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PAYROLL 2020-08: Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2020-08 in the amount of \$87,054.35, 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 2020-08 passed unanimously, 6:0."

FINANCE: CDBG Revolving Loan

Mayor Luke, "We have on the agenda the CDBG Revolving Loan fund for immediate use to support the working capital needs to Burlington businesses during this time. Gina (City Clerk Kewley), would you like to have a few words on this before we go into a motion?" City Clerk Kewley, "Yes. I have been in contact with the Kansas Department of Commerce this last week in regards to immediately use of our CDBG Revolving Loan monies due to the COVID-19 situation and the economic impact on small businesses. They have cut a lot of red tape out of CDBG loans. In your packet you will see the criteria that we do have to follow. They are keeping it simple so we can get this money out to our businesses. What we are looking at doing is to use as much of the money in the fund as we possibly can, we have roughly \$125,800.00 in there. We are looking at doing \$10,000.00 limit loans to 12 businesses. You will see in the criteria that it's a job retention for operating capital. So, they have to keep their job and they have to meet the LMI certifications. There are only going to be three or four forms that the businesses will fill out and get back to me, and then I will push it up to Debbie Beck at the Department of Commerce to get them approved. Then we will be cutting checks to the businesses that qualify which I don't think there will be a problem for our local businesses to qualify. We really need to push this out to help where we can with our businesses. 0% interest, first six months has no payments, and then quarterly payments after that. The requirements we could not go over is three years, it has to stay under three years. Do you have any questions? We had a finance meeting last week through Zoom and we went through all the documents, we did have Tom Robrahn involved. He looked over all of the documents. We will have to post a 24 hour hearing notice here at City Hall. We can be open for loan applications Friday morning. I would like to recommend that we go ahead and utilize the revolving loan CDBG money to help local business all that we can."

Council Member Scothorn, "How much money do we have altogether to give out for that \$10,000?" City Clerk Kewley, "We have about \$125,800.00. So, we were going to try to use all of it. We were trying to keep it simple. I talked to Debbie and she said that the lowest is \$5,000, the medium is \$10,000, and the max is usually \$20,000.00. She had said with our size of City and the amount of money we have in our fund right now that \$10,000 would be a good number." Council Member Curtiss, "So how do you notify the businesses of this?" City Clerk Kewley, "You'll see on the criteria it tells them. This is what they are going to get. We are going to put it on our website. Hopefully, Mark (Pettersen) can put it on Facebook for the paper. We are going to try to get it out as quickly as we can. I have reached out to the Decision Authority Board that we sit with on these loans and have explained to them that they were not required to be involved, just the Governing Body. I am going to push the information out to a couple of the banks and some other businesses. I talked with our Chamber; I talked with her today about it. She said yes, if we push her the information that she will push it out to businesses as well. I don't think it will be too difficult to get the information out to the people in the community. It can only be Burlington businesses, it is Burlington money."

Council Member Lenard, "How long does it typically take this process before we modify this process?" City Clerk Kewley, "Usually the CDBG funds can take months because you have to do the environmental report and flood plain areas. They completely cut the red tape out. They don't have to have collateral. You can see on there what all they are saying that they don't have to do. It will make it very easy for them. They just have to make sure that they are going to retain jobs. It is working capital and it is due to the COVID-19. There are four documents they fill out and I send it to Debbie. Once she approves it then I can get the money to them." Council Member Lenard, "My concern with this is what if we have 20 businesses come in. Are we going to try to manage these funds so we get it dispersed...I can't say equally but fairly?" City Clerk Kewley, "We will have to say this is how much we have in the fund and we have to do what we have to do. It's 12 businesses that we are looking at right now. If you would like to look at something later on if we expense out all the money, that is something you all can do, look where we can come up with more money. Right now this is all that we can expense out or lend out."

Council Member Curtiss, "So, are you saying the first ten people that would qualify would get \$10,000? Then if there are other people that would qualify then they would get nothing, right?" City Clerk Kewley, "That is all we have unless you guys want to pull money from somewhere. I can't expense out money that is not in the fund that is a cash basis law violation." Mayor Luke, "One of the things I think that private business owners, that they are the only people in business, cannot apply for these funds. So, if it is just the owner and their spouse that is running the business they are not eligible. It is only if they have employees that they are paying and are using to keep their employees paid." City Clerk Kewley, "Yes, it is in the criteria that is in the packet." Council Member Jasper, "To kind of go with what Lewis was saying, do we need to set a timeline so everybody can be reviewed? If you do just \$10,000; if we set a timeline for everyone to get their applications in and then we review it and decide who gets what and when?" City Clerk Kewley, "That's why, since we meet the way we do, I put in the motion to designate someone. We decided in the Finance Committee it would be me because I have to make sure all the documents are accurate before I can even push it to her (Debbie) to authorize that, if they have everything that meets the guidelines so we can get that money out. You are looking at weeks by the time..."

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City Clerk Kewley, "We would have to have special meetings all the time. That's why we are trying to streamline it and make it as simple as possible. We only have this amount of money. If you guys want to do more than that is a whole different realm of where we are going to get it and why we are going to expense it out the way we are. We can say this is all we have and we are doing 12.5 loans if you want to do one \$5,000 loan."

Mayor Luke, "They may apply and they may only qualify for \$7,000 or \$8,000 and that is all they would get. They wouldn't get the other; they would only get what they qualify for." Council Member Curtiss, "Who determines what they qualify for when we are saying \$10,000 per application." City Clerk Kewley, "If they meet all of the guidelines with the LMI then I will send it up to Debbie Beck. She is the Director of the Kansas Department of Commerce. I have to send up an environmental report then she will let me know that yes it is good to go. Then in the normal world after a month or two of hashing out of all the reports that they have cut all the red tape out. We would have to come back to have a public hearing and then get Councils authorization. They are trying to make it simple and get this money out to the community. If you guys want to do less, that's fine to loan out to more businesses but we just tried to meet in the middle to at least try to help some businesses in town. I know that they are getting SBA loans, PPE loans, and this is just another way to help some."

Council Member Lenard, "So, can they get this loan as well as the SBA?" City Clerk Kewley, "Yes. I called in to question that as well with Debbie. She said that because this is separate money, this isn't COVID-19 money, this is all CDBG money so it is separate and won't be a duplicate." Council Member Lenard, "So let me ask this, lets say we potentially have 20 businesses in town so we would lose out of possibly awarding to 8 of them but is the disbursement of the money...could you do a mile stone and then can you adjust it later? Say that we only get six people put in instead of 20 and then we could give them the full \$10,000. Is it all or none out of the gate?" City Clerk Kewley, "They are trying to work with communities. I think it is going to get more convoluted because we are trying to cut through the red tape and get money out to certain businesses. If we go back and say you met this criteria but now we have extra money here is some more then that is sending more documents up to the state. If you guys want to do more loans, cut it back to \$5,000 a loan."

Council Member Lenard, "That is my concern is that we open this up and then we overlook or miss some businesses that don't. That's where having this dialog between all of us; we don't know what we don't know. Just to say it's \$10,000 and it's the first 12..." Sharon Hall, "Can you figure out 12 businesses in town that need it? Can you name them? We were trying to figure out how many businesses actually can do it. Lewis, there isn't." Mayor Luke, "Most of them are private owned, they are only spouse and their family, and they are not eligible but they are for other things." Council Member Hall, "I say we go with the \$10,000 and go with the 12 businesses." Council Member Jasper, "It is going to be that..." Council Member Hall, "The first 12." City Clerk Kewley, "We have this amount of money and we have 12 loans that we can do." Council Member Lenard, "When is the last time we gave out a loan?" City Clerk Kewley, "Probably ten years ago. The requirements are so stringent on it all of our businesses downtown don't even qualify. They are all in the flood plain. So the loans are very very hard to get. That is why they have cut all of the red tape out to help us get this money out to the businesses."

Council Member Tschantz, "So, will the businesses qualify now?" City Clerk Kewley, "I don't know because they have to go through and fill out a criteria sheet on the LMI (Low to Moderate Income) on the wage for our community. There are income limit standards for Coffey County, like how many people are in their family that are employed with that business, 51% of their employees have to meet the LMI." Council Member Jasper, "I understand the number of businesses that might or might not qualify. Here is my thing. If the news doesn't get out there or somebody is not aware of this, 2 weeks from now the money is gone. I think we need to set a deadline for all applications in at the same time and let the higher ups decide who gets what and how much. Is that not in the criteria?" City Clerk Kewley, "They aren't going to decide who is going to get it and who is not. They are going to see if they meet the criteria on the LMI, they have to present why they need this money, and they are going to say yes this is good to go. It is up to you guys to decide the amount of money per loan. I am not even going to send them up if we can tell that they don't meet the income because there is no reason."

Council Member Lenard, "In the end do we think that we will get four or five businesses?" City Clerk Kewley, "I have talked to a couple of people in the community and I don't want to mention names. They said they have been reached out to by one business that is maybe in a pickle right now. If this happens then they are going to reach out to that person. Talking with other people in the community there are other loans that businesses are applying for. This is like a bridge to help them out. I think there are a handful that could potentially take this. I think if we can push it out and let them utilize it, it would be great." Council Member Lenard, "I get all that, I just wouldn't want to be representing the City as we have allocated all the funds and a legitimate business doesn't get it. Maybe I'm talking to a moot point since it has been a long time--?" City Clerk Kewley, "Okay, so what limit do you want to put on? I really don't know who all is going to come apply. We are going to put it out the best that we can to those businesses."

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Council Member Scothorn, "Can we put a lower limit on like \$8,000? If we have money left over then we can tell those businesses to apply for it again to get more money. I'm good with using up all the money for businesses. I don't have a clue how many are going to put in for it but if there is just a handful and we cap it at \$8,000 and we have money left over then we can tell that handful if they want more then come back and apply again." City Clerk Kewley, "If you guys want to change it to \$8,000 that's fine. We were going on \$10,000 because that is what was recommended to us."

Council Member Scothorn, "I know. I don't know how many people will put in for it. I don't have a clue. Maybe you guys are right and it will just be three or four businesses and that's it." Council Member Curtiss, "How many did you think that there are that could apply?" City Clerk Kewley, "I put some feelers out on giving them a heads up so they could help me get this pushed out and there was one person in particular that deals with businesses all the time and they had one business that was looking for different funding. Then I was told by another individual that there are many different mechanisms out there for lending, the SBA, PPE, and this would be a good loan for them. They are just now releasing all that to the businesses, you know how that is going in the world, it is finally starting to work its way down to help the people."

Council Member Curtiss, "When the finance committee met, how many businesses could you come up with that would be able to get this loan?" City Clerk Kewley, "A handful." Council Member Hall, "I don't think there is any more than five or six. You go through town and see how many are there." Council Member Jasper, "Is there any way we can gather data in a matter of a week or two with applications and sit down as a group or finance committee or whatever and then decide how much we are going to disperse? Can we not --." City Clerk Kewley, "We are just trying to get it out there as quick as we can J.J. We have the criteria. We are not even going to know that until the applications are complete with the LMI's to know if they qualify. It's kind of putting the cart before the horse. Time is money too because we are looking at another two weeks before we even decide where we are going. We are just taking the advice of the Kansas Department of Commerce trying to get it out and if you want to set it off you can do that." Council Member Jasper, "All I am saying is if we put a time line to have applications in a week and then the Finance Committee could sit down and say we have this many applications we have this amount of money, how are we going to disperse this though our set back money and then we put the cap on it and send it off."

City Clerk Kewley, "What happens if there are other people that come in after the fact because we only had a handful at the time and we have expensed it all out?" Council Member Jasper, "That's when we have the data that we need at that time to go ahead and review that again. So, if you have four businesses in a week that come in you know you have some data there. If another four businesses come in a week later then you have more data." Council Member Hall, "You have got to set a deadline that you are going to get the money out there quick." City Clerk Kewley, "That's what they were telling us." Council Member Jasper, "I understand it but --." Council Member Lenard, "I think now after hearing more of this and it sounds like we won't have that many businesses. My concern initially is that we were going to eliminate our pot of funding. It doesn't sound like we will do that." Council Member Jasper, "We have no data to say that though." Council Member Lenard, "Well, I'm thinking about now who the applicable businesses are. There are other mechanisms out there for people to get funding. Like Stan said who actually qualifies. If we haven't dealt out any money in ten years then I'm thinking we can be okay with this motion."

Council Member Jasper, "I still have reservations. I am okay with all of this. I want businesses to get their money that they need. I was just saying if we could take a week and gather some data to put who and how much." City Clerk Kewley, "Where we are expensing money out of a fund you need to have authorization of what it will be. We will have to come back and have a Council meeting to determine what we are doing." Council Member Jasper, "How quick can we do that?" City Clerk Kewley, "In two weeks. If you guys are wanting to send out all of this to surrounding businesses it's going to be hard to even know if they fit that criteria. That's why we were going to open it up right now and get as many loans filled as possible." Council Member Hall, "Put it in the paper and put it on the internet and people will look at it. It will be in the paper next week." Mayor Luke, "Yes, it will be on our website and the Chambers website. I don't know if there is an Economical Development website now with the County or not. We would have to get in touch with Rhonda on that and see if there is. Once again it is only for Burlington businesses in the City of Burlington. It is not COVID-19 funds it is the CDBG funds that we have already established."

Council Member Jasper, "I get it. I want the businesses to have the money." Council Member Curtiss, "Yes, so do I." Council Member Jasper, "All I am saying is if all we have is four that comes to the table and three of them qualify, we could give them \$20,000 if we want to, right?" City Clerk Kewley, "Why don't we just stand the ground that we have recommended from the Finance Committee and the Kansas Department of Commerce and follow this and if we don't come back to reevaluate and maybe see if we could give money to the businesses that have applied and was granted \$10,000." Council Member Hall, "If they want it." Mayor Luke, "This is something that they have to pay back. The COVID-19, some of that, as long as they retain jobs they never have to pay it back. It is all a grant. This is money that has to be paid back where the other is not. It's hopefully quicker--." Council Member Hall, "It is a loan." City Clerk Kewley, "It is a loan it is not a grant." Mayor Luke, "The other is classified as a loan too but it supports nothing but labor and maintains people then it is not going to be charged back to them."

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Council Member Jasper, "I'm all for it, don't think I'm not. I'm just trying to see who wants what and what we can do for them on an equal term." Council Member Lenard, "I think part of the deal too is we are spending a lot of the time here being educated on this." Mayor Luke, "Well we haven't had much time with it either." Council Member Scothorn, "I thought we would have more businesses that qualify." Council Member Lenard, "I did too initially." Council Member Scothorn, "I just want everybody to get their piece of the pie I guess. If we only have four or five that are going to be qualifying then I don't have any issue with anything."

Council Member Hall, "I move to approve the CDBG Revolving Loan fund for immediate use to support the working capital needs to Burlington businesses not to exceed \$10,000.00 per business, terms of the loan 3 years repayment, 0% interest, with no principal payments for the first 6 months, then quarterly payments. Also, to designate the City Clerk authorization to approve the loans once all the required documents are completed by the business." Council Member Lenard, "I second the motion." Council Member Lenard, "There is more to that isn't there?" Council Member Hall, "That's it." Mayor Luke, "No. Gina will have to submit everything to the State on all that other stuff but that is just part of the process." Council Member Lenard, "I was thinking that Huff's was the last one that we had right?" City Clerk Kewley, "No, Randy Rogers for the Flower Shop." **Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.**

Council Member Jasper, "I hope there are 20 businesses that show up for that loan." Mayor Luke, "So, do I. I would be utterly shocked." Council Member Lenard, "We would have a problem but that would be a good thing." Council Member Jasper, "That is what I'm saying, it's a good thing."

OTHER COMMITTEE OR COUNCIL BUSINESS

Council Member Jasper, "I might be over stepping here. I have no problem reading the Street Department or any other departments report. I have zero issues with doing that. I would just like information for our people to read about. If that is something we need to keep talking about. I know there has been some comments to me especially now since we are using Zoom. It would be nice for people to be able to see what we are talking about. Sometimes two weeks news is pretty late news. I just want to be transparent out there for everybody. I know we have always been that way. We have nothing to hide. I don't know if we want to be a little proactive as the Council going forward about broadcasting our stuff and letting everybody else enjoy what we do for the City. I'm just going to leave it at that." Mayor Luke, "Okay, anything else?"

OTHER COMMITTEE OR COUNCIL BUSINESS

Council Member Scothorn, "Yes, I may have missed it earlier in the meeting. Trash pickup. Have you guys talked about that at all?" Mayor Luke, "Trash pickup? We aren't doing it." Council Member Scothorn, "People set stuff outside and I can see when I drive around that not all of its because we canceled the pickup, I'm not sure some people are going to. So are we just going to let stuff sit around town or are we going to try to take care of it." Mayor Luke, "At this moment it is going to sit." Council Member Scothorn, "Okay." Mayor Luke, "For a lot of reasons." Council Member Tschantz, "Why is it going to sit?" Mayor Luke, "For one thing that trash company that supports us in doing it is not going to do it. They have already notified us that they are not going to be involved with it this year because of the virus and the way they are changing their work schedules for what they are doing for their people. Right now the Street Department cannot pick it up." Council Member Scothorn, "Well, when the Street Department could pick it up are we going to go ahead and have them pick up stuff?" Mayor Luke, "That is going to be a decision we will have to make at that time." Council Member Curtiss, "Otherwise, I could see it sitting out there for forever."

Council Member Lenard, "So, let me say this. My wife and I went around on this yesterday because it was recycle day and I said that we aren't putting it out because they aren't picking it up. I'll be darned if they didn't pick it up." Mayor Luke, "They put out a notice earlier in the week, I think on Monday that they would pick it up on Tuesday." Council Member Lenard, "So, I was a little surprised. I know we were hit with this whole deal and we have impacts to our labor force. I'd like to see us collectively, and for you Stan, to take this and if the Council would endorse this and establish a program. I don't know if we need to put a committee together. We have been cussing and discussing our City cleanup and our ordinances for a long time. I think we need to be more intentional and come up with a proactive plan so we can clean our City up. I know a lot of people over on Alleghany are putting stuff out on the street. It is probably some of the properties we need to have cleaned up. I have heard feedback that the tires are expensive. I think we need to put our heads together as a Council and as the Mayor and put a plan together for the City. Let's start proactively cleaning things up. I know we have some dynamics now with the COVID-19 virus. There are legitimate people in town that need help. There are people that have the capability. I don't know if that means us working with the County to get the landfill open, to get trailers, to use our staff more, but I think we need to be more intentional. I think it's time we enforce the ordinances and become more proactive in getting everything cleaned up."

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Council Member Jasper, “I’m going to go with this too. The Republic Waste Service says they are not going to pick up trash. I’ve been on Council for three years now and I thought this would take care of itself and it has not. It has just gotten worse. I’m with everybody else here that, Stan, if you want to be the one that bridges the gap between our departments and the landfill and the community. Then we come up with a game plan. It is bad out there right now and I think we need to start using our ordinances and flexing our muscle just a little bit maybe. I don’t know, I think that where you should head the direction to help us out with this.” Council Member Lenard, “Even yards of the month or neighborhoods of the month or wards, we need to do something. Now that we see clusters the more I bike ride or walk it is apparent. I get it. We can overcome it I just don’t know how exactly we can do it. I’m confident that we can.” Mayor Luke, “I’ll put some feelers out to some of the other communities that I know and see what kind of input and information that I can get back from them on what they do with respect to this. We will look at what we can do and what we might have to do to respect ordinances or how we would go about some form of enforcement.” Council Member Curtiss, “I am all in favor of that.” Council Member Lenard, “Stewardship is as good as ordinances. Like we have talked before, we have schools, civic groups, 4-H, boy scouts, and church groups. We might be under a different dynamic. Even if it means loaning trailers, opening the brush pile up, we have the equipment that we can go in and grab stuff. We will come up with something. We have seven sharp people on the Council and the Mayor so I’m pretty confident that we can make it happen. That includes you too, Tom (Tom Robrahn).” Mayor Luke, “I’ll start that process.” Council Member Lenard, “Thank you, Stan.”

MAYOR’S COMMENTS

“Mayor Luke, “Just so everyone knows the Governor extended the Stay-At-Home order until May 3rd. She does not have authority to go beyond that date. The legislature will have to convene and come up with some other issue or whatever they want to do if anything. She will have reached the end of her capabilities of doing the declaration. We will see what happens between now and the 3rd of May.” Council Member Lenard, “So, have the numbers started to flatten or do we have that data yet?” Mayor Luke, “It’s starting to flatten. I have been getting I don’t know how many Zoom and conference calls I’m on weekly with respect to the virus at all kinds of levels, everything from the County up to the Vice Presidents committee. The Governor has put out several things. The League also does them and the County. I think I have seven of them this week just to see where things are and what potential legislation might be coming down the road. If there if anything I hear of importance to the City then I will let everybody know because everything is pretty generic and general. Things are starting to level out in a variety of areas. Our latest here is that there are six deaths associated with Coffey County. There are 45 cases of which 13 have recovered. That is where we sit right now within the County as of today.”

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 (KRWA/funds for dredging) Sewer Lagoon Maintenance/Updates 6 th and Alleghany Waterline Project Sewer Liftstations –Flushing Rags, etc. Quick Coupler Bucket Updates

Mayor Luke declared the meeting adjourned.

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