

BURLINGTON CITY COUNCIL REGULAR SESSION 6-2-2021

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, June 2, 2021. Mayor Stan Luke called the meeting to order.

THE PLEDGE OF ALLEGIANCE

ROLL CALL: Stan Luke, Mayor

Council Members present:

- Jerilyn Curtiss (President of Council) Dallas Scothorn Lewis Lenard
- 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: Steve Gifford, Paul Abendroth, Kimberly Skillman-Robrahn

AGENDA:

Council Member Scothorn, “I move to approve the agenda as modified.” Council Member Curtiss, “Second.” Motion unanimously carried, 4:0.

MINUTES 5/19/2021: Mayor Luke, “You have before you the draft minutes of our regular session of May 19, 2021. Are there any additions or corrections?”

Council Member Curtiss, “I move to approve the draft minutes of May 19, 2021, as presented.” Council Member Hall, “Second.” Motion unanimously carried, 4:0.

APPOINTMENT: TrustPoint Dividend Check

Kimberly Skillman-Robrahn, “As you all know, I am Kimberly Skillman-Robrahn, and I am one of your insurance agents with TrustPoint. It is my great pleasure annually to come to reward the City of Burlington for its safety protocols and successful safety programs and practices. Your insurance carrier is EMC. They are one of the best municipality insurance carriers in the nation. They specialize in municipality business and also have, I think the last count was, over 5500 different municipalities in the Midwest; over 500 in Kansas alone. Of that group, that safety group, basically they take all of those premiums and all of those losses and figure out a dividend based off of the balance. This year you are getting a sizable dividend. Over the last six years, the combined total has been returned to the city of \$185,760.33. I am bringing you a check tonight for \$35,593.66. So, keep up the good work, and if there is anything that Angela and I could help you with, risk management assessments, walk-throughs, building improvements, or anything that we can get loss control in here to help with those, whatever you need, we are willing to step up. We appreciate the partnership with the City. Angela and I are always available. Thank you, we are always just a phone call away.”

Council Member Scothorn, “Thank you.” Council Member Curtiss, “Thank you.”

APPOINTMENT: Steve Gifford – July 4th Street Closure

Steve Gifford, “We are going to be doing our annual party at our house. We are going to block off the street at 7:00 p.m., and we are usually done around 10:00, but it takes us around 20 minutes to clean up afterward. So, we are usually done about 10:20 p.m. to clean up the street. We would like the try to do the same thing again.” Mayor Luke, “Okay, so we will just say from 7:00 p.m. to 10:30 p.m.?” Steve Gifford, “That would be fine.”

Council Member Curtiss, “I move to approve Steve Gifford’s request to block a portion of the 800 block of St. Lawrence Street on July 2, 2021, from 7:00 p.m. to 10:00 p.m.” Council Member Hall, “I second the motion.”

Mayor Luke, “That would be Friday night?” Steve Gifford, “That is correct. The 4th is on Sunday, so we will do ours on Friday night. Next year it’s on a Monday that will make it easier.”

Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 4:0.

PUBLIC COMMENTS:

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.

Tree Trimming: Superintendent Schneider, “They are out doing tree trimming in the utility right of ways.”

Hazardous Tree: Superintendent Schneider, “We received a phone call the other day. We had a tree in the south part of town, a maple that had grown off of an old stump. The gas company was worried about it falling on gas meters. It was a potential hazard to the community as well, so the men went over to cut that down to remove that hazard.”

Outage: Superintendent Schneider, “We worked an outage last Thursday morning after the storm came through. It was a compression connection and a line jumper going into some underground primary. One of the phases of the three-phase service had burned. The guys had that fixed within an hour once we received the phone call.”

Testing: Superintendent Schneider, “The apprentice linemen are studying to prepare for testing.”

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.

Circulation Pump Repairs: Superintendent Schneider, “We replaced a circulation pump in the lower plant. We will have a spare on hand. We will have the one that we took out of service rebuilt, and then we will have it for a spare.”

Generator #6 Maintenance: Superintendent Schneider, “We also have made adjustments to the link of the controls from full diesel to natural gas for when it switches over on generator #6.”

Solar Energy: Superintendent Schneider, “We have had another application for photovoltaic panels to be installed in a residence just north of Burlington at the end of our serving territory. I am still reviewing that to make sure that they are sized properly, and we are waiting on the processing fee from them as well. We will move forward with that once we get that worked out.

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, customer call-outs, and concerns.

Blue Water Tower: Superintendent Hawkins, “We had Cunningham come out to do some maintenance on the blue water tower. They did not get it all completed, but they got the majority of it done. They will come back at a later date to finish. It worked out well because Rob with MT Networks and crews have been coming out. They will be out tomorrow. They are going to be measuring for the fabrication for the antenna that is going to set up there. It is working out really well.”

Maintenance in the shop: Superintendent Hawkins, “We have been doing maintenance around the shop with all of the rain that has been going on.”

Sewer Cleaning Project: Superintendent Hawkins, “We are getting ready to ramp up our sewer cleaning. The State requires that we clean ¼ of the town’s sewers. We are ramping up to start that very shortly.”

Meters: Superintendent Hawkins, “We received word today that our sensus meters that we have been putting in the ground around town, the microchip inside of them comes from overseas. Our backorder is delayed. We cannot get any more of those meters in until October now. We are going to figure out how many we need of those to place in town and then order. They said that it is going to be first-come, first-serve. We want to get our meters in. So, that kind of set us back.”

WATER AND WASTEWATER: Production Update

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

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, fixing and replacing street signs, and truck and equipment maintenance.

Grass in Streets: Superintendent Davidson, “We have been getting quite a bit of grass blown out into the gutters and plugging up our drain boxes.”

Sign Repair: Superintendent Davidson, “We have been replacing street and stop signs as needed.”

6th and Alleghany Street Project: Superintendent Davidson, “Danny and I met with his engineer. We may be starting back on the 6th and Alleghany Street projects and working that intersection. We are still in the discussion stage on that.”

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Training: Superintendent Davidson, “We attended the safety meeting.”

Quail Road Closure: Superintendent Davidson, “We received a phone call from Janet Leiser with Coffey County today. They are requesting to put a three-bar barricade at the corner of 4th and Neosho at the stoplights. They are going to have Quail Road closed from 11th to 12th for approximately one week. They want to put up a sign informing people of the closure, so they don’t get out there and hung up. They would like to put the sign up in approximately two weeks.”

Mayor Luke, “Which part of the intersection?” Superintendent Davidson, “It will be by Veterans Park.” Mayor Luke, “In the ground or sitting on it?” Superintendent Davidson, “It will be a three-bar barricade like we had over on Kennebec. This closure will all be dependent on the weather. I just wanted to let everyone know what is going on.”

QUESTIONS/COMMENTS

Council Member Scothorn, “I got a call from a resident on Wilson Street. They appreciated your timely manner on working on their alley.” Superintendent Davidson, “Thank you. We finally had some dry weather, and we could get some rock to put down.” Mayor Luke, “Which was harder, finding dry rock or dry weather?” Superintendent Davidson, “Both.”

POLICE DEPARTMENT: Update

General: Chief Jones, “We have had a pretty calm Holiday weekend. I’m sure we owe a lot of that to the weather. The officer reported that we had two to three hours of heavy traffic Monday evening coming back; after that, it was dead. There was no traffic.”

Cases: Chief Jones, “We have been working domestics, arrests on city warrants, otherwise normal calls.”

City Court: Chief Jones, “We have court a week from tomorrow on the 10th.”

KLETC: Chief Jones, “The academy (KLETC) remained open and are still doing face-to-face classes. Rich is in his 4th week at the academy. So far, so good.”

QUESTIONS/COMMENTS

Council Member Scothorn, “In your packets next council there will probably be something in there for animal control on dangerous animals to talk about repealing articles 3a and 3b.” Attorney Wright, “I get the impression we are having problems with people identifying a lot of pit bulls in Burlington that aren’t pit bulls. That and the fact that I think a lot of these ordinances are outdated with regard to not being truly factual with the frequency of dog bites by pit bulls vs. other dogs. There is a section, section three, in the ordinance that specifically prohibits pit bulls as a breed. What was talked about in the Police Committee was basically just to repeal that one paragraph. Essentially what that means is that the dangerous animal would be defined as a dog or cat or animal that bites two times. After two times, there is a procedure where the animal can actually be destroyed after going through court. If you want to take a look at it, it is article three dangerous animal, and it is in the definition section 2-301. All we are doing is taking out the specific definition of pit bull, which is currently prohibited within the city limits of the city of Burlington. I don’t know what everyone’s thoughts on that are, but I will suspect that we will have the ordinance at the next city council meeting if people are open to it.”

Council Member Hall, “I’m okay with it.” Council Member Scothorn, “I’m okay with it.” Attorney Wright, “I’m lazy. I don’t want to do the work if it’s just going to get shot down anyway.” Mayor Luke, “So, you will work with Mary (Administrative Assistant Mader) to get that put together?” Attorney Wright, “Yes, it is really going to be underwhelming. It’s going to say something to the effect that Article 2-301 subparagraph 3 is repealed in its entirety.” Mayor Luke, “I think we can handle that. We don’t have to add anything back in, just repeal it?” Attorney Wright, “Yes. It is still basically doing what it has been doing. I am not aware of any pit bull that we have had problems with since I have been prosecutor. I haven’t seen one in court. We have destroyed a couple of animals that have bit, but they weren’t pit bulls. So, it still allows that procedure to move forward, but it doesn’t affect anything else. It just takes out the specific breed.”

PARKS DEPARTMENT: Update

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

Nuisance Mowing: Superintendent Boyce, “We have mowed three nuisance properties at 1110 Lamoille, 928 Des Moines, and 716 Yuba. Tuesday, Chief Jones gave me 615 South 9th and I believe that we will get it done tomorrow as long as it is not raining.”

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Welcome to Burlington Signs – Solar Lighting: Superintendent Boyce, “I handed out a paper for solar lights pricing. This would be for the north and south ‘Welcome to Burlington’ signs. We touched base a little bit on this at the last meeting with 4 Rivers Rural Electric Cooperative providing lights there. Do you want to move forward with it? It is the same system that we have on the east and west signs. Those were installed in 2014. We had a couple of issues with the LED lights that came with those systems. Since then, we have changed them under warranty, and these will be the new style light instead of those.”

Council Member Curtiss, “I move to accept the north and south Welcome to Burlington’ sign lighting project estimate from MJ Hollister & Associates, LLC, not to exceed \$4,630.00, as being in the best interest for the city.” Council Member Hall, “I second the motion.”

Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 4:0.

Mosquito Fogging / Spraying: Superintendent Boyce, “Tomorrow evening, we will start fogging for mosquitoes and once a week from then on.”

FINANCE: Claims Ordinance & Payroll Ordinance

a. Claims Ordinance	2021-11	\$	<u>93,751.17</u>
b. Payroll Ordinance	2021-11	\$	<u>86,944.57</u>
	TOTAL	\$	180,695.74

CLAIMS 2021-11: Council Member Curtiss moved to approve City of Burlington Claims Ordinance 2021-11 for the amount of \$93,751.17 for payment of city bills. Council Member Hall gave the second. City Clerk Brown, “The larger expenses we have tonight are Boomshine Consult Group \$5,800.00, Brenntag \$2,182.48, Power Plant Compliance \$5,271.30, Strawder and Daughter’s \$6,899.51, Wilborn Sales \$10,787.65. Hearing no additional discussion, Mayor Luke instructed City Clerk Anne Brown to poll Council. All votes were in favor. Mayor Luke declared, “Claims Ordinance 2021-11 passed unanimously, 4:0.”

PAYROLL 2021-11: Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2021-11 in the amount of \$86,944.57, as presented. Council Member Scothorn gave the second. Hearing no discussion, Mayor Luke instructed City Clerk Anne Brown to poll Council for a vote. All votes were in favor. Mayor Luke declared, “Payroll Ordinance 2021-11 passed unanimously, 4:0.”

PLANNING & ZONING: Update

General: Zoning Clerk Hugunin, “Normal duties.”

Permits: Zoning Clerk Hugunin, “I took the permits to the appraiser's office.”

Coffey County Planning Meeting: Zoning Clerk Hugunin, “Danny and I, right after the last Council meeting, attended the Coffey County Planning Meeting. That was interesting.”

City Wide Clean-Up: Zoning Clerk Hugunin, “I passed out the clean-up flyer. I changed some things up, took out things, and added others.”

Cyber Security from KPP: Zoning Clerk Hugunin, “I started cybersecurity training today.”

Tree City U.S.A: Zoning Clerk Hugunin, “I have already started working on the Tree City U.S.A application.”

City Hall renovations – Parking Lot: Zoning Clerk Hugunin, “I just talked with Mark today about some parking blocks out front. We have some people that like to pull almost all the way up to the dropbox. If we can space them back a little bit, that will give room to walk in front of vehicles and not through the rock and irrigation. That should help there. Mark is going to see what he has out there.”

QUESTIONS/COMMENTS

City Wide Clean-Up: Mayor Luke, “I would suggest any of the governing body or department heads if you have any questions or comments for the flyer to get back in touch with Jimmy.” Zoning Clerk Hugunin, “I don’t want to make it too wordy like the old one was. There was a lot of information on there. If we can make it simple but to the point, I think that is going to help a lot.”

OTHER COMMITTEE OR COUNCIL BUSINESS:

ORDINANCE

Resolution

LEGAL DEPARTMENT: Update

General: Attorney Wright, “The Police Department has kept me really busy with speeding tickets. They are out there working hard. I have been working on normal things and looking at ordinances. If anyone has any questions, as always, you know where to find me.”

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QUESTIONS/COMMENTS

HWY 75 Drainage: Mayor Luke, “Did J.J. (Council Member Jasper) get in touch with you about what liability we have with water on HWY 75.” Attorney Wright, “I don’t think so.” Mayor Luke, “You might check to see because with the new building going in next door with concrete, asphalt, or whatever, we are going to have more runoff. If that gets out into the second lane, are we going to add any liability, or are we going to have to do some major changes in our drain boxes to handle the water flow?” Attorney Wright, “I’ll shoot him an email.”

Zoning Clerk Hugunin, “Stan, I did talk to the engineering company for this today. They are going to be doing a drainage study on that.” Mayor Luke, “Okay, and we are going to give them an idea of the direction to flow the water?” Zoning Clerk Hugunin, “That should come off of the drainage study.” Attorney Wright, “I think whoever is putting the new building in, it’s on them not to create a problem.” Zoning Clerk Hugunin, “I think more than likely, and I think Mark will agree, they are going to have to put some sort of retention in.” Mayor Luke, “On the east end?” Zoning Clerk Hugunin, “I would imagine on the east end.”

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. We will be sending \$1,280.34 in delinquent utility accounts to the Kansas Set-Off Program for collections for May.

State Budget Workshop: City Clerk Brown, “Tuesday, I attended an online state budget class for training which was all day long. There was a lot of information.”

Flood (2019) - FEMA: City Clerk Brown, “We received our first check for reimbursement from FEMA for the disaster in 2019 yesterday. They have different sections. This was for category A which was on the debris removal. It was \$4,039.88.”

Budget Finance Meeting: City Clerk Brown, “I moved the finance meeting from Wednesday, January 9th at 9:00 a.m. to Monday, June 14 at 3:00 p.m.”

CITY CLERK: Personnel Mary Mader – Evaluation

City Clerk Brown, “The last item I have is Mary’s evaluation. I am very pleased with her. She is very efficient, and she does an excellent job no matter what she does. Whatever we throw at her, she takes it on and does it with a positive manner. I would like to recommend moving her to \$17.07 per hour, effective June 12, 2021.”

Council Member Curtiss, “I move to accept Mary Mader’s personnel evaluation as presented, and to grant a pay increase to \$17.07 per hour, effective June 12, 2021.” Council Member Hall, “I second the motion.” Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 4:0.

REPORT BY CITY OFFICERS:

Fireworks: Superintendent Boyce, “The fireworks will be on the 4th?” Mayor Luke, “Yes, the fireworks through Burlington Promotions will be on the 4th at Kelley Park, and it will only be fireworks. There will be no stage set up, no food, no music; it will just be fireworks this year. We picked up a couple of additional sponsors, so it will probably be the largest one we have had with respect to the fireworks.”

MAYOR’S COMMENTS:

American Rescue Plan: Mayor Luke, “Anne and I will be sitting in on a webinar on the American Rescue Plan. I don’t know how that is all going to shape out as of yet. That is tomorrow at 4:00 p.m. We know that there is going to be some money coming our way; we just don’t know exactly how we can spend it. We know we will be able to utilize some items, but we don’t know the full gambit of things that they are going to be looking at requesting and what type of reporting we have to do. We will get educated on that. It is not a quick thing. It is not something that has to be done in a month or two. The funds will come in a variety of at least two stages, and it will be at least three to four years to do the projects. It is not something we have to have done by the end of the year like some of the other things.”

Budget Meeting: Mayor Luke, “We are going to have a revenue-neutral hearing, hopefully, the last meeting in July. The budget hearing will be the first meeting in August which just has to be done prior to the 15th. We have our budget meeting coming up here to basically get down to the nitty-gritty with what we expect and need and how we can meet the requirements.”

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FUTURE AGENDA ITEMS:

GENERAL: City Debt - How to fund projects Expense Tracking on Projects Budget 2021 Flooding 5-2019 – Updates	GAAP - Infrastructure Capitalization City/County Grant Funds – Discussion on Matched Funding Council Discussions on Evaluations, Succession Planning, etc. Plan Council Work Session
ELECTRIC DEPARTMENT: Power Plant - Additional Generation	<i>RICE NESHAP 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.
PLANNING AND ZONING Work with Advantage Computers and City Departments to improve Cyber Security Nuisance Structure & Properties: Work with PD FIRM 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 Pavement Management System/Asset Management System	Street improvement Plan, Paving Gravel Streets, Crack Filling, Street Improvements 2020 6 th & Alleghany Project Street Improvements 2020 Asphalt Project
WATER & WASTEWATER DEPARTMENT: Sewer Lagoon Maintenance/	Sensus Water Meter Replacement Updates Storage Building for Dirt -Construction Sewer Lagoons - Analysis (KRWA/funds for dredging) Sewer Liftstations –Flushing Rags, etc.

Mayor Luke declared the meeting adjourned.

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