

BURLINGTON CITY COUNCIL REGULAR SESSION 4-1-2020

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, April 1, 2020. Mayor Stan Luke called the meeting to order.

ROLL CALL: Stan Luke, Mayor

Council Members present:

- Lewis Lenard (President of Council) Dallas Scothorn Jerilyn Curtiss
- J.J. Jasper Thomas P. Tschantz Sharon Hall

Superintendents Present:

- Kevin Boyce (Parks) Alan Schneider (Electric) Mark Davidson (Street)
- Doug Jones (Chief of Police) Danny Hawkins (Water/Wastewater)

Also Present:

- Regina Kewley (City Clerk) Mary Mader (Administrative Assistant)
- Tom Robrahn (City Attorney) Jimmy Hugunin (Zoning/Grants Clerk)
- Philip Wright (Assistant City Attorney) Anne Brown (Deputy City Clerk)

Media Present: Mark Petterson (Coffey County Republican)

VISITORS: None.

~ ~**Due to COVID-19 (Coronavirus) Superintendents were asked not to come to the meeting to follow social distancing guidelines and help keep the spread of the virus to a minimum. Their reports were in written form for Council Members to review. Council Members used Zoom (Video Conferencing Tool) to electronically attend the meeting. Due to technical difficulties the meeting started late at 6:13p.m.~ ~ (Reports were also given to the Coffey County Republican)**

Mayor Luke, “Everything tonight will be done by voice roll call for all motions and all actual voting. That way everybody will be identified and there are no questions or concerns with respect to who did what.”

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

MINUTES 3/18/2020: Mayor Luke, “You have before you the draft minutes of our regular session of March 18, 2020, are there any additions or corrections?”

Council Member Curtiss, “I move to approve the draft minutes of March 18, 2020 as modified.” Council Member Lenard, “Second.” Motion unanimously carried, 6:0.

FINANCE: Claims Ordinance & Payroll Ordinance

a. Claims Ordinance	2020-06	\$	<u>291,464.86</u>
b. Payroll Ordinance	2020-07	\$	<u>85,290.18</u>
	TOTAL	\$	376,755.04

CLAIMS 2020-06: *Council Member Lenard moved to approve City of Burlington Claims Ordinance 2020-06 for the amount of \$291,464.86 for payment of city bills. Council Member Tschantz gave the second. City Clerk Kewley, “The larger expenses of the whole ordinance tonight are to Brenntag Southwest \$2,111.45, Burlington Building Materials \$2,311.50, TrustPoint Insurance \$221,180.65.” Hearing no additional discussion, Mayor Luke instructed City Clerk Kewley to poll Council. All votes were in favor. Mayor Luke declared, “Claims Ordinance 2020-06 passed unanimously, 6:0.”*

PAYROLL 2020-07: *Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2020-07 in the amount of \$85,290.18, 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 2020-07 passed unanimously, 6:0.”*

STREET DEPARTMENT: Bridge Project – Bid Approval

Mayor Luke, “In Mark Davidson’s report you will see that the bids were opened for the Bridge Project of which Burlington City is responsible for the portion associated with Bridge #1 – Bowman Bridge. The County reviewed all of the bids and the motion you have before you is to move forward with the County approved bona fide Bridge Project with our portion to PbX Corporation not to exceed \$56,259.12 for Bridge #1 (Bowman Bridge).”

Council Member Lenard, “I make a motion to move forward with the County approved bona fide Bridge Project with our portion to PbX Corporation not to exceed \$56,259.12 for Bridge #1 (Bowman Bridge).” Council Member Curtiss, “I second the motion.”

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Mayor Luke, "Is there any discussion?" Council Member Jasper, "Yes. Next time we think we are going to piggy back with the County on a project I would like to make a suggestion that we ramrod and spearhead our own. I know we are trying to save money with mobilization and we did accomplish that. I think once we did that we are now committed to whoever they use, we now have to use that. I want the City to control who we want to use and that stuff going forward. So, maybe we should go about this a different way. We can take it to them that this is who we are using and if they want to give us money and what not. We are piggy backed so tight with the County on this we have to use whoever they want." Mayor Luke, "Whoever they want on this particular bridge, yes." Council Member Jasper, "It is just something to think about going forward." Council Member Lenard, "We don't disagree with them professionally though, at this point. We are just talking about process wise." Council Member Jasper, "Process wise maybe we make decisions and if they want to help us, then they help us, and if they don't then that's fine." Mayor Luke, "On the Osborne Bridge we are the controlling factor there." Council Member Jasper, "Okay." **Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.**

CITY CLERK: COVID-19 Emergency Family and Medical Leave Act.

Mayor Luke, "You have before you a motion in respect to the COVID-19 Emergency Family and Medical Leave Act. Ours needs to be exempted from that. Yesterday in a conference call I will give a little bit of input but we do have Tom Robrahn (City Attorney Robrahn) on here, he knows as well as Gina (City Clerk Kewley). On a conference call with the League yesterday there was a lot of discussion with this. Since our community with all of our infrastructure and personnel are classified as emergency responders pursuant to this particular act for us to be able to utilize our own systems with respect to human resources and all the other associated things with this act, we will need to exempt our employees for their benefit and well being. Tom (City Attorney Robrahn), is there anything else you have for this?" Attorney Robrahn, "We are urged that we really need to do this by the Kansas League of Municipalities. So it is a mandate that we need to pass a motion regarding this."

City Clerk Kewley, "I was on the phone with Amanda today. We were going over the situation with this new labor law of being under 50 employees; we are usually exempt out of that. Now, with the new family act we are involved in it. They recommended us exempting our employees. They were waiting for the definition of emergency responder to come out. They did announce it and we fall under public works personnel. So, all the City employees are first responders because we are all essential. It goes into effect no later than April 2nd. We will notify our employees today so we do need to exempt out our employees for this."

Council Member Lenard, "I move to exempt all Burlington City employees from the COVID-19 Emergency Family and Medical Leave Act as all such employees are considered as Emergency Responders pursuant to said Act." Council Member Tschantz, "I second the motion." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

Council Member Lenard, "We just had an announcement today at Evergy that sick bank hours and everything would have to be used before they give an extra 80 hours for FMLA. Is this something that the League will advise us on as well?" Mayor Luke, "Yes. We will send them a question and it will be in tomorrow's conference call that I have with them. They will give us an explanation then." Council Member Lenard, "Okay."

OTHER COMMITTEE OR COUNCIL BUSINESS

Council Member Lenard, "How are all of our employees doing?" Mayor Luke, "All of our employees are doing fine. I really want to thank each and every one of them for all of their cooperation in all these unusual situations we are having at this point in time. Everybody is working together. We are still accomplishing everything that we need to do. We will be doing brush pick up but we will not be doing trash pickup. Our trash company is not going to be able to support us and the biggest concern with the employees is the trash itself." Council Member Lenard, "We have traditionally had all the crews out working on this because we had a compressed timeline?" Mayor Luke, "Yes." Council Member Lenard, "I haven't driven around town but I haven't seen a whole lot of brush out. Would it be better for us if we were to expand the window to pick up brush?" Mayor Luke, "We have sent out a reminder that brush pick up is due. We are going to start this week picking up what is out there now. Then let them know that Monday and Tuesday are going to be the critical pick up days. We will probably go along at the end of the week and see if there is anything out there that we need to pick up. But Monday and Tuesday will be the main pickup days for the brush. They have a good weekend coming up; we shouldn't have rain or anything that would hinder them from doing anything."

Council Member Curtiss, "So, they are not starting until next Monday or are they starting now?" Mayor Luke, "We will start picking up the brush that is out there now on both the South and North end of town to get a head start on it. Then it may remind other people that they need to get it out. They will also have email and Facebook and anywhere else we can get the information out to them." Council Member Jasper, "To go back to what Lewis was saying though. Is there any way that we can look at it as one day a week a crew goes through? Where we burn our own brush that we pick up, is this an ongoing service that we can influence the community on the opportunity to clean up their property?" Mayor Luke, "We can look at that and discuss it further." Council Member Jasper, "We don't have to get the County involved at this level with just brush."

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Mayor Luke, “Right. The County is not involved with the brush pick up at all.” Council Member Jasper, “Just a little more service and maybe a little more incentive for our community while you may be at home to get outside and do a little clean up. We will help with removing it from your property.” Mayor Luke, “Yes. During the regular trash pick up the land fill will still be open for anyone to take trash out there that wants to. The office itself won’t be but they will be able to weigh the vehicle or trailer. But they will be able to take it out there themselves if they so choose.”

Council Member Lenard, “I know Mary (Administrative Assistant) forwarded me an email that a lady has brush in her yard and I have someone to go by and set the brush out for her.” Mayor Luke, “Okay” City Clerk Kewley, “She was an elderly lady and that is how we handled it. We decided to send it to you Lewis since you were reaching out to help people like that.” Council Member Lenard, “If they don’t get it then I can haul it off myself.”

PERMITS: Building Permits issued by Zoning Clerk Hugunin:

- 2020-001 Thomas Robrahn 1421 12th Lane - Garage
- 2020-002 Tom Hugunin 1501 Potomac - Garage
- 2020-003 Chancy Fischer 1308 S. 14th - Machine Shed

FUTURE AGENDA ITEMS:

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	Street improvement Plan, Paving Gravel Streets, Crack Filling, Street Improvements 2019 6 th & Alleghany Project Street Improvements 2019 Asphalt Project
WATER & WASTEWATER DEPARTMENT: Sensus Water Meter Replacement Fire Hydrant – 3 rd & Neosho Storage Building for Dirt -Construction Flooding	Sewer Lagoons - Analysis (KRW/funds for dredging) Sewer Lagoon Maintenance/Updates 6 th and Alleghany Waterline Project Sewer Liftstations –Flushing Rags, etc. Quick Coupler Bucket Updates

Mayor Luke declared the meeting adjourned.

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