

BURLINGTON CITY COUNCIL REGULAR SESSION 3-4-2020

City of Burlington Governing Body met in Regular Session at City Hall’s address, 1013 N. 4th Street, Burlington, Kansas at 6:00 p.m. Wednesday, March 4, 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: Jay Hale, Salli Stewart, Paul Abendroth

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

MINUTES 2/19/2020: *Council Member Tschantz, “I move to approve the draft minutes of February 19, 2020 as presented.” Council Member Hall, “Second.” Motion unanimously carried, 6:0.*

APPOINTMENT: Salli Stewart - Close N. 3rd Street between Neosho & Miami, for Crap Fare, Saturday, June 13, 2020, 6 a.m.-2 p.m

Salli Stewart, “I have a couple of things. The Burlington Promotions has decided that we are going to do away with the Taste of Fall Festival. I think we had a standing date of having the park every first weekend of October, but that will open up that weekend. We just decided that it isn’t that well attended and we are tired of fighting the weather. We are going to move on and try to come up with a different idea or direction to go. So, we might be back asking for another thing later on. For right now we are suspending that. I did want to thank all the departments for all of the help that they have given us and the City Council over the years, we really appreciate that. Without you guys we could not have done it. My other question is that we want to do the Crap Fare again this year. We are asking for those two blocks on north 3rd street to be closed from Neosho to Miami. If we don’t get that many people signed up, we may just close it from Neosho to Hudson. That is the second Saturday in June.”

Council Member Lenard, “I move to approve Salli Stewart’s request to close N. 3rd Street between Neosho and Miami, and a half block east and west on Hudson Street, for the Burlington Commercial Club’s annual Crap Fare (Flea Market) on Saturday, June 13, 2020 between 6 a.m. and 2 p.m.; with the stipulation they will clean up the entire area right after the event.” Council Member Curtiss, “I second the motion.” Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

PUBLIC COMMENTS:

None.

ELECTRIC DEPARTMENT: DISTRIBUTION Update

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

Annual Pole Count: Superintendent Schneider, “We have been doing our annual pole count attachments of which CenturyLink and Mediacom are attached to our structures. We have those done and turned in.”

Business Customer Service Audits: Superintendent Schneider, “We have been going around to our business customer services, mainly three phase services, and doing audits on those. We want to ensure proper billing.”

Generator for Water Department: Superintendent Schneider, “We have been working at the Water Department to help them prepare for their generator.”

Training: Superintendent Schneider, “The Apprentice Lineman have been working on their monthly chapter testing.”

ELECTRIC DEPARTMENT: PRODUCTION Update

General: Power Plant personnel have been performing normal power plant duties and equipment maintenance, cleaning, and painting. They have been testing and doing maintenance on the DC power supply, which is in our two substations and our breaker station. Also, they have been working on the annual Energy Information Agency Reports.

ELECTRIC DEPARTMENT: Evergy Update

Superintendent Schneider, "There is a transmission pole on the Neosho River that has washed out. Evergy is coming in next Tuesday to de-energize that line coming in. We are going to be online before 9:00a.m. on Tuesday and we will be covering everything out of our power plant before that time frame, then will separate from Evergy. I met with their transmission specialist today and we went over the final schedule of that, as well as lockout/ tag out procedure to make sure we are both on the same page. Tuesday I will go around with them so they can tag out on our structures as well to make sure that it is safe for the men to perform their work. Our best guess is that we are looking at about six hours that our power plant will be supplying the needs of our community. I also wanted to remind you that once this is complete, I will take our generation costs and turn them into Kansas Power Pool for reimbursement. There will be no cost to the City for that generation. They will purchase city produced energy at our production cost and we will then purchase it back at KPP's wholesale energy rate."

WATER AND WASTEWATER: Distribution Update

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

Water Meter Replacement: Superintendent Hawkins, "We have been installing water meters and meter pits trying to get that accomplished."

Vehicle: Superintendent Hawkins, "We did get our truck back. We took it to John North Ford in Emporia, KS. It was the schematics on the Knapheide bed. I contacted Knapheide yesterday and they are going to go ahead and pay the City of Burlington for the amount that John North Ford charged to fix it. We will be getting payment from them. That is taken care of and we have our truck back."

Sewer Lift Station: Superintendent Hawkins, "We are having a lot of issues with our sewer lift stations. I don't know if we need to write a letter or if we need to consider with our ordinances of adding industrial strength bill. We have been pulling pumps almost twice a week now with mop heads, gloves, and many different things. I will probably get a letter together and see what we can do to stop this. We know that a lot of this is coming from the north end of town and the west end of town. Those three pump stations we spend a lot of time digging mop heads, rags, towels, and gloves out of. We are spending a lot of time doing that."

Generator: Superintendent Hawkins, "I wanted to thank Alan and his guys. We have been getting ready for the generator hook up. The transfer switch will come in first; it will be here in four weeks. We are working with Don Wagner with Caterpillar on that. It sounds like we are going to eliminate a lot of time off of that when the transfer switch is going to get hooked up. Krayton Cox is who we are having help with that. We have been spending quite a bit of time on that."

WATER/WASTEWATER: Production – Water Treatment Plant Update

Superintendent Hawkins, "The plant is running very well."

Training: Superintendent Hawkins, "We are still doing a lot of intensive training with the guys. We were in at 6:00a.m. to clean out the recarb basin. That was completed. We washed the walls and cleaned the floors, just general maintenance that we needed to do before we go into summer. We have one more clean out to do before summer hits. That will be scheduled in the near future."

Kansas Department of Health and Environment- Blue Green Algae: Superintendent Hawkins, "I did get a letter from Kathy Vogel from Kansas Department of Health and Environment. The same algae that I was telling you about in the meeting before with the harmful algae's, we are going to do the testing. It is going to cost \$100 to do it but with this program that we are going to do we will only have to pay \$25 on each sample. That is saving us \$75 per sample. That will begin on May 1st and end on October 31st. We are still feeding 15 mg per liter of carbon, I don't know where that is going to go. We will see where it ends up." Mayor Luke, "How many times do we have to do it?" Superintendent Hawkins, "It sounds like based upon the sampling it will be every week from May until October 31st." Mayor Luke, "And they will get back to us in how long?" Superintendent Hawkins, "They are trying to keep the cost low. They are trying to get people to do it voluntarily and get more municipalities involved with it. Whatever it is, it's based upon that algae or the toxin that is coming out of it. I'm guessing they are trying to find a trend between the reservoirs or rivers to see how condensed it is in areas and compare it to others. It is so new to me, I don't know what data that they are wanting to collect from it. We are being told that in less than two years we are going to have to test for it, it will be mandatory." Mayor Luke, "So, we can do our own tests?" Superintendent Hawkins, "They are going to force us to do it. It will be part of a routine process of looking for this toxin from the algae within two years, is what they are telling us."

QUESTIONS: Council Member Scothorn, "Are we not going to make any type of a comment to Crow Moddie about it not being their fault? We threw them under the bus as far as I'm concerned." Council Member Lenard, "So, let me ask, when we bought the vehicle did we have two payments; one to Crow Moddie and one to Knapheide?" Superintendent Hawkins, "No." Council Member Lenard, "So, we had one."

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Superintendent Hawkins, "Yes." Council Member Lenard, "If we had a warranty issue were we obligated to take it back to Crow Moddie first to let them correct it?" Superintendent Hawkins, "Yes, I went down there to correct it and then I was handed it back to deal with it myself." Council Member Scothorn, "But they corrected all of the lighting that was wrong with it. Everything that Knapheide screwed up in the wiring, Crow Moddie fixed. The tail light that was out was not a Ford product. Ford didn't have the scanner that would do a Knapheide trailer. Am I right or am I completely off base?" Superintendent Hawkins, "This is getting into a convoluted situation." Council Member Scothorn, "Well, we threw them under the bus last meeting, I'm sorry." Council Member Lenard, "How did we do that Dallas?" Council Member Scothorn, "For one, we said that they wouldn't give us a loaner. They were offered a loaner; it wasn't a flat bed pick up." Superintendent Hawkins, "That's a discrepancy that we had. When I went down there the other day to try to visit with them, I told them I would deal specifically with the facts. The facts that we had at the time and what was given to me is what I reported to the City Council. Dayton told me something different. We can get into this if you want to, I don't care." Council Member Scothorn, "I can get into it, I don't care."

Superintendent Hawkins, "Dayton told us it was going to be a module. He told Norman (Foreman Foster) and I the exact same thing. We went down there. When I went down there the other day to find out about it, it was not a pleasant conversation. My words were being twisted, my facts were being twisted and when I walked out of there, all I stated to Mr. Moddie was that I would state the facts and the facts were there. Were there discrepancies on the other end? Yes, there were discrepancies on both ends. I don't know what you want to hear."

Council Member Scothorn, "In our minutes that we approved, Mr. Jasper had asked for the reason that they didn't give us a loaner. You said, 'They don't do that,' but they do, do that." Superintendent Hawkins, "That was not what Norman and I were told. Norman was told the same thing. When I went back down there --." Council Member Scothorn, "I'm afraid I'm not eating on that." Council Member Lenard, "There was discussion that our trade in was sold and I would think that we would need an equal type of vehicle." Council Member Scothorn, "Then to say that we couldn't get a loaner is not right. We could get a loaner it may not be what we wanted." Superintendent Hawkins, "We did ask for a loaner. I was told by Dayton that if we want to in the mean time we can get a vehicle and pilot it around town; we would just have to have that pilot car stay behind it (the truck). When I brought that up before him and Mr. Moddie, he (Dayton) said that he never said that. So, there were a lot of discrepancies between what he told me and Norman and what was being said." Council Member Scothorn, "I visited with him and he told me the same story. Get a pilot car because they didn't have a flatbed that was going to work with the utilities on there, but we were offered a loaner. From my understanding all the issues with the truck came from Knapheide. The fuel line was kinked from putting the trailer on, from Knapheide putting the trailer on."

Superintendent Hawkins, "I don't know. All I know is that today, when I visited with Knapheide they told me that they were going to investigate and visit with Crow Moddie Ford, and Ford in Emporia as well. They want to know based on their quality service when their vehicle leaves there, can they improve. As we are sitting here, I do not know who all is at fault across the board. I know when I received the email this afternoon; Knapheide said that they will pay for it. I'm just stating the facts; Knapheide is willing to pay for it because it is under warranty. That is exactly what we are doing." Council Member Scothorn, "And it was Knapheide. When I read the paper it sounded like it was all on Crow Moddie." Council Member Jasper, "I think the minutes obviously state that we are just asking questions on the Council side." Council Member Scothorn, "You guys can think what you want." Council Member Lenard, "On those Dallas, wherever you purchase it from, that is the pipeline you have to take it back to, to get the warranty. I would have done the same thing."

Council Member Lenard, "Second question I have is about the letter you mentioned about sending to the businesses up north." Superintendent Hawkins, "For any entity, industrial or..." Council Member Lenard, "So, we probably have to have an ordinance to really enforce or are there... There are probably only a handful of businesses that are using these." Superintendent Hawkins, "Yes. You cannot just pick specifically on one..." Council Member Lenard, "No, I'm saying go communicate with them and tell them what the issues are. It's kind of like our grease traps. That's serious." Superintendent Hawkins, "Yes. We are assuming there could be drain bins that have come off of the back of a washing machine that they have taken the grate out. It may just be a letter of asking to please have your maintenance people inspect these areas; make sure they are being strained so that type of material cannot get into the sewer lines. I don't know how many mop heads we have pulled out or how they get in there. We have pulled out mop heads, beach towels, rubber gloves; they are really working at getting this stuff into the sewer." Council Member Lenard, "This has been going on for over a year now." Superintendent Hawkins, "Yes, and it's been getting more and more intense. We are going to have to find out where they are coming from specifically and enforce the industrial strength, because it's turning into being more and more labor intensive and it shouldn't be that way. If it is going to be that way, this is going to be the normal, then we are going to have to charge more for it. That's the route we are going to take if they cannot correct it."

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STREET DEPARTMENT: Update

General: Superintendent Davidson said, “We have been doing equipment maintenance, sweeping, and ditch work when we can get it worked in.”

Vehicle Maintenance: Superintendent Davidson, “We have done some repairs on our track hoe. The cutting edge fell off. It is out of service at this time. We were going to replace the dump bed on our older international dump truck. They are going to try to save a few thousand dollars and replace the floor on it. We have the metal purchased we just need to find some time to get the old floor taken out and the new one put in.”

City Hall - Drainage: Superintendent Davidson, “We have done some work on the south side of City Hall on the drainage, trying to get the water away from the building.”

General: Superintendent Davidson, “We picked up a load of oil for the patching machine. On Monday we started on the Osborne Bridge and patched it then we worked on Country Club Heights. We went to Housatonic today and that’s where we ran out of oil. The weather next week, it’s supposed to rain so we will put off going to Kansas City for more oil for another week or so.”

POLICE DEPARTMENT: Update

General: Chief Jones, “Normal calls for us, nothing too outstanding.”

Computer System Upgrade: Chief Jones, “Jayhawk showed up last week and started to put the new computers in. We have all the work stations in, up, and running. The server is there and turned on but they have not tied it into our network as of yet. We are still waiting on that.”

High School Basketball Games: Chief Jones, “This weekend, Thursday, Friday, Saturday, we and the Sheriff’s office will both be more visible at the sub state basketball tournament. We have had a concern expressed to us. Following the Salina/ Newton incident they were concerned that there might be some tempers that get out of control. If you didn’t see that one, one of the referees apparently chose to call 30 technical fouls against one team during that game. It got out of hand; fans were coming down onto the court. That particular referee apparently walked out. They just want to ensure that there is not any...” Council Member Lenard, “Technical fouls?” Chief Jones, “Yes, 30 technical fouls against one team.” Council Member Lenard, “Did they finish the game?” Chief Jones, “They finished the game the best that they could. The High School Activities Association is reviewing and investigating.” Mayor Luke, “It’s unusual to have one.”

PARKS DEPARTMENT: Update

General: Superintendent Boyce reported, “We have been cleaning public buildings and restrooms. We are doing equipment and building maintenance. We also have been trimming trees and taking care of low hanging limbs in the parks.”

Tree Removal: Superintendent Boyce, “For the last few days we have removed 18 pine trees and stumps in Jones Park on the outside of the outfield at the ball field. It was obvious that there are borers in the trees; they have been declining over the last couple of years. Before they were completely dead we went ahead and took them out. We were able to push them out with the City’s big loader, instead of having the stumps ground out. We will have some tilling and seeding to do now.”

PARKS DEPARTMENT: Regular Cap 2020 or 2021 ¾ Ton Pick Up, 4-Wheel Drive Bids

Superintendent Boyce, “We did get more bids in out of the five I sent out to. I did contact them on whether they would return a bid or not. The fifth one said they would but we did not get one. So, we need to accept them as bona fide.”

Council Member Lenard, “I move to accept the bids presented for the truck for the Parks Department as bona fide.” Council Member Hall, “I second the motion.” Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

Superintendent Boyce, “In your packets you have the prices for the trucks.” Council Member Scothorn, “What is our local rule?” Superintendent Boyce, “5%.” Council Member Lenard, “Are there any time constraints on replacing this truck?” Superintendent Boyce, “They are all about the same time frame.” Council Member Lenard, “If you run late, is your department impacted, if delivery is not on time?” Superintendent Boyce, “No. It looked like they were all about the same time frame also.” Council Member Scothorn, “What is our 5% then? Is Crow Moddie within that?” Mayor Luke, “5% of \$30,000 is \$1,500.” Council Member Lenard, “We can look at the percentage but we also, it is kind of like what we did with the diesel, going with Foley being local, closer, maintenance and the quality. Some of these on the delivery dates we have been told one delivery time and we’ve been delayed numerous times. I don’t think we have that data but I know we have on the last one we were delayed quite a while. Weren’t we Danny?” Superintendent Hawkins, “Yes. 18 weeks I believe.” Council Member Lenard, “And it was supposed to be how many?” Council Member Scothorn, “It says estimate.” Superintendent Hawkins, “12 to 14 weeks or something like that.” Mayor Luke, “Do you have a recommendation Kevin?” Superintendent Boyce, “Crow Moddie Ford is within the 5%. So, if we are going to stay with our ordinance or whatever we have in writing. It’s the same truck.”

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Council Member Scothorn, "I move to accept the bid from Crow Moddie Ford for the truck for the Parks Department, for the total bid of \$30,016.00 as being in the best interest of the City." Council Member Curtiss, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Council Members Curtiss, Hall, Scothorn, Lenard, and Tschantz voted, 'Yea' and Council Member Jasper voted 'Nay'. Mayor Luke declared the motion passed, 5:1.

Council Member Jasper, "I would like to say something. It is not because of where it's coming from. I have taken this stance for a while now." Council Member Scothorn, "You don't want vehicles?" Council Member Jasper, "I do. We have them." Council Member Scothorn, "No, is that the stance that you are talking about?" Council Member Jasper, "No, I just want to fix what we have to keep them going." Council Member Lenard, "But this one really has a value of \$1,000, J.J. It may end up having more maintenance cost than..." Council Member Jasper, "I understand." Superintendent Boyce, "This trade in truck, I would park it in the lot. I would not put any money into it."

FINANCE: Claims Ordinance & Payroll Ordinance

| | | |
|----------------------|---------|---------------|
| a. Claims Ordinance | 2020-04 | \$ 118,578.41 |
| b. Payroll Ordinance | 2020-05 | \$ 84,782.71 |
| | TOTAL | \$ 203,361.12 |

CLAIMS 2020-04: Council Member Lenard moved to approve City of Burlington Claims Ordinance 2020-04 for the amount of \$118,578.41 for payment of city bills. Council Member Hall gave the second. City Clerk Kewley, "The larger expenses of the whole ordinance tonight are to Midwest Electric Transformer \$5,886.13, Republic Waste Service \$11,189.24, Stanion and Wholesale \$3,571.86." Hearing no additional discussion, Mayor Luke instructed City Clerk Kewley to poll Council. All votes were in favor. Mayor Luke declared, "Claims Ordinance 2020-04 passed unanimously, 6:0."

PAYROLL 2020-05: Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2020-05 in the amount of \$84,782.71, 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 2020-05 passed unanimously, 6:0."

FINANCE: Personnel - Employees Salary & Consumer Price Index Recommendation

City Clerk Kewley, "In your packets you will see that we do have the new band adjustment for the CPI. Again, we take it at the same time in the same month every year. This year it was 2.5%. It is pulled on February 21st for the January CPI index month."

Council Member Lenard, "I make a recommendation to approve a 2.5% Consumer Price Index (CPI) increase to City of Burlington employees, beginning April 11, 2020, and to adjust the wage band." Council Member Hall, "I second the motion."

Council Member Jasper, "Last year we were 1.5% and the County was 1.7% right? What is the County at this year?" Mayor Luke, "2.3%." City Clerk Kewley, "My understanding is that they pull theirs for December. We are always a month off. We had to do the trash one last month and it was 2.3% because we pulled the November for December. It's how you pull it." Council Member Jasper, "Gotcha. So, can I make a recommendation to make up for the 0.2% loss last year, to stay competitive with the County? So it would be 2.8%." Council Member Scothorn, "We are higher by 0.2% this year aren't we?" Council Member Jasper, "But to make up for last year. I'm trying to give an incentive for our employees to stay here instead of going to the County. We just approved a truck for \$30,000.00."

Council Member Lenard, "I make a motion to approve a 2.8% Consumer Price Index (CPI) increase to City of Burlington employees, beginning April 11, 2020, and to adjust the wage band." Mayor Luke, "We have a motion on the floor do we have a second?" Hearing no second, the motion failed.

Mayor Luke, "We have a motion and a second." **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 a few permits."

Spring Cleanup: Zoning Clerk Hugunin, "In your packets you have the spring cleanup flyer. The date for the brush will be April 6th which is a Monday. The trash will be April 13th."

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Nuisance Properties: Zoning Clerk Hugunin, "I have been sending out letters, I think I'm at eight so far. I have been putting the spring cleanup flyer with those. I have some that Chief Jones will be hand delivering to a few properties. There will be around 15 letters total. We are trying to get a jump on it early this year so maybe they will move some of the things in their yard to the curb."

Property –Selling Lots at Industrial Park: Zoning Clerk Hugunin, "I have been approached in regards to selling some lots at the Industrial Park. I gathered the information from him to find what out what he wants. We had a meeting with him here with the superintendents, me, and the mayor. He is looking at moving some lots around and configuring different things which we could make work. I called Bickley Foster to see what we would have to do on that. It came down to vacate some roads and replat which would take a little bit of time to make sure everything lined up well. With that, we got to talking about the subdivision regulations. So, in that area we would have to build the roads to spec. Mark (Superintendent Davidson) and I were talking and it will be somewhere around \$250,000 to get roads in there. We would have to assess that to the benefits district which would be that park; it's owned by the City. We would assess that to the lots and you're looking at \$20,000 lots by the time we are done. So we had talked about doing a lot of different things. I have it figured up that half of the appraised value for that whole park, if that was an option for him, would be \$33,600.00. If that is an option he wants to go with then we would vacate all roads and easements and he would own that whole area."

Superintendent Schneider, "We would leave an easement in for utility." Zoning Clerk Hugunin, "Yes, there are two things we can do. We can leave the utility easement where the power lines are or move the power lines. It's up to you guys what you think would be the best. I think that if we have lots that are going to be worth that much money then they are never going to sell. Even at half the appraised value they aren't getting sold. So, if we have someone who wants to come in and have the whole industrial park then you would be bringing some revenue in. It is whatever you guys think the best way to go about this is." Council Member Jasper, "It probably needs to be for further discussion. Is the person looking to move on this?" Zoning Clerk Hugunin, "Yes, they are wanting to move pretty quick. I will also talk to him again and let him know what was brought up tonight and see what his feelings are on that direction." Council Member Scothorn, "Is it one business that they are bringing in?" Zoning Clerk Hugunin, "Yes."

Mayor Luke, "I met with the guy. They are looking at about 1/3 of the property right now to meet their needs. However, with the industry that's an industrial park you never know if anybody else is going to want to come in and utilize any of that park. We have owned it now going on 40 years. We have never had anybody apply to request to purchase any of it. We have a person that comes down to buy it but that fund has to be turned over to a charitable organization. If we relocate the utilities and that costs more than what the sale of the property is then we ask for the larger of the two amounts. We have everything there, the 3-phase, water, and they would have to get a septic tank that they would have to pump out but they don't have a large staff so it wouldn't be a major issue. Looking at the culvert that would be required, we are looking at raising the road way at least 10 feet to get past the drainage ditch that almost floods every time it rains. It would relieve Kevin of a headache with respect to him to come in and mow, but we have to reserve right of ways that we can retain. It won't impact our ability to serve the LeRoy and Gridley water supply systems. If I remember correctly, Alan, the electric only serves the pump house basically that goes through there." Superintendent Schneider, "Yes." Mayor Luke, "So, it would be relocating service for that pump." Council Member Curtiss, "So, this guy wants to buy what is left of the industrial park?" Mayor Luke, "We are offering to sell him the entire industrial park. He initially requested 7 acres out of the 24. However, with the requirements of meeting the restrictions on road ways, with curb and gutter and etc. that we would have to install for our current regulations and requirements, we are looking at over \$250,000. So, if we abandon it and let him put his own road ways in, he owns the property, we don't have any issues with it. We will make sure we have all the ample space around the electrical sub-station so that it would remain accessible for expansion if we need to do it in the future. I basically have no reason not to move forward with it since we have not had any takers or even people inquire for over 30 years."

Council Member Jasper, "Since you already have your feet wet with this, I think we should move forward with what avenues you've proposed and see where we can go before the next meeting." Mayor Luke, "Yes, see if he will be receptive to that. Right now we haven't discussed anything with him with respect to the entire lot versus just the portion that he was looking for." Council Member Curtiss, "So, what you're saying is to go ahead with offering him--." Council Member Jasper, "The two options, basically, are what we are talking about unless someone has a third. It's not like we have to come up with it tonight, I don't think." Mayor Luke, "No, it's just we need to give some sort of indication of the direction that we are going and we can get in touch with him tomorrow and tell him the discussions that we had and the options." Council Member Scothorn, "Well as much as we talk about trying to get businesses into the community, this is it." Council Member Hall, "This is our chance." Council Member Curtiss, "That's the other thing I was thinking of." Council Member Lewis, "I know we have been sitting on it for a long time but then we have no industrial park thereafter?" Mayor Luke, "Well, we have an industrial park where the old bowling alley is and Forte, Inc. is, there is acreage in there. It has electric, water, sewer, and everything as well."

Superintendent Boyce, "If we sold him all of that property then could he sell property off?" Mayor Luke, "He can do anything he wants to with it, it is his." Superintendent Boyce, "But we aren't liable for any roads or any --." Mayor Luke, "None whatsoever." Zoning Clerk Hugunin, "It would remain industrial and it would be by the zoning regulations for what is allowed in that zoned area." Mayor Luke, "We will move forward and meet with him or contact him tomorrow and see which direction he would like to go. He will make access to KDHE requirements and he will make contact with the Highway Department for access directly onto Highway 75."

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QUESTIONS: Council Member Lenard, "With the cleanup day I know we have had folks in and we have had issues with some of the nuisance properties on our side of town. I know that we can't go into people's yards, I just wanted to throw it out, I would be willing personally and privately that if people needed help getting things to the street then maybe we could do that for our respective wards. I didn't know if people that you come across if you could offer or get a name. I would take my side of town. I figured we could get scouts, youth groups, church groups, to help because there are people that can't get stuff out to the street. J.J. and I talked about it. If they are able bodied then they should be able to do it but there are people that need help. If it means cleaning up our town, I think Paul (Abendroth) would be one of the first volunteers I'll solicit for our side of town. I'll try to get a hold of Tom Hugunin. If this is really what we want for our community then if we could kind of use..." Zoning Clerk Hugunin, "If they call in and would like help then definitely." Council Member Lenard, "We can't do it as the City but personally we can." Council Member Scothorn, "Just tossing it out there but, they are a different size of town than we are. Yates Center is doing it this year and they are using the High School to do what you are talking about rather than scouts or anything. They are giving them a day to go do it but they have smaller numbers and are easier to supervise for the school people." Council Member Lenard, "That is a great idea." Attorney Robrahn, "I think the students also have something that they have to fulfill as far as community service." Council Member Lenard, "I know when the scouts do stuff, when they come with church groups, it does build a little bit of community bonding there; so if we could get some different groups, if it's high school kids, I had FCA, BASIC, and there is 4-H and boy scouts." Council Member Scothorn, "Is somebody going to contact those groups?" Council Member Lenard, "I can get ahold of some of them. Maybe we can get some ministerial lines, Doug (Chief Jones) you come across people."

Chief Jones, "One of the rotary members visited with me about one place in particular. I'll get with them tomorrow and see if they might be interested and extend it to a more...include more area than just one particular place." Council Member Lenard, "I know when we cleaned up down by the river and over at Danny's place, a number of years ago, it was a nice Saturday." Mayor Luke, "We had 15 to 20 people show up to cut brush." Council Member Curtiss, "Who would you suggest that we contact at the school?" Mayor Luke, "I'll contact the school." Superintendent Schneider, "I just wanted to remind everyone that if we could get the brush parallel with the curb on the road side of the ditch, it is so much easier for the crews out working. A lot of time on the back side we are digging in the ditches and tearing up yards."

PERMITS: Building Permits issued by Zoning Clerk Hugunin:

None.

LICENSE RENEWALS for 2020:

Mayor Luke, "We have the 2020 Amusement and Dance License for 2020 for the American Legion, they came in and paid."

LICENSE APPLICATIONS FOR 2020

Amusement & Dance - American Legion – Congdon Kepler Post #38

Council Member Curtiss, "I move to approve the Amusement & Dance Licenses for the American Legion, Congdon Kepler Post #38 for 2020 as presented." Council Member Hall, "I second the motion." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

RESOLUTION - 2020-01, Salaries/CPI/Work Plan & Evaluation Guideline

Council Member Hall, "I move to adopt Resolution 2020-01, Providing For and Fixing Salaries and Compensations of Officers and Employees of the City of Burlington, Kansas pursuant to the Personnel Policies and Guidelines Established by the City of Burlington, Kansas in 1996, including Exhibit "A", Wage and Salary Schedule, and Exhibit "B", Employee Annual Work Plan & Evaluation Guideline." Council Member Tschantz, "I second the motion." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

LEGAL DEPARTMENT: Update

Attorney Robrahn, "First I will cover the municipal court update. I visited with Judge Campbell this afternoon and Philip (City Prosecutor). Next week they are not planning on having municipal court. The next time we will have municipal court will actually be in this room in April. However, Judge Campbell and Philip both said if there is something urgent they would be available next Thursday and address it then. There are some things that can't wait and they are available.

"I have a report that I was going to read that I prepared earlier today. It's my understanding that USD #244 is interested in the old City Hall building known as 301 Neosho Street and the adjoining building for the purpose of administrative offices for the superintendent of USD #244. The current USD #244 administrative building will be renovated for a day care center facility by USD #244 to be utilized by our community. I would ask for a member of the Governing Body to make a motion authorizing the City of Burlington to enter into negotiations with USD #244 with the intent to donate the building known as 301 Neosho and the adjoining building to USD #244 for administrative offices for the school superintendent and further to authorize and empower the Mayor of the City of Burlington to lead in such negotiations and executing any documents to commit to such an endeavor."

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Council Member Lenard, “I move to approve to authorize the City of Burlington to enter into negotiations with USD #244 with the intent to donate the building known as 301 Neosho and the adjoining building to USD #244 for administrative offices for the school superintendent and further to authorize and empower the Mayor of the City of Burlington to lead in such negotiations and executing any documents to commit to such an endeavor.” Council Member Curtiss, “I second the motion.”

Council Member Lenard, “That is all of the property then?” Council Member Curtiss, “No.” Mayor Luke, “The building with the Chamber and the hair dresser would still remain ours at this time. It would still allow the Chief and the County to have their forensic interview room and child advocacy center. They are proposing to install an elevator so they can have offices upstairs. The current City Hall room would be turned into three additional offices. They have nine employees there total. The conference room that we had next door would be their board room. They have looked at the building and are very positive about the opportunity to take advantage of utilization of it and remodeling.” Council Member Curtiss, “Glad to hear that.” **Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.**

Agreement (City/Recreation Commission Park Agreement): Attorney Robrahn, “The last thing I had on my report is that we need to approve the agreement between the City of Burlington and the USD #244 Recreation Commission, this has to do with the Parks Agreement.” Mayor Luke, “You received a signed copy from the Rec Centers last meeting. Are there any questions or concerns with respect to that agreement? Kevin, J.J., and I met with a couple of their board members and their manager several times going through the discussion. The superintendents that are impacted, I had their review and input during that process. If you have any questions please bring them up now.”

Council Member Scothorn, “I move to approve the Agreement, as presented, between U.S.D. #244 Recreation Commission and City of Burlington.” Council Member Tschantz, “I second the motion.” Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

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. For February we will be sending \$1,943.17 in delinquent utility accounts to the Kansas Set-Off Program for collections.

Finance Meeting: City Clerk Kewley, “I attended the finance meeting last Thursday.”

City/County Grant Funds: City Clerk Kewley, “I completed the City/County grant funds report for the county commission.”

Financials: City Clerk Kewley, “I handed out the 2019 financials. If you have any questions please come to my office anytime. We can go over it.”

Employee Evaluation/Work Plans: City Clerk Kewley, “A reminder to have the employee evaluation and work plans completed by the March 18th Council Meeting, and the same for the committee members for the Superintendents. I did tell the Superintendents I would like to have them all by Tuesday the 17th so I can get them prepared for the meeting the next day.”

OTHER COMMITTEE OR COUNCIL BUSINESS

REPORT BY CITY OFFICERS:

FUTURE AGENDA ITEMS:

| | |
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| GENERAL: 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 |
| 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) | Quarterly Construction Valuation Report Prepare Easements for any City-owned property without one Addition Nuisance Structures for Possible Condemn/Demolish Permits - Building/Zoning/etc. |
| 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 Sewer Liftstations –Flushing Rags, etc. | Sewer Lagoons - Analysis (KRWA/funds for dredging) Sewer Lagoon Maintenance/Updates Storage Building for Dirt -Construction Flooding |

Mayor Luke declared the meeting adjourned.

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