

## BURLINGTON CITY COUNCIL REGULAR SESSION 12-15-2021

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, December 15, 2021. Mayor Stan Luke called the meeting to order.

### THE PLEDGE OF ALLEGIANCE

**ROLL CALL:**  Stan Luke, Mayor

Council Members present:

Jerilyn Curtiss

Maxi Berryman

Lewis Lenard (President of Council)

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:

Anne Brown (City Clerk)

Mary Mader (Administrative Assistant)

Philip Wright (City Attorney)

Jimmy Hugunin (Zoning/Grants Clerk)

Kerri Weltha (Deputy City Clerk)

**Media Present:** Mark Petterson (Coffey County Republican)

**VISITORS:** Paul Abendroth, Jay Hale, Martin Ernst

### AGENDA:

*Council Member Tschantz, "I move to approve the agenda as modified." Council Member Hall, "Second." Motion unanimously carried, 5:0.*

**MINUTES 12/1/2021:** Mayor Luke, "You have before you the draft minutes of our regular session of December 1, 2021. Are there any additions or corrections?"

*Council Member Curtiss, "I move to approve the draft minutes of December 1, 2021, as modified." Council Member Jasper, "Second." Motion unanimously carried, 5:0.*

### APPOINTMENT:

### PUBLIC COMMENTS

Jay Hale, "I would like to say that I appreciate the efficiency of the crews to take down the veteran's banners and put up the lights while keeping traffic flowing. You have to be pretty efficient to do that, and I appreciate that. It looks nice." Mayor Luke, "Thank you."

### ELECTRIC DEPARTMENT: DISTRIBUTION Update

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

**Generator Preparation:** Superintendent Schneider, "We got the trench from the power plant to the substation complete with 6-inch conduit laid in the ground in anticipation with the new generator. We had to call in Victory Excavating. We tried to use the city machine to get that backed out around all the conduits and the grit, but there was so much debris and chunks of blacktop and brick it just kept plugging our machine up."

**Family Dollar/Dollar Tree (919 N. 4<sup>th</sup>):** Superintendent Schneider, "With the help of the street department, we have a pad poured next door for the transformer. Thank you to those guys. They kind of helped us on short notice. We have temporary electric service installed next door for them to construct the building."

**Pole Replacement:** Superintendent Schneider, "We had to change out a 40-foot pole on 5<sup>th</sup> street."

**Tree Removal:** Superintendent Schneider, "We helped the water department remove a tree by the old Huff's Garden. The tree was blocking the radio signal for the SCADA system on the sewer lift stations."

### ELECTRIC DEPARTMENT: PRODUCTION Update

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

**Generator Preparation:** Superintendent Schneider, "They are pretty much back to normal power plant maintenance. They are almost finished in the basement to get everything organized over there."

**Bulk Storage:** Superintendent Schneider, "We have our bulk storage diesel fuel permit tanks submitted. I am sure they are approved, but I didn't get anything back from KDHE saying otherwise."

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**EIA Reports:** Superintendent Schneider, “We are also preparing for our annual energy information agency reports. I will start working on those in January.”

**Rates and Finance Seminar:** Superintendent Schneider, “I attended a rate and finance seminar with Anne last Wednesday the 8<sup>th</sup>.”

**KPP Meeting:** Superintendent Schneider, “I attended the annual KPP member meeting on December 10<sup>th</sup>; Stan rode with me.”

**KMU Safety Training:** Superintendent Schneider, “The department staff attended the monthly KMU safety training.”

**Wind Storm Damage:** Superintendent Schneider, “Today, about 2:30, when the wind came up at its best, we discovered a broken pole in the north end of town. We temporarily supported it for the night. We no sooner got that organized when a carport blew into the power lines at 10<sup>th</sup> and Niagara. Luckily there was a line fuse directly out of the power plant that fed that feeder. It was isolated to two blocks on the north side of Niagara and the south side of Des Moines from 8<sup>th</sup> to 10<sup>th</sup> street. We were able to get that untangled and got that back in service. Then we had a hotlinks jumper that had broken due to the wind. We got that fixed. There were only two customers affected on that.”

**WATER AND WASTEWATER: Distribution Update**

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

**Water Leak:** Superintendent Hawkins, “We had a small water leak over by Conger. We got that repaired pretty quickly.”

**Family Dollar/Dollar Tree (919 N. 4<sup>th</sup>):** Superintendent Hawkins, “We got everything completed at the Dollar Tree with helping the other utilities down. That project is done. I want to thank Mark and his guys for going and putting the concrete and sidewalk back, everything that we tore out. I am very grateful for that.”

**Personnel – Test Passed:** Superintendent Hawkins, “We are pretty excited. Justin King passed his class three water test. Now he is a certified water operator; we are pretty stoked about that.”

**Pump Repair:** Superintendent Hawkins, “We had Jim, with RW Vaught, come to install another VFD down at pump station 7. That is complete, and it is up and running.”

**Supply Issues:** Superintendent Hawkins, “We had some bad news from our vendors today. Core and Main said that our AMI radios that were on backorder and were supposed to be here in November now have no clue when we are going to get them. That was not good news considering we budgeted for more meters to be replaced in 2022. I placed another order of another 100 radios and another 100 meters for 2022 because they are saying it may take six to nine months if they can even get them. The chips are the same, I guess, through the same technology that the automobile industry is having problems with. The last bad news that they told us is that everything starting January 1 is going to go up 8% to 9% because of the inflation.”

**WATER AND WASTEWATER: Production Update**

**General:** Superintendent Hawkins, “The plant is running very well.”

**Equipment Maintenance:** Superintendent Hawkins, “Shane Newland came to work on our turbidimeter at the water treatment plant.”

**Tree Removal:** Superintendent Hawkins, “As Alan said, I want to thank his guys for coming down and moving the tree. We were having failures because the signal wasn’t able to get back to the water treatment plant for our lift stations. I want to thank them for doing that as well.”

**Sewer Treatment Issues – Debris in systems that it cannot handle:** Superintendent Hawkins, “The last thing that I have is a video. I want to thank the street department for this too. Richard and his guys went in to install the catch basket that you are going to see here. Because of the pandemic, everybody is staying home and using wipes and using disinfection; we get all that. The issue that it is causing is problems with the sewer getting wrapped in the propellers and extra maintenance and wear and tear.”

A video of the pump station showed the number of rags and other debris that does not disintegrate like toilet paper and gets stuck in the city machinery in a 24 hour period. It is a growing issue that is costly and will eventually affect sewer rates if the citizens of Burlington do nothing.

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Council Member Jasper, “Is it like this in every station that you go to?” Superintendent Hawkins, “Usually what we are having issues with is pump station three and six. Those two are the biggest issues that we have. I don’t know what is going on in those parts of town. I have visited with several businesses to ask them to please stop in those areas. We made this flyer up. I want to thank Mary; she helped me put this together. If we could just stop it by half and slow it down, it would help us a lot. It is also putting our staff in harm’s way because of bloodborne pathogens or just the nature of the beast in itself. It is happening across the United States. In fact, I read an article this morning that said there are over a billion dollars that is going into the maintenance of cities. I should have gotten a picture of that. It showed them pulling the pump out about this tall; when it came out, it was four feet in diameter filled with non-disposal rags. We understand with COVID that everybody wants to sanitize, but they think the easiest way is to go flush it down the toilet. The other side effect of that is, not only is that plugging up the pumps which is causing us to have maintenance issues and rebuilding because I just took some pumps up to Douglass pumping to be rebuilt, is the sewer lagoon.

“So, that pump station, in theory, I know that they are wet; if there are 30 pounds in a day, then in a year’s time that’s over 9,000 pounds from one pump station. That is non-disposable rags going into the lagoon. In return, it will cause the lagoon to fill up faster, meaning we have to dredge it sooner. If we can just make the public aware. I would like to put the video on Facebook, the web, maybe have the county help us, we can go to school, my guys can come help fold and help the girls put it in the billing, to just make people aware instead of flushing it, just throw it in the trash can. That is what I am proposing as of right now. We will end up putting another basket on pump station 6, and we will see how it goes. As long as we can keep the pumps from being rebuilt. That one pump is going to cost \$2,600 for the rebuild. That is a small fraction of what you are paying for a new one which is \$10,000 to \$12,000. There are so many factors that go into this. I just wanted you all to be aware of it. I wanted all of you to know and see what we do and that we are being proactive with it.”

Council Member Jasper, “So, when you say #3 and #6, will you remind me of where #6 is?” Superintendent Hawkins, “#3 is inside the pump yard, and #6 is where Huff’s Garden used to be.” Council Member Jasper, “So, those are more into the residents?” Superintendent Hawkins, “More or less. You would be getting everything from the west as it comes across Rock Creek; anything from the Meadows, high school, and Life Care nursing home would be coming into that pump station. Anything east of there would be coming around back into pump station #1, which would go down to Neosho Street.” Council Member Jasper, “And then three that is going to be a lot of residents.” Superintendent Hawkins, “It is a lot of residents. I don’t want to disclose... I am not trying to pick on a business. We know that we have found things in the sewer that we know where it came from, and we went and asked them to please stop throwing these things down the toilet.”

Council Member Jasper, “Is there something on your side Doug (Chief Jones), that you could help Danny out with here?” Chief Jones, “Only if we could prove where it is coming from.” Superintendent Hawkins, “We have sat down, and we have thought about that too as far as how could we narrow it down. Then you get into a slippery slope that, yes, there are baskets that you can put into sewer mains and start capturing. The issue is if you create enough obstruction, and then you back them up, then the city is liable for backing sewer up into people’s basements.” Council Member Jasper, “Yeah, and I’m not too in love with the idea of our guys sifting through it to try to figure it out. It’s just a matter of getting it out to the public by Facebook and the website.”

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Council Member Hall, "Is this going in with the bills?" Superintendent Hawkins, "Yes, and we have offered to come down and fold them because we don't want the girls to have to. This is a lot of extra work. It is the awareness to understand. There is the COVID thing going on, and we understand, but it is also going to affect rates, and it's just easier to throw them in the trash can."

Superintendent Hawkins, "One more thing, I want to thank Jimmy. Jimmy helped me for two hours getting the video ready. I want him to know that I am appreciative for helping me and setting it up."

**STREET DEPARTMENT: Update**

**General:** Personnel have been doing the normal duties: cleaning ditches, sweeping curb and gutter, fixing potholes and ruts, blading rock roads, repairing and re-rocking alleys, tree trimming, fixing and replacing street signs, and truck and equipment maintenance.

**Tree Removal:** Superintendent Davidson, "We removed a hazardous tree at the post office."

**Christmas Parade:** Superintendent Davidson, "We put out barricades for the Christmas parade."

**Assisting other departments:** Superintendent Davidson, "As Danny said, we assisted the water department with the lift station and the sidewalk out here at city hall for Family Dollar. We also assisted the electric department with their transformer pad."

**New Culvert:** Superintendent Davidson, "We installed a new drive culvert at Jones Funeral Home."

**Catch Boxes:** Superintendent Davidson, "We have been cleaning catch boxes."

**Equipment Repair:** Superintendent Davidson, "We got the sweeper back up and going. It was a wheel bearing."

**Wind Storm Damages:** Superintendent Davidson, "This afternoon we had several stop signs down that we have replaced. Just before the meeting, we had one of our street trees on 6<sup>th</sup> and Hudson snap a limb off, and it fell on Jim Mann's house. We couldn't see too extensive damage; they were down with the loader and chainsaws and going to pull it off. We will clean it up in the morning. We had some guys who were taking pictures before they moved the tree, so that we will have some documentation. We also had a tree fall 400 block of 75 Hwy. Anne called me about that. It fell on the state right of way; it was not blocking traffic, we put out a cone, and we will also clean that up in the morning. One of the stop signs at 4<sup>th</sup> and Kennebec, across from Subway, is a state highway sign. I will get in touch with them in the morning and let them know we made a temporary fix on it."

**POLICE DEPARTMENT: Update**

**General:** Normal Duties.

**Activities & Cases:** Chief Jones, "We got to deal with a newborn last week. A gal and her significant other drove down here from Melvern. Apparently, they were involved in a domestic on the way down; she had a black eye when she got here. She was admitted to the hospital; she had the baby, there were only around 15 minutes of labor, so she had been in labor for a while. They got the toxicology screening back on the mother after she had given birth, and she had four different drugs in her system. We were really worried the newborn was going to be born addicted. She was kept in the hospital overnight. It was pretty clear she didn't show any signs of addiction or withdrawal. At the request of the Kansas Department of Children and Families or DCF, and based on what we saw as well, we wound up taking her into police protective custody. After she was released from the hospital the next day, we transported her to Bonner Springs to a foster home that could take a newborn. This is the fourth child this woman has had, and the other three have been taken away as well."

**Interview:** Chief Jones, "We did an interview with an applicant last Friday. It went well. I took the next step with that one to invite him back to the pre-employment CVSA (Computer Voice Stress Analysis) interview. We had a little hiccup on scheduling. It was supposed to be this Friday, but instead, it will be next Wednesday." Council Member Curtiss, "Just one application? It seemed like when I was on there; we had three." Chief Jones, "Years back, we would get 30 or 40. I have two applications sitting on my desk right now." Council Member Curtiss, "Why is that? Why aren't we getting anymore?" Chief Jones, "A lot of it has to do with the political stigma; the whole defund the police." Council Member Curtiss, "I understand that." Chief Jones, "A lot of it has to do with work ethic; they don't want to work." Council Member Curtiss, "Is our base salary below?" Chief Jones, "Our base salary according to the last salary study we got from the League, which was probably four years ago now, comparing to other agencies, we are around 75% to 80% of the median." Council Member Curtiss, "So, that would not be a factor."

Chief Jones, "It is very possible that it is going to come down to benefits. It seems like there are an increasing number of agencies offering extended insurance benefits, not just for the employees. That may be something that the city has no choice but to take a look at in the future. It is a nationwide thing. Every agency in this country is hurting for job applicants. Some of the big cities are running at 60%-70% staffing because they can't get the applicants to apply. It is not anything in particular that we are doing; it is the same boat that everybody is in. One of the places that we advertise is the Kansas Police Officers Association website; on any given day, there will be between 60 to 100 agencies looking for people right now. That is just Kansas." Council Member Curtiss, "Is this a new one that we have to send to the academy?"

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Chief Jones, “No, he is actually already certified and has been serving as a road deputy for Kearny County sheriff’s office in Lakin, Kansas.” Council Member Curtiss, “Well, that’s a plus.”

**Radar Systems:** Chief Jones, “The radar speed trailer that Philip is purchasing for our use through diversion funds. I got a phone call from Kevin this afternoon; weather and time permitting, I will be going down to pick it up either tomorrow morning or Monday. I sent a heads up to Craig Marshall because I don’t know if this is a superintendent question or a school board question or if he needs to get legal counsel on it, but if we could put this for a day or two at a time to actually put it on school property at one of the campuses instead of just on the city right of way or something, just as an option. He seemed to be quite thrilled with the idea. He wants to check around and see what he comes up with.”

**QUESTIONS/COMMENTS**

Council Member Jasper, “When we go to do the radar sign... Have we made a motion to buy it?” Chief Jones, “The city attorney, decided to purchase a radar trailer using diversion funds from court proceedings.” Attorney Wright, “The diversion fund, I have absolute discretion over it. It is basically the money that comes in when I make diversion agreements with people for the diversionary filing fee. The rest of those fees and fines go to municipal court, I think, if they were convicted or whatever. There is a \$50 application fee and a \$200 diversion filing fee that goes into that fund, and over time, I have used it in the past to buy body cams. I think we have used it to buy the CVSA or a portion of the CVSA. With a lot of this stuff, the county attorney will use funds available to him to help split the cost with the city. I know it seems a little bit weird, but I can just do that with those diversion funds.”

Council Member Jasper, “So, is it public knowledge of what diversion funds you have at any given time?” City Clerk Brown, “It’s on the fund report.” Attorney Wright, “It’s on the fund report, and it is audited. I audit it occasionally, but I know it just kind of sits there unless somebody wants or needs something.” City Clerk Brown, “It is in your financial reports that you receive.” Council Member Jasper, “Sure.” Attorney Wright, “By law, it is a fund that I have absolute discretion over. I could go buy a car with it if I wanted to; I would never do that.” Chief Jones, “Items and equipment that the city attorney has purchased for us is also included in our inventory, so it does get audited through that as well.” Attorney Wright, “Traditionally, here it has been used to buy stuff for the police department.” Council Member Jasper, “I agree, it should. Is this trailer radar sign what we decided would fit for our needs?” Attorney Wright, “I don’t know if you were here or not; it is actually one of the ones that I’ve looked at. This one is a model 2013 completely refurbished, one year warranty, and it has all the bells and whistles. It is a big one. It has two displays on it.”

Chief Jones, “It has a message board and a speed display.” Council Member Curtiss, “Are we thinking about putting it out here on 75Hwy? Don’t we have to talk to the state on that?” Chief Jones, “Either that or they tell us we can’t have it there, so we hook onto it and move it somewhere else, but yes, I have to have KDOT’s permission to put it in the states right of way. Which is why we are looking at putting it in the city right of ways up by the middle school and rec center area.” Attorney Wright, “Or we can put it on private property with the property owner’s permission.” Council Member Curtiss, “So, we could get Stuckey’s permission or whoever to put it there?” Chief Jones, “Yes. The patch of grass out here on the other side of the sidewalk right here at city hall, city hall doesn’t own that, they don’t have control over that, that is the state of Kansas. I would have to have their permission.” Council Member Curtiss, “Does the state of Kansas mow?” Chief Jones, “No, they don’t.” Council Member Curtiss, “Okay.”

**Nuisance: Properties/Vehicles Update:** Chief Jones, “On the nuisance properties, the officers have identified three more nuisance properties. We are going to start working on those as well and adding those to the list. One of them that was ticketed requested a continuance, so I am not sure what happened with the other two.” Council Member Jasper, “Do we have a court date for some of the ones coming up?” Chief Jones, “Last Thursday. The one I know requested a continuance will be on January’s court date. The other two I haven’t checked with Lisa to see what happened with those. Their names weren’t called, they weren’t on the docket, so I don’t know if they got a continuance or what.” Attorney Wright, “I don’t recall either. I am not in there the whole time. If you come to watch proceedings, you’ll see that I am quite often out doing things.”

Council Member Curtiss, “Last time you said one property owner that has three properties will be given a notice to appear after the first of the year. That starts that whole process.” Chief Jones, “Yes, I can go to that person’s property on January the 2<sup>nd</sup> and the 3<sup>rd</sup>. and then I have the full 12-month calendar year.” Council Member Curtiss, “You can’t do anything right now because you would have to start all over.”

**PARKS DEPARTMENT: Update**

**General:** Personnel have been doing the normal duties: cleaning public restrooms and buildings, building and equipment maintenance, watering trees, and mowing.

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**Mulching Tree Leaves:** Superintendent Boyce, “We have been mulching tree leaves in the parks.”

**Inventory / Goals and Accomplishments:** Superintendent Boyce, “I have been working on inventory and goals and accomplishments.”

**Tree Trimming:** Superintendent Boyce, “We have been south of town in the industrial park where the cedars are by the Vet Clinic cutting the trees out of the cedars.”

**FINANCE: Claims Ordinance & Payroll Ordinance**

a. Claims Ordinance	2021-24	\$	<u>326,138.09</u>
b. Payroll Ordinance	2021-25	\$	<u>85,655.11</u>
	TOTAL	\$	411,793.20

**CLAIMS 2021-24:** Council Member Curtiss moved to approve City of Burlington Claims Ordinance 2021-24 for the amount of \$326,138.09 for payment of city bills. Council Member Tschantz gave the second. City Clerk Brown, “The larger expenses we have tonight are Brenntag \$6,265.50, Core and Main \$5,979.65, Digital Alli \$5,100.00, Kansas Power Pool \$189, 291.91, Midland Fencing Company \$8,887.14, Midwest Electric Transformers \$2,092.7, and US Line Company \$4,494.12.” **Hearing no additional discussion, Mayor Luke instructed City Clerk Brown to poll Council. All votes were in favor. Mayor Luke declared, “Claims Ordinance 2021-24 passed unanimously, 5:0.”**

**PAYROLL 2021-25:** Council Member Hall moved to approve City of Burlington Payroll Ordinance 2021-25 in the amount of \$85,655.11, as presented. Council Member Curtiss gave the second. **Hearing no discussion, Mayor Luke instructed City Clerk Brown to poll Council for a vote. All votes were in favor. Mayor Luke declared, “Payroll Ordinance 2021-25 passed unanimously, 5:0.”**

**PLANNING & ZONING: Update**

**General:** Zoning Clerk Hugunin, “Normal duties.”

**Permit:** Zoning Clerk Hugunin, “I did a couple of permits this week.”

**Property – Permit Issues:** Zoning Clerk Hugunin, “I have been dealing with a property. I had Danny involved, and I want to thank him for his help on that. We have some people that kind of got duped a little bit on some property; it is in the floodway. They bought it, and it’s five acres right in town. It has no sewer available. I am working with them. I cannot issue a building permit until they have done their proper permitting with the KDA, Kansas Department of Agriculture. We are going to have a meeting with them on Friday. We did a conference call already, and I had Danny on the phone with me. They are pretty upset. We are doing whatever we can to try to help them out. There is a little sliver of property that they might be able to build on, but I am not sure. It is going to be difficult because they are going to have to have a lagoon on this property. It is in city limits, but our ordinance only requires three acres to have a lagoon if sewer is not feasible. This is directly east of the Country Club. It is property that has been for sale for a while. While I feel bad for them, they did not do their due diligence. They didn’t call here, and they didn’t ask questions. I think Philip could probably say more, but Kansas is a non-disclosure state.”

Attorney Wright, “Well, it certainly isn’t the city’s fault.” Zoning Clerk Hugunin, “Right. We are doing everything we can. Danny has been a big help to me on this. In the meeting Friday, I am going to show them kind of where they can build that is not in the floodway but still in the flood plain, so we still have to have permitting for it. I don’t know where they can build at. It has to be big enough for a house and lagoon. A lagoon, from what I’ve looked at, has to be 50 feet away from the house. It has to be so big. We will do what we can. They are moving here from California, I believe, and coming here to retire.”

City Clerk Brown, “And the lagoon would be through the county; the county would have to approve that.” Zoning Clerk Hugunin, “Yes, that would be KDHE rules.” Superintendent Hawkins, “We would still have to sign that it’s in the city limits, but we would have to have Marilyn Eccles come out and do an inspection because it is going to be based upon county code which is KDHE regulations.” Zoning Clerk Hugunin, “I sent her over all of the permits that she will need. She has talked with the state. I have talked with the state. It could take 30 days or more by the time they get everything filed. We will see what happens if the state gives approval on how they can build it without putting the house on stilts. I know kind of what the flood level is there, but I don’t know the elevation of the property. We will have to wait to see. That is what I have been dealing with since Friday, I believe. Four-hour phone calls here and there with these people.” City Clerk Brown, “Two or three times a day.”

**Family Dollar/Dollar Tree (919 N. 4<sup>th</sup>):** Zoning Clerk Hugunin, “I am still continuing to work with the property next door. As you can see, they have gotten a lot done in the last two days.”

**QUESTIONS/COMMENTS**

Council Member Jasper, “We got a quote from when you were gone. Anne stepped in and gave us your price quote for the video recording, \$4,500. She kind of itemized it with microphones and tablets.” City Clerk Brown, “And there were some things that were not included in that price.” Zoning Clerk Hugunin, “I priced the tablet and laptop were about equivalent because of the storage that we would need. I would prefer a laptop just for the storage, if that makes sense.” Council Member Jasper, “Yes.”



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Zoning Clerk Hugunin, "I got them the same price with the right size hard drive and the right kind of memory that is going to be acceptable for recording without it lagging. What do you have questions on?" Council Member Jasper, "I didn't know if there was a slimmer package?" Zoning Clerk Hugunin, "That laptop was at the minimum specs that I was looking at. It is the cheaper option. Laptops right now are not cheap. That's if you can find them too." Council Member Curtiss, "So, you are saying video recording would cost us \$4,500?"

Zoning Clerk Hugunin, "Right now that would be the minimum, and that is not counting all of the cables, electrical that would need to be done to be able to get a system set up, and that was with wireless microphones, so we don't have cables running everywhere. My thought was if we are going to do that, I would just assume to do it right; that way, the sound quality and video quality are good." Attorney Wright, "What kind of mics did that include? If you watch proceedings and the mics are all hot at the same time, it creates a huge amount of --." Zoning Clerk Hugunin, "I thought these were voice-activated. Now that might be something with eight microphones; we might need to cut it down to one or two on each table." Attorney Wright, "Is there a mic where you push a button to go hot?" Mayor Luke, "Yes." Zoning Clerk Hugunin, "Yes, there are. Those are a little bit more money. I could look at that. You can get the packs on them, and you push a button when you want to talk, but that might be more difficult. I'd rather see something that sits on the table, and you push a button when you want to talk."

Attorney Wright, "The other question that I have is when department heads are giving reports, how are we going to do that? Are we going to have a podium that they walk up to?" Zoning Clerk Hugunin, "We may have to go to a podium with a microphone there." Attorney Wright, "I'm just going to say that I am not sure that city staff is really going to be too enthralled about being on YouTube with this stuff." Council Member Jasper, "If you get a centralized microphone, I don't know why anybody will need to stand up or do anything. I understand your going to have trouble hearing stuff. I have watched plenty of meetings that are through YouTube, and you can't see the people, but you can hear the voices. I have gone through a bunch of videos to see what they are doing. A lot of them are so minimal it's crazy. It doesn't sound like it's very advertising that people want to go the route."

Mayor Luke, "Well, we will keep investigating. Part of the time at the commissioner's meeting and at the school board, you can hear some people and not somebody else. You can't turn the microphone off, and you have somebody else talking over here, and you have somebody giving a presentation. That has to be eliminated. You have to be able to control what is heard. Conversations off to the side don't need to be what people hear. I have been to meetings where you have the pushbuttons, and it works great. Push to speak, and then you push to go off. The biggest issue is people will not be able to instantaneously speak because you will have to be given permission to have the floor because you will be interrupting somebody else's speech. It's not difficult to do. It's just like going back to 1<sup>st</sup> grade asking if you can speak. If the audience is asked a question, they aren't going to want to get up and walk to the microphone every time. They want to be able to answer the question while in their seat."

Zoning Clerk Hugunin, "Another thing I looked at is the camera comes with a remote. I don't think when you guys go into an executive session, you would want to get up and leave. You can pause this and then go right back to recording. That way, we aren't editing stuff out." Mayor Luke, "And the commissioners don't do that; they just leave, and then you have an hour of sitting and watching their empty chairs." Zoning Clerk Hugunin, "They used to stop it. Then go back to recording. I think that is the easier way than the other. Like the last commissioners meeting, it was four hours long, but it was two hours of executive session."

Attorney Wright, "I have concerns. I think if we have that in place, we need to have a system where the person speaking is readily identified and clear. It needs to be very clear on video and audio who is speaking and when and I think the speaker needs to be on video. I think we need to have a system that doesn't allow a non-speaker to be talking without them being seen on the video. Another concern I have is that we are able to have a fairly candid conversation. Invertedly, I think the nature of some people in this room is that their speech is going to be hampered a little bit knowing that it is going to be broadcast or recorded. Everybody knows I don't care what you do with regards to trying to keep this from being stored somewhere else; if you stream it, it is going to be on the internet forever. I am a little bit concerned about that part of it. I am also concerned about things being posted on the internet that are taken out of context or hot mic moments and things like that."

Zoning Clerk Hugunin, "We can turn off comments on YouTube too, but that doesn't stop people from posting on Facebook." Attorney Wright, "Or taking what someone says out of context." Council Member Jasper, "I can read these minutes and take it three different ways." Attorney Wright, "Certainly that is the case. I wouldn't dispute that at all. There is a big difference between reading through minutes and something going hot on YouTube." Council Member Jasper, "I think it's good for people to see who they are voting for too." Attorney Wright, "I don't disagree with that. I also think that anybody that is interested should come in and view a meeting or read the minutes." Mayor Luke, "We will look at some additions to what the basic was." Attorney Wright, "I think we need to see what the city council thinks." Mayor Luke, "Jimmy, you'll look at what we discussed and see if we want to move into that." Zoning Clerk Hugunin, "Yes."

**OTHER COMMITTEE OR COUNCIL BUSINESS:**

**ORDINANCE**

**LICENSE RENEWALS for 2022:**

Mayor Luke, "This time of year, we have to do the Cereal Malt Beverage Licenses and Trailer Court Licenses for 2022."

**LICENSE APPLICATIONS FOR 2022**

**TRAILER COURT LICENSES**

Rachel Hale 8 lots Mat Raymer's Trailer Park 8 lots

**CEREAL MALT BEVERAGE LICENSES (5)**

Across the Borders Casey's General Store Dollar General Pizza Hut Pete's of Erie, Inc.

*Council Member Curtiss stated, "I move to approve the Cereal Malt Beverage Licenses and Trailer Court Licenses for 2022 as presented." Council Member Hall, "I second the motion."*

Mayor Luke, "These are the same as last year?" City Clerk Brown, "Yes." Council Member Curtiss, "Where is Rachel Hale's?" City Clerk Brown, "She purchased what used to be Toy's." Zoning Clerk Hugunin, "16<sup>th</sup> and Neosho." Council Member Curtiss, "Okay." **Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0.**

**LEGAL DEPARTMENT: Update**

**General:** Attorney Wright, "Normal duties. We had municipal court last week, and it went really well. I will say trying to find police officers and attorneys to serve on the criminal defense panel is starting to become a little bit of a problem. I am not sure we have any. We lost two of our panel members, and we have one that has really only been working part-time. We really need people that are full-time, and we don't have that right now. I am a little bit concerned about that."

**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, preparing cereal malt beverage licenses and trailer court licenses, and council meeting minutes.

**Reminders:** City Clerk Brown, "A reminder that dog tags are due and can be purchased January 1<sup>st</sup>." Another reminder that unconventional vehicle registration renewals are due on the anniversary date of the original registration."

**Training:** City Clerk Brown, "Alan and I attended rates and financial planning training."

**Interview:** City Clerk Brown, "I also set in on the police officer interview."

**Last Meeting:** City Clerk Brown, "This is our last council meeting of this year. Like in the past, we will continue to have 2021 open to finish old business while having 2022 open for new business. Usually, we keep it open through the month of January in hopes to have everything paid up by the end of January."

**Closing:** City Clerk Brown, "City Hall will be closed December 23 and 24 for Christmas. We will also be closed on December 31<sup>st</sup> for New Year. Merry Christmas and Happy New Year to everybody."

**REPORT BY CITY OFFICERS:**

Council Member Curtiss, "Merry Christmas everybody."

**OTHER COMMITTEE OR COUNCIL BUSINESS:**

**MAYOR'S COMMENTS:**

**Resignation of Council Member Sharon Hall:** Mayor Luke, "Sharon, if you would come forward, please. Since this is your last council meeting, I want to give you this certificate for five years and eight months to the city of Burlington as a council member for Ward 2, from April 15<sup>th</sup>, 2015 to December 15, 2021." Council Member Hall, "Thank you." Council Member Curtiss, "Thank you." City Council gave their congratulations and thanks. Council Member Hall, "It has been good, but I just thought it was time for somebody else."

**Rates for 2022:** Mayor Luke, "Mayor Luke, "Alan, and I attended the actual rate setting for utilities for the electric side. The rates will be virtually the same as they were this year. The rates have gone up .012 cents. If you were paying \$7.00 before now, you are paying seven dollars and 1.2 cents. Looking at that going into the next five to ten years, we will be getting out one of our fossil fuel coal contracts, and we will be looking at a decrease in rates. We should be in pretty good standings. 2022 should be the last year for the surcharge that came from the storm. We are looking pretty decent."

**Season Greetings:** Mayor Luke, "I also want to wish you all a Merry Christmas and a Happy New Year. If I don't see you in the next three days, then I will see you next year because we are going to go see our new great-grandson."



**[9] CONTINUATION: December 15, 2021 Burlington City Council Regular Session**

**FUTURE AGENDA ITEMS:**

<b>GENERAL:</b> City Debt - How to fund projects Expense Tracking on Projects Budget 2022	GAAP - Infrastructure Capitalization City/County Grant Funds – Discussion on Matched Funding Council Discussions on Evaluations, Succession Planning, etc.
<b>ELECTRIC DEPARTMENT:</b> Power Plant - Additional Generation <b>PARKS DEPARTMENT:</b> Events in Parks (Updates)	<i>RICE NESHAP Compliance</i>
<b>LEGAL DEPARTMENT:</b> Municipal Court Updates	Misc. Legal - Documents, Cases, Contracts, etc.
<b>PLANNING AND ZONING</b> Work with Advantage Computers and City Departments to improve Cyber Security Nuisance Grass: Work with PD FIRM Floodplain Map Changes – Updates	Quarterly Construction Valuation Report Prepare Easements for any City-owned property without one Permits - Building/Zoning/etc. Burlington Corporate Boundary Updates on Map (Work with State)
<b>POLICE DEPARTMENT</b> Nuisances (Work with Zoning Clerk) Voice Stress Analyzer Project	Department Activities and Cases
<b>STREET DEPARTMENT:</b> Concrete St. Repairs/Free State Ct. Replacement/Repair Pavement Management System/Asset Management System	Street improvement Plan, Paving Gravel Streets, Crack Filling, Street Improvements 2022 Asphalt Project
<b>WATER &amp; WASTEWATER DEPARTMENT:</b> Sewer Lagoon Maintenance/	Sensus Water Meter Replacement Sewer Liftstations –Flushing Rags, etc. Sewer Lagoons - Analysis (KRWA/funds for dredging)

Mayor Luke declared the meeting adjourned.

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