

BURLINGTON CITY COUNCIL REGULAR SESSION 1-19-2022

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, January 19, 2022. 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 Martin Ernst

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, Greg Holmquist

AGENDA:

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

MINUTES 1/5/2022: Mayor Luke, “You have before you the draft minutes of our regular session of January 5, 2022. Are there any additions or corrections?” *Council Member Curtiss, “I move to approve the draft minutes of January 5, 2022, as modified.” Council Member Tschantz, “Second.” Motion unanimously carried, 6:0.*

APPOINTMENT:

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.

New Pole: Superintendent Schneider, “We were finishing an install of a light pole. We transferred the phase conductors and electric service to the new pole.”

Lift Station Assist: Superintendent Schneider, “We helped the water department at the sewer lift station. We lifted a pump out for them.”

Stop Light at 4th and Cross: Superintendent Schneider, “We had maintenance done on the stoplight at the intersection of 4th and Cross. We readjusted the sensors and re-aimed them to suit the lane of traffic better. The controller, it’s been there since the 1990s, was so out of date that we weren’t even able to access the menu screen to reprogram it properly. We had Mid-American signal help us with that out of Kansas City.”

Maintenance: Superintendent Schneider, “We have done normal equipment maintenance on department equipment.”

Pole Removal: Superintendent Schneider, “At the old restaurant across the street from city hall, that was torn down. There was a rental light and service pole by the highway that served as a light for the parking lot; we removed that at the owner's request.”

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.

Reports: Superintendent Schneider, “We have completed and submitted KDHE reports that were coming due. We are still keeping up on plant records and reports, rebuilding spreadsheets for 2022.”

Generation Project: Superintendent Schneider, “Larry Wheeler was on site the 12th and 13th. He was there to plan and coordinate projects. As you see in front of you, there is a GANT chart that has a schedule and timelines with everything for that. Depending on the start date, those numbers may adjust a little bit. When that gets updated, I’m happy to provide an updated copy. He will also keep that updated with progress as we move forward.”

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KDHE Inspection: Superintendent Schneider, "We had KDHE on site last week to inspect the facilities. They are here every three years. That inspection went well."

QUESTIONS/COMMENTS

Generation Project: Council Member Lenard, "Where do we stand on the agreement itself? I apologize I missed tonight (the electric committee meeting)." Superintendent Schneider, "You all have the current copy of that agreement. Personally, reading through it, I don't see anything out of place. The corrections that were discussed that needed to be made prior to that have been updated on that agreement." Council Member Lenard, "Back to Wheeler or to Philip or...?" Superintendent Schneider, "No, not until our council votes on it." Mayor Luke, "I would recommend that we get it to Philip, first, to make sure we have everything straight. If anything needs to be corrected, get it corrected between now and the next meeting. We will look at finalizing it at the next meeting."

Superintendent Schneider, "You had a copy emailed over. Anne, I believe you sent it to them, is that correct?" City Clerk Brown, "I believe I did send that to all of the council members." Council Member Lenard, "I got it." Attorney Wright, "I did too if it's what I'm thinking of. We will check and make sure." City Clerk Brown, "I will send it to you, Martin, as well." Mayor Luke, "If we get that ready for approval at the next meeting, we will be able to move forward, and we could pretty much stay with this schedule." Council Member Lenard, "So then let's see, the next meeting we have..." Mayor Luke, "The bond, yes." Council Member Lenard, "Dave back, okay. Then we need to get synced up with the payment schedule that's going in the contract." Council Member Jasper, "Not only that, but we will be discussing our bonds next time. We left it up in the air if we want to run it parallel with what we already have bonded. I know what you are going to say, and it's all about timing. But if we could get a better rate by running those parallel, I understand that it puts it off another month. I appreciate the electric department saving the money back for this specific generation if we can get with Wheeler and make a payment to hold the generator?"

Mayor Luke, "The contract has the first payment made with the final signatures on the purchase agreement. That is when the first piece of money is paid." Council Member Jasper, "For the generator itself?" Mayor Luke, "Yes, and that's 1.2 million dollars." Council Member Jasper, "We are able to take the bond money and replenish it?" Mayor Luke, "Yes, we will replenish, and if the bonds go as Dave talked last meeting, those funds should be available to us the 3rd week or the start of the 4th week of February. So, the first part of our 1.5 million that we are paying, we would be able to replenish it by the end of the month." Council Member Jasper, "So, is it the committees and the council's thought or worry is that if we put it off for another month and run it parallel with our sewer bond and everything that we will get a worse rate?" Mayor Luke, "Well, the interest rates are going up, so I don't think that we are going to get a better rate than we are going to get now for this piece. We would have to seriously look at what the rates are at to refinance the other debt that we have and make sure that we stay with those timelines. We have some debt that will be totally paid off in two years."

Council Member Jasper, "I think he was stating that it will fall off." Mayor Luke, "We can do that. We can separate them out and do that." Council Member Jasper, "I don't have it on me, but he had that it was going to be a savings of around \$300,000 if we just come off 0.4 by running them together. I think that is why we are here is to save our community as much money as we can." Mayor Luke, "It kind of depends on different bonding people. Some say if you don't save $\frac{3}{4}$ of a percent or 1% of the cost of operations and all the stuff you go through to save, that isn't justified. He thinks with the 0.5% or whatever he had said would be adequate to justify the move. We need to know what the costs are going to be as well as what the savings are going to be." Council Member Jasper, "I think we need to be synced up for when he comes back."

Council Member Lenard, "So, we do have time because we have the funds there. As long as we can replenish it, the timeline looks right, and we can set our milestone payments up to where it would work. The thinking I don't want to do is if the over-under is a 0.5% and it comes back, and they say no, then we just roll with it. So, that is what we probably should be thinking about with what that value is instead of them coming in saying we can go 0.45%." Council Member Jasper, "Right." Mayor Luke, "For example, the Power Pool when we brought in our bond people to do the different bonds, we evaluated the different interest rates and costs, to determine if it was cost-justified to change what we already had done." Council Member Jasper, "Sure, and we are in a good rate now." Mayor Luke, "Right, we are not hurting with the interest rate we have now." Council Member Jasper, "But we could be better, possibly." Mayor Luke, "In the next six weeks, I don't know." Council Member Jasper, "That is the flip of the coin." Mayor Luke, "Right, it might be a matter of listening at the next meeting to determine whether he still thinks the 0.5% is still there." Council Member Jasper, "Okay."

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 have a very small water leak in front of the library. I have contacted Kansas Rural Water Association, and they are going to come down with their listener. That way, we can minimize how much concrete we will dig up out front. I have already visited with the library to let them know. We will make it as least impact and least amount of destruction as possible."

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KDHE Inspection: Superintendent Hawkins, "As Alan said, we had our KDHE building inspections. We had a good inspection at the water plant.

Advertising: Superintendent Hawkins, "I want to thank Mary; she has been helping me. We have been sitting down and going over what we can do for more advertisements. We are going out further and further. I want to thank her for that. We have several places we are advertising in as well. I went around town putting flyers up at the Coffey County Libraries, Burlington Coin-op Laundry, Casey's, and many other places."

Sewer Treatment Issues – Pump #3: Superintendent Hawkins, "I also want to thank Alan and his guys for bringing their truck over to lift that pump. There were many rags in it again. Our telehandler was wrapped up in another job. With that said, we also took flyers around into the area around pump station #3 and door to door, either putting flyers up or knocking and handing them to people. We are just trying to get awareness to everybody to stop flushing the towels down the toilet."

WATER AND WASTEWATER: Production Update

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

Equipment Maintenance- Sludge Mixer: Superintendent Hawkins, "Our sludge mixer, the pit mixer we call the boat motor, went out on us. We have been working with JCI and Douglas Pumping on that. I am supposed to hear tomorrow morning from JCI for a bid for that. That mixer comes out of Sweden. I am trying to get something that is in America that is cheaper than some of the numbers that I heard. I am still on the hunt to try to find something that is going to be adequate but also saves us money. I'll have some more information on that tomorrow."

Chemical Costs: Superintendent Hawkins, "I was told by HACH, which is our chemical analysis company, that across the board, there is a 12% inflation on everything from them."

QUESTIONS/COMMENTS

Council Member Tschantz, "The sludge pump is working, but you had a replacement for it?" Superintendent Hawkins, "We are having Douglass Pumping take parts off of an old spare to rebuild the other one for a backup. To buy one brand new, they are \$13,000. I don't normally have a spare \$13,000 mixer just laying around. I am working to make it work. I am trying to save the city money. It is not causing us any issues or operational processes at this time. We are working on it diligently." Council Member Tschantz, "It's still a surprise that we didn't have a spare somewhere." Superintendent Hawkins, "Generally, on something that expensive, we wouldn't have that in a spare. We have had one in the past. So, what we are doing is taking the old ones, or spares, and having them rebuild them to make one as a backup. I am looking to see what it will cost to buy something different other than this really expensive Sweden mixer. I am trying to find something in America that is much cheaper."

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.

Chemical Cabinets: Superintendent Davidson, "We have been sandblasting and repainting chemical cabinets."

KDHE Inspection: Superintendent Davidson, "We had the KDHE inspection. We had a couple of small things that we needed to correct."

Snow and Ice Removal: Superintendent Davidson, "We have done snow and ice control. We were called out at 1:00 Saturday morning. I sent two trucks out to put out salt mix. We went back out Sunday to take care of some drifting we had in the north part of town."

Vehicle Maintenance: Superintendent Davidson, "We have been doing maintenance on trucks. We have had electrical issues and air leaks on one truck. We are about to overcome that. We have been servicing plows; we changed the cutting edges on snowplows."

2022 Street Improvements: Superintendent Davidson, "I also met with Norm Bowers on the 2022 street work. Mary has put a copy of our schedule in your packet. The engineer's estimate came out to be about \$503,000. If you look at the bottom of one sheet, it looks like we had a \$10 per ton increase. That is a guesstimate on Killough on the price of hot mix. No one is sure what the oil prices are going to do in the future. I am not quite ready to send out bids. I'd like to wait another month or so to go back through the list; that way, you have an idea of what work we have. We have some concrete work to do in the cul-de-sac at the Meadows. We will try to get that done, which it will need to be done before the overlay."

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QUESTIONS/COMMENTS

Council Member Lenard, "Are you planning to take the month to reprioritize the list or wait to see...?" Superintendent Davidson, "Last year, we sent out bids early to get county club heights done. We usually don't send out bids until April. That was something that has always been done in the past, so I am continuing that. If council so desires, I can go ahead and send out bids. I don't know that it will make any difference."

POLICE DEPARTMENT: Update

General: Normal Duties. Chief Jones, "We have been staying busy."

Activities/ Cases: Chief Jones, "Just as an example, my day last Thursday, we started out with school zones, then we had an unattended death, then I had a program for Rotary. We talked about human trafficking, then spent two hours with Terelle Mock of EMC with reference to the drowning on the river last June, and then followed that up with city court that evening. Anymore that has been a typical day. Last council evening, we had a mental health patient come into the hospital, and while we were in the hospital with that patient, we had a second one come in. We had to take care of two mental health patients, and we stayed with them for basically 22 hours; they appeared in front of a district court judge, one left that evening, and one stayed until the next morning and was taken to Osawatomie State Hospital."

Nuisance: Properties/Vehicles Update: Chief Jones, "I went by Tuesday morning after doing school zones and did my inspection on 1303 Yuba. There have been no changes. I came in and got with Mary immediately; we got the paperwork ready to publish in the paper to go out for bids for property demolish. The timeline for bid opening will be at 10:00 a.m. on Wednesday, February the 16th, with those bids to be presented at council at the meeting that night. I have visited again, just this evening, with the property owner, and I let him know that if something changes and he has control over the property anytime up until 6:00 p.m. on that evening the 16th, we can stop our proceedings at that point and let him take care of the contractor and demolish the property. We will let him know if anything changes, but at this point, we have seen no change."

"We got some other properties served. That is all I have for a nuisance property update."

QUESTIONS/COMMENTS

Council Member Curtiss, "Where is the speed radar thing?" Chief Jones, "Because of the weather conditions that we have had recently and that we are expecting again, it is sitting under the carport at the office right now." Council Member Curtiss, "What in the weather effects that?" Chief Jones, "I don't want the additional distraction of people seeing the radar sign when we have two-three inches of ice on the road. Plus, if somebody loses control and hits the trailer, then we are out Philip's money." Council Member Curtiss, "Okay."

PARKS DEPARTMENT: Update

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

Snow and Ice Removal: City Clerk Brown, "They have done snow and ice removal."

Inventory: City Clerk Brown, "They have been working on inventory."

Tree and Brush Cleanup: City Clerk Brown, "They cut small trees and brush in Rock Creek south of Veterans Park."

Coffey County Fair Association - Kelley Park Annual Lease Agreement & Schedule: Mayor Luke, "We also have the Coffey County Fair Association contract. It is automatic for them to notify us of their annual programs. It is a one-year renewal to a 15-year contract and then their schedule."

Council Member Lenard, "I move to grant Coffey County Agriculture Fair Association a one-year extension to the Kelley Park Annual Lease Agreement for the use of Kelley Park from July 3rd through July 29th, 2022, and for other scheduled events as listed by the Fair Board for 2022." Council Member Curtiss, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

FINANCE: Claims Ordinance & Payroll Ordinance

a. Claims Ordinance	2022-02	\$	<u>311,134.85</u>
b. Payroll Ordinance	2022-02	\$	<u>86,432.86</u>
	TOTAL	\$	397,567.71

CLAIMS 2022-02: Council Member Curtiss moved to approve City of Burlington Claims Ordinance 2022-02 for the amount of \$311,134.85 for payment of city bills. Council Member Lenard gave the second. City Clerk Brown, "The larger expenses we have tonight are Brenntag Southwest \$3,672.30, Freeman Plumbing and Heating \$1,084.87, Kansas Power Pool \$189,856.44, Lewis Oil Company \$1,721.49, Brenntag Southwest again \$7,486.13, C&B Equipment dba Douglass Pumping \$2,883.77, Cottonwood Neosho River for water \$8,766.59, Kansas Municipalities Utilities \$2,073.00, Protective Equipment \$3,745.16, and Winter Equipment \$1,212.97." **Hearing no additional discussion, Mayor Luke instructed City Clerk Brown to poll Council. All votes were in favor. Mayor Luke declared, "Claims Ordinance 2022-02 passed unanimously, 6:0."**

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PAYROLL 2022-02: *Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2022-02 in the amount of \$86,432.86, as presented. Council Member Lenard 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 2022-02 passed unanimously, 6:0."*

PLANNING & ZONING: Update

No update.

OTHER COMMITTEE OR COUNCIL BUSINESS:

LEGAL DEPARTMENT: Update

General: Attorney Wright, "I don't have much other than what we need to talk about in executive session. I'd like to address Ordinance 879 after the executive session if that is okay with the council. It will make more sense probably."

Court: Attorney Wright, "We had municipal court, and it went smoothly. We didn't plan on having a judge there, so that helped cut it down a little bit. Judge Campbell was able to make it because his trial was continued."

Mayor's 2022 Annual Appointments- Update for new Council Members until May

Mayor Luke, "With some of the changes with the governing body, I sent out a note to everybody the other day saying that I would be proposing the changes of the committees' assignments until the annual appointments in May. The changes are Lewis Lenard will replace Dallas Scothorn as the chair of the Police Committee. Tom Tschantz will move from the Electric Committee to the Police Committee. Maxi Berryman will replace Dallas Scothorn on the Street, Police, and Parks committees. Martin Ernst will replace Sharon Hall on the Industrial & Commerce and Water & Wastewater committees, and he will also replace Tom Tschantz on the Electric Committee. At this time, I would accept a motion to ratify these changes.

Council Member Lenard, "I will make a motion to ratify the Mayor's Appointments of all Committees from today through the first meeting of the City Council in May 2022." Council Member Curtiss, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

Executive Session:

Council Member Lenard, "I make a motion to enter a 10-minute Executive Session for consultation with an attorney on matters that would be deemed privileged in an attorney-client relationship per K.S.A. 75-4319(b); with the Governing Body, Mayor Luke, City Attorney Wright, Legal Assistant Greg Holmquist and City Clerk Brown present." Council Member Curtiss, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

Council entered the Executive Session at 6:30 p.m. and exited at 6:40 p.m. No action taken.

ORDINANCE 879 MT Networks Franchise Agreement

Council Member Lenard, "I move to adopt Ordinance 879, to enter into a contract franchise granted to MT Networks, LLC, a telecommunications local exchange service within the City of Burlington, Kansas."

Thank You's: Attorney Wright, "I just want to say thanks for everybody's help. Doug and the police department, Mary, have been a great help, Anne and the Mayor, really everyone, which makes my job a little easier. Thank you."

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.

Goals and Accomplishments: City Clerk Brown, "You have a copy of goals and accomplishments. I would like to thank Mary for the work that she has put in on that. She has done a great job getting that ready."

Expenses: City Clerk Brown, "We are paying 2021 and 2022 budget expenses tonight."

Employee Annual Benefits Meeting: City Clerk Brown, "I have scheduled Tuesday, February 8th, the Annual Employee Benefits meeting from 9:00 a.m. until 12:00 p.m. at Kelley Hall. What this entails is our benefit providers will meet with all of the employees, and they will review what services they provide and any changes to benefits. It is also open enrollment for the employees to make any changes. Benefit providers will be Blue Cross Blue Shield, KPERS, OFG Financial, Empower Retirement (KPERS 457), and Employee Assistance Program."

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Oaths of Office: City Clerk Brown, “On January 10th, I swore in the newly elected governing body members.”

LEPC Meeting: City Clerk Brown, “I attended the LEPC (Local Emergency Planning Committee) last Wednesday, the 12th.”

Blue Cross Blue Shield Insurance Policy: City Clerk Brown, “Kerri and I had a meeting with Jake Owens, our Blue Cross Blue Shield representative, to review and discuss our 2022 health insurance policy. You have in your packets our policy renewal. We only have a 1.64% increase, which includes health and dental. Our plan is grandfathered. Our policy paid in versus paid out was at 207%. With us set at the grandfathered ratio, we are saving an 83% increase. We are on a Cadillac plan that they don’t offer anymore. I would highly recommend this insurance policy for the city employees. I know we all are very appreciative of it because it is such a good plan.”

Council Member Jasper, “I move to approve Blue Cross Blue Shield as the insurance policy, as being in the best interest of the City.” Council Member Lenard, “I second the motion.” Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

COVID: Letters, Sick Leave, Doctors Notes: City Clerk Brown, “I would like to discuss what is going on with COVID. The health office was told by KDHE that they no longer needed to send out the COVID letters. I included in your packets the guidelines from KDHE. There are several different scenarios. With our sick leave policy right now, we have a three-day limit. If you are out for more than three consecutive days, you have to have a doctor’s note to return to work. In talking with the finance committee, we wondered about waiving that three-day limit for COVID only, not other sicknesses. Because they are no longer giving letters out. We don’t have anything to go by other than the guidelines, and it says at least a five-day quarantine period depending on if you’re vaccinated, not vaccinated, which type of vaccination you had, if you have a booster or if you don’t have a booster. So, I don’t know what the council’s desire to do there is.”

Council Member Jasper, “So who is – I understand there are home tests, but how do we know that is their test?” City Clerk Brown, “That is kind of what we are discussing here. I don’t know how to determine....” Council Member Jasper, “That’s what I’m saying.” Council Member Curtiss, “Take them at their word, I guess.” City Clerk Brown, “And KDHE is not sending out letters either because they are so bombarded too. They are trying to hit the really high-impacted areas. They still have to use their sick leave unless they have some of that original 80 hours left. What are your thoughts?” Council Member Jasper, “So, how do they know if they have COVID if they don’t-” City Clerk Brown, “Some of it is just quarantine also. If they have been in close contact with someone that tested positive. Are they having any symptoms?” Council Member Jasper, “Who gets a hold of close contacts? Who reports to that, and then who moves that report to who is in close contact?” City Clerk Brown, “That’s a good question.”

Mayor Luke, “I can tell you how we did it two weeks ago. Most of the close contacts now have to be contacted directly by the person or an associate of the person that tested positive. Then that person has the choice of whether they go and get tested. If you are in close contact, you are to quarantine for five days and then go back for a test on the third day of those five. If you test negative, then you are out of the quarantine.” Council Member Jasper, “Is that for everybody or government workers?” Mayor Luke, “Everybody.” Council Member Jasper, “I guess I haven’t been following the guidelines.” City Clerk Brown, “This just came down the 12th also.” Council Member Jasper, “I guess the perfect public policy is at this point is there is a vaccination available. I am not saying that people should go get it or if they shouldn’t, but we are done here.”

Council Member Lenard, “Is there any value to the League, any recommendation we can get from the League? We can’t change our policies all the time back and forth. I get it.” City Clerk Brown, “I haven’t seen anything on the listserv.” Mayor Luke, “It has all been coming down from the state and the feds. My question is, if somebody tests positive and we leave the policy for that particular person, but they have to bring back a letter from a doctor, and the doctor has been told that they can’t give those. You don’t have to be tested after your five days of quarantine.” Council Member Jasper, “If you say, ‘hey doc, I’m sick, I need to miss more than three days,’ most doctors are going to write you a note.” Mayor Luke, “If you have the flu or pneumonia or whatever, you still have to have a letter.” Council Member Jasper, “Right.” Mayor Luke, “It’s if you have tested positive for COVID that the doctors have been told that they are not to issue a ‘COVID you can go back to work’ letters.”

Council Member Lenard, “But they can issue a don’t return because you’re ill.” Mayor Luke, “I don’t know what all they can and can’t do with KDHE.” Council Member Jasper, “I’m kind of clueless, but it sounds like a lot of audibles. I get it, but--” City Clerk Brown, “Well, and there is a lot of home tests anymore. You can go to Casey’s and pick up a test.” Council Member Lenard, “You can have four of them sent to your home.” City Clerk Brown, “Or Hoovers, yes, how do you know? Can we request that information? It’s medical information. I don’t know if we have the right to request that.” Mayor Luke, “No, not unless they changed something in HIPPA.” Council Member Lenard, “This might be something good for legal.” Attorney Wright, “I am over here shaking my head. I concur. You cannot ask for medical information.”

Council Member Jasper, “So, you have a policy in place that if you’re sick--” Attorney Wright, “That is why this quarantine policy is in place. They are trying to do an end-run around with some of that. If you’ve been exposed, then quarantine. It gives me a headache.” City Clerk Brown, “So, what is your thought on our three-day policy, but if they are self-quarantining, they haven’t been diagnosed, but they have been close contact?” Attorney Wright, “Right, so their concern is if people are going to take advantage of that?” City Clerk Brown, “Right.”

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Attorney Wright, “The answer to that concern is yes. I talked to a friend, one of the hospital systems in Kansas City had 6,000 employees absent. Not all 6,000 employees had COVID. I would say for the next month or two, this is my opinion, this is not legal, this is my thought, but I think the city may just have to deal with it for the next month or two. I think the omicron variant is about petered out; we are at the apex of that, and it is going to start tapering off. It is what it is. I am not sure what else you can do. You put people in what I call moral hazard because you are asking them to kind of self-regulate. I don’t know that there is a perfect answer to that. I am done with it too.”

Council Member Jasper, “I just think it should be that we are done here.” Council Member Lenard, “I think we ought to just pass...” City Clerk Brown, “Okay.” Council Member Curtiss, “Sounds good.” Council Member Lenard, “Martin, what do you think?” Council Member Ernst, “I think if the employee is required to bring back a note after three days, I don’t want to force them to have to go to a doctor if they are supposed to be quarantined for five days. I don’t want to see any employee have to pay that extra money just to get a note.” Attorney Wright, “So, the policy from the CDC is that you quarantine for five days, but if you have a negative test on day three, you can go back to work.” City Clerk Brown, “And if they don’t test?” Attorney Wright, “Again, you can’t – I don’t know what you do about that.” Council Member Tschantz, “If he gets a negative test, the hospital is going to notify him in the first place. They notified me two weeks ago that I tested negative.”

Council Member Jasper, “You have been in close contact, you don’t show any symptoms, and you go to work; what happens?” Mayor Luke, “Legally? Nothing happens.” Council Member Jasper, “There you go.” City Clerk Brown, “If we don’t know about it.” Council Member Jasper, “There you go. Be a good employee.” Council Member Lenard, “What else do you have?” Attorney Wright, “The risk you run is that you’re a carrier, and you give it to everybody else in the city. Then in three weeks, the city is cleared again because everyone had it.” City Clerk Brown, “These are just questions that had come to me, and I didn’t know how to answer them.” Council Member Jasper, “I just think that we need to move on.” Attorney Wright, “I think we are close to that.” Mayor Luke, “Leave it as it is. Is that what you are saying?” Council Member Curtiss, “Yes.” Council Member Lenard, “Yes, sir.”

City Clerk Brown, “If they self-quarantine because they were a close contact, they have to provide a letter after the three days to come back to work? No matter what they are out for?” Council Member Lenard, “That’s policy, right?” Mayor Luke, “That is what the policy reads.” City Clerk Brown, “I just wanted to make sure it was clear.” Council Member Jasper, “We could put it to motion and take a vote.” Council Member Lenard, “The policy is already there.” Mayor Luke, “The policy is in place. Is it just if we waive the piece with respect to COVID positive tests? If you test positive, you are supposed to quarantine for five days. The doctor is not supposed to be able to give you a letter saying you can be gone more than three days.” Attorney Wright, “On a side note, I’m going to say I’m glad there are tests here. I’m going to go buy some before I head up north because you cannot buy them up north. I think you have to be in line at Walgreens the day they stock them. It’s ridiculous.” Council Member Tschantz, “You could buy a bunch and take them up north and bootleg them.” Attorney Wright, “You could buy four.” Mayor Luke, “You can only buy four.” Council Member Tschantz, “You can still bootleg them.”

Budget 2022: City Clerk Brown, “I just wanted to let you know I have completed the amended budget for 2022. It has been sent to the state for review, and I am just waiting on a response from them before proceeding forward.”

FUTURE AGENDA ITEMS:

GENERAL: 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.
ELECTRIC DEPARTMENT: Power Plant - Additional Generation PARKS DEPARTMENT: Events in Parks (Updates)	<i>RICE NESHAP Compliance</i>
LEGAL DEPARTMENT: Municipal Court Updates PLANNING AND ZONING Work with Advantage Computers and City Departments to improve Cyber Security Nuisance Grass: Work with PD FIRM Floodplain Map Changes – Updates	Misc. Legal - Documents, Cases, Contracts, etc. 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)
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 2022 Asphalt Project
WATER & WASTEWATER DEPARTMENT: 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