was stuck under them and so on."

**Snow/Ice Removal:** Superintendent Boyce said, "We did have snow and ice removal."

**Grand Stand Bathroom Removal:** Superintendent Boyce, "I talked with the people that work the concession stands in the stadium during the fair. Underneath the stadium, the stools, urinals, and shower stalls were still in there but have not been used for years. They asked if we could remove those to have more room in the concession stands while the fair is going on. We have removed those. That is more inside work we are able to do."

**PARKS: Truck Bids Request**

Superintendent Boyce, "The last thing I have is to request to go out for bids to purchase a new truck. Our Dodge pickup is a 2001 with roughly 100,000 miles on it. I'm surprised the transmission has lasted. It's one that you start it and let it warm up a little bit before you can go. Otherwise it is not going anywhere. We did budget for this truck in 2020."

**Council Member Hall, "I move to authorize Superintendent Boyce to go out for bids for a truck for the Parks Department." Council Member Curtiss, "I second the motion."**

Mayor Luke, "Is that half ton?" Superintendent Boyce, "3/4 ton and four wheel drive." Mayor Luke, "Are you getting anything special to go on the truck?" Superintendent Boyce, "No, just a regular truck." **Hearing no further discussion, Mayor Luke called for a vote. Motion carried, 5:0.**



[9] CONTINUATION: February 5, 2020 Burlington City Council Regular Session

**FINANCE: Claims Ordinance & Payroll Ordinance**

a. Claims Ordinance	2020-02	\$	<u>527,182.68</u>
b. Payroll Ordinance	2020-02	\$	<u>85,724.01</u>
c. Payroll Ordinance	2020-03	\$	<u>85,887.59</u>
	TOTAL	\$	698,794.28

**CLAIMS 2020-02:** Council Member Lenard moved to approve City of Burlington Claims Ordinance 2020-02 for the amount of \$527,182.68 for payment of city bills. Council Member Hall gave the second. City Clerk Kewley, "We have payments tonight to Brenntag for \$21,352.82, Kansas Power Pool for \$157,284.78, and Kansas State Treasurer which is our bond payment for \$133,849.50. Hearing no additional discussion, Mayor Luke instructed City Clerk Kewley to poll Council. All votes were in favor. Mayor Luke declared, "Claims Ordinance 2020-02 passed unanimously, 5:0."

**PAYROLL 2020-02:** Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2020-02 in the amount of \$85,724.01, 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 2020-02 passed unanimously, 5:0."

**PAYROLL 2020-03:** Council Member Hall moved to approve City of Burlington Payroll Ordinance 2020-03 in the amount of \$85,887.59, as presented. Council Member Lenard gave the second. Hearing no discussion, Mayor Luke instructed City Clerk Kewley to poll Council for a vote. All votes were in favor. Mayor Luke declared, "Payroll Ordinance 2020-03 passed unanimously, 5:0."

**PLANNING & ZONING: Update**

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

**Moving City Hall:** Zoning Clerk Hugunin, "I have been finishing up a few things around here. I would like to thank the Street and Water Departments. They sent a few people up here to help put 35 chairs together and it took an hour and a half. I thought it was going to take me two weeks to do it by myself. I appreciate that."

"I also met with the Superintendents, Chief Jones, and City Clerk Kewley regarding the downtown building to get that scheduled to get things out of that building. We are looking at some dates and keeping an eye on the weather but we are going to try to get organized to get it done in a day. It is going to take a pretty good sized crew to do it."

**PLANNING & ZONING: Computer Quotes**

Zoning Clerk Hugunin, "You have computer quotes in your packet. They are kind of pricey but we budgeted for these in 2018 for 2019. We held off with everything going on here and we are doing them now. The prices have just about doubled but that is where we are at, I have Advantage Computer who we have been working with and then quotes from Dell. Advantage Computer is cheaper and we already have a contract with them, so I recommend that we take the quote from them."

**Council Member Tschantz,** "I move to accept the quote from Advantage Computer for computer system upgrades for City Hall, not to exceed \$10,346.00 as being in the best interest of the city." Council Member Hall, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion carried, 5:0.

**PLANNING & ZONING: ORDINANCE 866, Adopting USD #244 Annexation**

Zoning Clerk Hugunin, "You have a letter from Craig Marshall, the Superintendent, in your packets, I also included a map. They are requesting to annex the property where the ball fields are. That is not annexed into the City. What they are looking at in the future, it could be six to twelve months, to put restrooms out there. In order to run sewer it has to be in City limits. They are requesting it and it might be a project that they don't do, but it will annexed if they do."

**Council Member Curtiss,** "I move to adopt Ordinance 866, An Ordinance Annexing A Certain Described Area and Extending the Boundary of the City of Burlington to Include Said Area and Designating the Ward to Which it Will Belong; Pursuant to K.S.A. 12-520(a)(7) as Amended." Council Member Hall, "I second the motion."

Council Member Curtiss, "This is definitely something that's needed at the ball field." Hearing no further discussion, Mayor Luke instructed City Clerk Kewley to poll Council for a vote. All votes were in favor. Mayor Luke declared, "Ordinance 866 passed unanimously, 5:0."

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

None.

**RESOLUTION**

**LEGAL DEPARTMENT: Update**

Attorney Robrahn, "I have been working on the agreement between the Burlington Rec Commission and the City of Burlington and with the Mayor regarding the cost share of maintenance of parks. We are getting along pretty good on that. I reviewed Ordinance 866, the annexation we just passed.

"I also visited with Philip Wright about the Municipal Court. He was going to be here tonight but got a little bit spooked because of the weather, so he didn't come down. He wanted me to pass along that there is still a pretty good amount of domestic battery cases that we are having. He is also concerned that there seems to be a big substance abuse issue going on in the area. He just had some concerns that he wanted relay to you." Council Member Curtiss, "Now they will be moving up here?" Attorney Robrahn, "They will be in April." Mayor Luke, "There will be no Municipal Court in March; then they will be up here in April."

Mayor Luke, "Also, just a note on the Rec Center. Kevin, the Department Heads, and J.J. have been involved in looking at a proposed agreement. The Rec Center has a meeting before our next one so they are going to take it to their board, once it is accepted, reject, or modified by them, it will come to us. We will review it and have a chance to modify. We will get it at our next Council Meeting on the 19<sup>th</sup>; you will have two weeks to review it. Then we will look at voting on it or amending it at the first meeting in March."

**OTHER COMMITTEE OR COUNCIL BUSINESS**

**Kennebec Bridge Project:** Mayor Luke, "We did get the agreement signed with the County on the Kennebec and Osborn Bridge. That has been approved by Tom and the County has approved it and has signed off on it. Mark has a copy and it's in the schedule of getting designed and engineered." Council Member Curtiss, "That one bridge is getting terrible." Mayor Luke, "Osborne Bridge is the bad one and the county is already paying for it. They are going to reimburse us for engineering, inspection, construction, and all the unforeseeable when we get the data to look at. We are covered on that one."

**Kansas Municipal Energy Agency - Appoint Director #2:** City Clerk Kewley, "The KMEA Appointment Board Director #2, #1 is Alan Schneider and he has another year. The #2 position is currently Stan which is due this year, so we need to approve to renew Stan's position for two years."

**Council Member Hall, "I move to appoint Mayor Stan Luke as Burlington's Director #2 to the Kansas Municipal Energy Agency Board of Directors, to serve a two-year term from May 1, 2020 to April 30, 2022." Council Member Curtiss, "I second the motion." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0.**

**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. January we will be sending \$2,122.03 in delinquent utility accounts to the Kansas Set-Off program for collections.

**Year End Reports:** City Clerk Kewley, "We completed the year end reports for the State, Federal, Social Security, and KPERS. We also completed the annual water use reports."

**Meetings:** City Clerk Kewley, "We scheduled the finance meeting for Thursday, February 27<sup>th</sup> at 3:00 p.m. This is in conjunction with the wage CPI. When I pull it on February 21<sup>st</sup>, we will meet with the Superintendents to go over the CPI amounts."

**Goals and Accomplishments:** City Clerk Kewley, "I handed out the Goals and Accomplishments."

**Bid Opening:** City Clerk Kewley, "I participated in the Water Departments generator bid opening last Thursday."

**Annual Employee Benefits Meeting:** City Clerk Kewley, "I wanted to remind everyone that the employee benefits meeting is next Tuesday, February 11<sup>th</sup> from nine to noon."

**City/County Street and Parks Recreation Infrastructure Money:** City Clerk Kewley, "We received City/County Street and Parks Recreation Infrastructure Money from the County. Half of that is \$264,832.00. We are very appreciative of that."

**Dogs Tags:** City Clerk Kewley, "A reminder that dog tags are due this month."

**REPORT BY CITY OFFICERS:**

Council Member Jasper, "We had a State representative talking about daycare and the in and outs of it. Since then, the school, Evergy, and the County have all been talking about providing universal daycare. I would like to be proactive with this Council and seeing whatever we can do to help out along the way. It is an issue. I think it is a driving force for bringing people to town by providing a daycare that people are comfortable with. Daycare is declining in town and it is hard to find. As they move forward I would like to do whatever we can along the way to help them out." Mayor Luke, "I don't have the appointments as of yet because Craig hasn't gotten back to me. We will be getting together with them if we can get a time to so, I will stress that with them when we meet concerning this issue." Council Member Lenard, "That could go to the County for Economic Development." Council Member Jasper, "If we could bring that daycare to this City I think that will benefit everyone involved. We already have the hospitals, schools, pharmacy, and grocery store. I think this is where it needs to be and whatever we can help with along the way. I think we should be proactive."

**[11] CONTINUATION: February 5, 2020 Burlington City Council Regular Session**

Council Member Lenard, "Alan had asked me before Council about the flags. I just wanted to remind everyone that the boy scouts do take worn flags and they properly dispose of them. So, if anyone does have flags or you happen to see a business around town that has a tattered flag, remind them and we will take them. The Legion used to have a program where they replaced flags." Council Member Tschantz, "I don't know if they still have that or not." Council Member Lenard, "Anyway, the boy scouts will take them." Superintendent Boyce, "Do you have a contact person?" Council Member Lenard, "You can bring them to me."

**MAYOR'S COMMENT(S):**

Mayor Luke, "I've been in Topeka for the last two Wednesdays meeting with various levels of their Government up there. There are a whole bunch of bills that are coming out that are going to have some impact. I supply testimony on the Senate Bill 294, which has to do with property tax. Also, a whole series of things that did not allow for increase CPI, did allow for Federal and State legislature that impacts EMS, Fire Control, Police. It required a rebate system back to the taxpayers and a testimony from the League and other cities is to not pass this out of committee, because it is detrimental to the economic development and welfare of the cities, large and small. There are several energy issues coming up. Most of them will not impact us; it will be with the large IOU and several large municipals. They have basically two more weeks to submit bills, to pass them out of committee, after that once they get back from break, they will then work all the bills that come out of committee. If we can delay bills long enough we can keep them in committee and we won't be seeing them this year. They may be back again next year. There are bills on abortion. The Medicare expansion will be held up in committee. The budget is still a critical issue. There are multiple things that are out there, 87 proposed Senate and House bills that are still in committees. We will see what happens in the next few weeks and we will keep you informed."

**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
<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)	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 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> Fire Hydrant – 3 <sup>rd</sup> & Neosho Storage Building for Dirt -Construction Flooding	Sensus Water Meter Replacement 6 <sup>th</sup> and Alleghany Waterline Project Sewer Liftstations –Flushing Rags, etc. Quick Coupler Bucket Updates Sewer Lagoons - Analysis (KRWA/funds for dredging) Sewer Lagoon Maintenance/Updates

Mayor Luke declared the meeting adjourned.

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