

BURLINGTON CITY COUNCIL REGULAR SESSION 10-19-2022

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, October 19, 2022. Mayor Stan Luke called the meeting to order.

THE PLEDGE OF ALLEGIANCE

ROLL CALL: Stan Luke, Mayor

Council Members present:

- Jerilyn Curtiss
- George Shove
- Maxi Berryman
- Thomas P. Tschantz
- Lewis Lenard (President of Council)
- Martin Ernst

Superintendents Present:

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

Also Present:

- Anne Brown (City Clerk)
- Philip Wright (City Attorney)
- Kerri Weltha (Deputy City Clerk)
- Mary Mader (Administrative Assistant)
- Jimmy Hugunin (Zoning/Grants Clerk)

Media Present: Mark Petterson (Coffey County Republican)

VISITORS: Paul Abendroth, Tawny Johnson, Michael Springmen, Lila Vanhorn

AGENDA:

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

MINUTES 10/5/2022: Mayor Luke, “You have before you the draft minutes of our regular session of October 5, 2022. Are there any additions or corrections?”

Council Member Curtiss, “I move to approve the draft minutes of October 5, 2022, as presented.” Council Member Ernst, “Second.” Motion unanimously carried, 4:0.

APPOINTMENT: Tawny Johnson – Methodist Church Trunk or Treat

Tawny Johnson, “Good evening, and thank you for adding me in so quickly. My name is Tawny Johnson. I am here on behalf of the committee of the Burlington United Methodist church. I am here requesting blockades on the section of 6th street immediately in front of the Methodist church so we would be able to move our trunk-or-treat event. It is usually held in the back parking lot to the front of the church. There were a couple of reasons. The security light and the fact that it is a parking lot, so sometimes, even with over 200 kids and their families walking back there, we still have problems with people trying to pull in. It would be cool if we could make the parking lot the parking lot and move our event upfront but also not have the worry of the busy street when we have that many people walking.”

Mayor Luke, “This would be 6th street between Niagara and Des Moines from 5:30 p.m. to 7:30 p.m. on Sunday evening, the 30th of October?” Tawny Johnson, “Yes.” Mayor Luke, “Any questions for Tawny?” Council Member Lenard, “We will set the barricades up and then. . . .?” Mayor Luke, “We will set them out, and you will set them up and take them down. Then we will come by and pick them up.” Tawny Johnson, “Okay.”

Council Member Curtiss, “I move to allow the Methodist church to barricade 6th street between Niagara and Des Moines from 5:30 p.m. to 7:30 p.m. on Sunday, October 30th, 2022, to handle their trunk or treat.” Council Member Lenard, “I second the motion.” Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 4:0.

Tawny Johnson, “Thank you.” Superintendent Davidson, “Mr. Mayor, could we also ask that she call the Sheriff’s office to inform them that the street will be closed during those two hours?” Mayor Luke, “Okay.” Tawny Johnson, “Absolutely.” Superintendent Davidson, “Thank you!”

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.

Service Removals: Superintendent Schneider, “We have removed electric services from the properties west of the swimming pool. There are two structures that are being demolished by the owner. They are cleaning that property up.”

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Tree Trimming: Superintendent Schneider, "Our main activity in the line department has been trimming trees in the utility right of ways."

Substation Maintenance: Superintendent Schneider, "We have also done some substation maintenance."

ELECTRIC DEPARTMENT: PRODUCTION Update

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

Generator #6 Maintenance: Superintendent Schneider, "We did a maintenance run on generator #6. It had not been exercised for a while with all the dirt and dust from the construction."

Reports: Superintendent Schneider, "We have been completing plant reports."

Generator Project: Superintendent Schneider, "On the generation project, Wheeler's crew has set their bed plates, and there are pictures up there on both sides of the table. Bed plates are set. Farabee's crew came in under the contract with Wheeler, and they have dialed in those bed plates within 1000th of an inch in elevation between all of them. Those are epoxied in; the epoxy has some sort of aggregate in it. They are waiting for those to cure, and once they get the engine and the generator inside, then they will for the generator and the outboard bearing, set those tolerances to match the other. That will all be grouted in as well. I will give plenty of notice ahead of time when the generator motor will be moved into the power plant as I am sure somebody will be interested in watching it move in. I will make sure everybody has plenty of notice on that if they want to see it."

ELECTRIC DEPARTMENT: KPP - Voting Delegates

Mayor Luke, "We have on here the Kansas Power Pool voting delegate for their annual meeting. We need to make an appointment. The previous delegate was Alan, and I was the alternate. So, what would you like to do for this particular year?"

Council Member Curtiss, "I move to appoint Alan Schneider as City of Burlington's KPP Committee Meeting Voting Delegate, and Stan Luke as Alternate Delegate." Council Member Ernst, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 4:0.

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.

Scrap Metal: Superintendent Hawkins, "We have been working on cleaning up the scrap pile at the water treatment plant. The scrap metal has slowly been building. We wanted to clean it up and make it look nice. We have a dump truck loaded we can haul and justify to go get scrap metal."

Pump Station Maintenance: Superintendent Hawkins, "At pump station #7, one of the VFDs on pump #2 went out. I contacted Jim with R.W. Vaught; he will be coming up and installing that here really soon."

Manhole Riser: Superintendent Hawkins, "We did also install a new riser on a manhole that was out at flint court. They were doing some dirt work in there. We raised that so there are no issues with our manhole."

Water Emergency – Water Warning: Superintendent Hawkins, "The other thing that we have is that Governor Kelley has issued a water warning for Coffey County. The mayor will be signing the resolution this evening of what is to be done. What we have done in the past for 2012-2013 we are using the same templates. I really want to thank Mary; she has helped tremendously. I am very grateful to her. We will be doing the normal updates. I am already giving updates to the assurance districts. They are requesting every two weeks that we supply that. We will be putting it in the paper as well as how much water usage averages, rainfall, and if there is a chance of rain. There is a chance of rain coming up this next Monday and Tuesday. Hopefully, we will get something, but there is really nothing in the foreseen future of heavy rains coming. We will just be updating and giving people flyers. We will be helping with folding and stuffing for the billing to give notice. It will be on Facebook and the webpage also."

CDL Requirements: Superintendent Hawkins, "I have visited with Mark and Richard concerning the CDLs. We are trying to work on what we can do to get the new people theirs. There is really no way that we can get our men CDL certified in the 90-day requirement. We are going to have to change that wordage. We are going through the proper steps to find out what we need to do to get that done."

WATER AND WASTEWATER: Production Update

General: Superintendent Hawkins, "The plant is running well. I am very pleased with it."

Scheduled Cleaning: Superintendent Hawkins, "We are going to schedule out the cleaning of the two clarifiers. We did the two reactors and the rapid mix. We will come back and schedule a night pretty soon to get the clarifiers cleaned out as well."

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QUESTIONS/COMMENTS

Council Member Lenard, "I have a comment because we had this recently come up for the electric department. So, these CDL requirements will apply across all departments?" Mayor Luke, "Yes." Council Member Lenard, "Alright, perfect." Superintendent Schneider, "I am working on some things and working with the county as well as to what we can do to self-serve in-house and bring down the expense." Council Member Lenard, "I just wanted to make sure that if we got into a time constraint, that would put us in a corner."

Council Member Curtiss, "Will this water warning resolution go out with the bills or anything?" Superintendent Hawkins, "Mary already has a flyer made up. It is just going to be education on what to do for the warning, just like what we did in 2012-2013." Council Member Curtiss, "Okay, so they will not be notified that way?" Superintendent Hawkins, "The resolution that the mayor will sign tonight will give the decree that the governor has given this executive order. It puts us in stage 2 of our water emergency plan that we have to follow, so we are just going to activate it." Zoning Clerk Hugunin, "It will go on the webpage and Facebook." Superintendent Hawkins, "It will go on Facebook and the webpage. We are going to notify the public on how to deal with it. We are going to send out the updates on when it's going to rain and how much rain we've had." Mayor Luke, "It's more of an educational process at this time. It's a water warning, not a watch; it's not a mandated thou shall conserve."

City Clerk Brown, "We will have ways for them to conserve water. We will have suggestions listed." Council Member Curtiss, "Okay, so outdoor water use, including lawn watering and car washing, will be restricted to before 10:00 a.m. and after 9:00 p.m. Will they know that? If they look online, they will." Zoning Clerk Hugunin, "Right." City Clerk Brown, "We will be putting that in the bills. We will have information on that as well, correct? That information is going to be on that flyer." Superintendent Hawkins, "Yes. I guess if there is a bright side, we are going into winter. So, there isn't going to be a lot of lawn watering and car washing. That will be beneficial to us. Naturally speaking, we are already going into the time where water usage starts to fall off."

Council Member Curtiss, "Well, I had a question on the before 10:00 a.m. and after 9:00 p.m., does that apply to the car washes?" Zoning Clerk Hugunin, "I don't believe so. I think we were asked that the last time we were asked this. Since they are commercial, it doesn't affect them. We can't affect their livelihood." Council Member Curtiss, "Okay, that was my question because when I read this, I thought, well, okay. Does that apply to them? Okay." Superintendent Hawkins, "That's what I'm trying to say is because of the usage this time of the year anyway; it's not going to be as affected. So, we aren't coming out with the iron fist." Zoning Clerk Hugunin, "I think this is just recommendations at this point." Council Member Curtiss, "Thank you."

Council Member Lenard, "So, remind me, how long were we under this last time? It was a different time of the year." Council Member Curtiss, "It was summertime, wasn't it?" Superintendent Hawkins, "It was early summertime." Council Member Lenard, "Hopefully, we come out of this maybe in the next two weeks." Superintendent Hawkins, "Hopefully, when spring comes, we will be out of it. Who knows? We can't predict the future." Council Member Curtiss, "Thank you."

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.

City Wide Clean Up: Superintendent Davidson, "We started with trash clean up. I want to thank Kevin for letting us borrow John Hegg. He was a tremendous help. We had a total of 11.5 tons of metal and solid waste. Three loads of metal for 2,040 pounds and 22,960 pounds of solid waste. I didn't go back and look at the springs, but this is way down from what it was. We were done in less than seven hours. Again, the majority of that could have been put out with household trash with the regular trash service. There were a few appliances and mattresses and big furniture items."

Drainage Issues – County New Parking Lot – 6th and Neosho: Superintendent Davidson, "Richard Mason met with County Commissioner Tom Hugunin, Road Supervisor Jeff Beyer, and Ryan Durst about the new parking lot at 6th and Neosho. We had concerns about the drainage. My concern is our culverts on 6th Street going to Rock Creek, in a good rain, are already at capacity. So, I have concerns about adding the parking lot being hard-surfaced and then the water coming off the jail. We told them what we would like to have done. There is some underground drainage on the west side of the parking lot that is starting to fail for us. We were going to go in several years ago and replace it. We would like all that replaced and have our culverts upsized down to the creek. I also asked if they would do a drainage study for us so we will have an idea of the culvert size. You really don't think about it, but we are getting a lot of water."

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“We get water off of the school, courthouse, their parking lots, some off of the lumber yard, and south of the courthouse. So, there is a lot of water going to one area, and we are just basically hoping they upsize everything from the catch box on the corner of 6th and Neosho; we would like for them to start there and take it to the creek. Again, that will be engineered and designed through the county with their drainage study. We will just have to wait and see what they do there. We are trying to address the issue.”

Mayor Luke, "Where is it draining on the west? Is that west of the lumber yard, or is it between the property and the lumber yard?" Superintendent Davidson, "It comes off of part of the lumber yard parking lot; it starts at 7th street and comes back to the east to the corner. Then we are getting water off of basically 7th Street there at the courthouse on the north side but the south side of the street. So, we are getting quite a bit of area up to there and then to go ahead and add this new parking lot which I assume is going to be concrete. I don't know. There are going to have to address something. We are going to have to have a retention area or upsize our culverts. I think they are going to use Cook, Flatt, and Strobel as the engineering firm. They were up there taking some elevation shots the first of the week. Hopefully, within 30 days, we will have an idea of which direction they are going to go."

Council Member Lenard, "So they should have swift studies and all that – stormwater runoff. So, if we can piggyback and get some more benefit to that running it, then we should do that. That's good." Superintendent Davidson, "I asked about the design of the parking lot, and it is kind of up in the air. I mentioned to them, which, I don't know if it will be in the newspaper or if Tom Hugunin mentioned it in the commission meeting, that is going to be, but that is going to be a county parking lot across the street. I told him I was looking into maybe putting up a solar-powered crosswalk area there so that will be able to stop traffic. The intention of that is I thought they would have a crosswalk up in the middle of the block by the east end of the lumber yard. That is something in the future that we are discussing for safety purposes."

Killough Construction – Street Improvements: Superintendent Davidson, "Killough Construction was in town yesterday. They started doing their crack sealing on the new hot mix. They are pretty sure most of the cracking is due to the dry weather, and I believe it is also."

Drive Culvert: Superintendent Davidson, "We had a driveway and parking area fail over on Niagara. We replaced it for the property owners. It required about 90 foot of new culvert, which we had in stock."

Equipment Maintenance: Superintendent Davidson, "We have had several small equipment malfunctions, and those are being addressed."

POLICE DEPARTMENT: Update

General: Normal Duties.

Activities/ Cases: Council Member Curtiss, "They have been working a dependent adult financial fraud case - family member stealing, violation of PFA (Protection from Abuse) and a city warrant issued, domestic violence calls, noninjury accidents, arrests on city warrants, and assist citizen calls."

City Court: Council Member Curtiss, "City court last Thursday went well, and they were done before 7:00 p.m."

Officer Incident: Council Member Curtiss, "Officer Messerly had a low-speed impact with the concrete base of a light pole at Hoover's. Sheriff's office worked the accident. Anne and Chief Jones have been trying to deal with EMC over the replacement/repair. EMC is talking about totaling the car since the repair estimate is over \$7,200.00. He does have a video from Hoover's, and there is no doubt from the video that this is low speed. The video is part of the case file and can be viewed at any time if anyone is interested."

Nuisance: Properties/Vehicles Update: Properties at 1301 Neosho and 116 S. 13th have sold, and the new owner is working on the property."

QUESTIONS/COMMENTS

Officer Incident: Council Member Lenard, "Was this the next one in the cycle to go?" City Clerk Brown, "2014." Mayor Luke, "It's the oldest one, right?" City Clerk Brown, "Yes." Council Member Lenard, "Okay, so that will work out good, maybe."

PARKS DEPARTMENT: Update

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

Flowers and Trees Maintenance: Superintendent Boyce, "I've already started on the water conservation. The flowers were removed Monday due to frost on Friday morning. I do still have four new trees that were planted in the spring that we will continue to water."

Kelley/Jones Park – Rubber Resurfacing: I worked with the contractors on the rubber surfacing in Kelley Park and Jones Park. That is now complete. Kelley Park was done and open before Saturday for Boofest. The color is a lot lighter than what it was before. Hopefully, that will help keep the temperature cooler around the playground for the kids."

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Hazardous Trees: Superintendent Boyce, “I am still working on a list of hazardous trees. Hopefully, by the next meeting, I will have that. One of the contractors is doing hurricane removal stuff.”

Restroom/Sprinkler Winterization: Superintendent Boyce, “Monday, we also did winterize all of the public restrooms that are seasonal and the sprinkler system at Caboose Park and Veterans Park. The livestock barn I will bring back up for Saturday because the FFA has a beef show, but only the livestock barns will come back up. They will use the 4-H building for restrooms.”

Veterans Banners: Superintendent Boyce, “Wednesday and Thursday, weather permitting, I am planning on putting up the Veterans banners.”

QUESTIONS/COMMENTS

Council Member Lenard, “I did go down at Boofest and walked over there. There was a lot of kids there. It turned out really nice.” Mayor Luke, “You had to work to find a parking spot.”

FINANCE: Claims Ordinance & Payroll Ordinance

a. Claims Ordinance	2022-20	\$	593,894.58
b. Payroll Ordinance	2022-21	\$	98,218.53
	TOTAL	\$	692,113.11

CLAIMS 2022-20: Council Member Curtiss moved to approve City of Burlington Claims Ordinance 2022-20 for the amount of \$593,894.58 for payment of city bills. Council Member Ernst gave the second. City Clerk Brown, “The larger expenses we have tonight are AB Creative \$104,055.00, Border State Industry \$7,253.13, Brenntag Southwest \$5,375.75, Evoqua Water Technologies \$6,471.93, Kansas Power Pool \$320,608.71, and Meridian Roofing \$3,610.00.” **Hearing no additional discussion, Mayor Luke instructed City Clerk Brown to poll Council. All votes were in favor. Mayor Luke declared, “Claims Ordinance 2022-20 passed unanimously, 4:0.”**

PAYROLL 2022-21: Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2022-21 in the amount of \$98,218.53, as presented. Council Member Ernst 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 2022-21 passed unanimously, 4:0.”

PLANNING & ZONING: Update

General: Zoning Clerk Hugunin, “Normal duties.”

Zoning Changes: Zoning Clerk Hugunin, “I am still working on two properties. We are doing zoning changes on them, so I am getting everything prepared for that. I’d like to have both hearings on the same night with the planning board.”

Nuisance: Grass/Weeds: Zoning Clerk Hugunin, “I sent out two ten-day letters this week for two properties. We are in October, but they really need to be mowed.”

Property Inquires: Zoning Clerk Hugunin, “I have had two different property owners this week ask about what they can and can’t do on the property that they just purchased. One is in the extraterritorial, and they are looking at building a house. The other one is not in our area, so I sent them to the county. I think all they are wanting to do is build a home out there.”

Inspection Requests: Zoning Clerk Hugunin, “I have been getting several calls, I don’t know if it has to do with the influx of industry or whatever, but these people are wanting me to go out and inspect homes. They are getting upset when I tell them I am not an inspector. I’ll come out and look at your setbacks, but I am not inspecting your home, and they don’t like that. I tell them that they can hire somebody if they want.”

Construction Totals: Zoning Clerk Hugunin, “Lewis had asked me at the last meeting about construction totals. I am going to start with 2020 because when I got to looking, I don’t think I did it then. This is residential and commercial combined. 2020: \$650,000.00, 2021: \$1,459,000.00, 2022 to date: \$1,253,500.00. Right now, and last year we are a little over what we normally are but not much.”

Inventory: Zoning Clerk Hugunin, “I am going to be getting with Mary and get inventory printed and sent out to the departments.”

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

QUESTIONS/COMMENTS

Nuisance: Grass/Weeds: Superintendent Boyce, “In my update, I did forget that we will mow the three nuisance properties that we have been mowing all summer. We will hit those one more time.”

ORDINANCE - Charter Ordinance 11

Attorney Wright, “So, I sent an email out to everyone about what is going on. There is a residency requirement for the office of the city attorney that I do not meet. If you would like to continue to have me serve as the city attorney, you are going to have to charter ordinance me out. I presented the proposed charter ordinance to make that happen. Interestingly the charter ordinance is supermajority, so it has to be passed by a two-thirds vote by members elected of the governing body, which includes the mayor. So, this is something that the mayor gets to vote on as well. I don’t know if anybody has any specific questions about the charter ordinance. It will take effect 61 days after the second publication in the paper unless there is a protest or petition.

"In the interim, I would ask that the mayor reappoint me, at which point would be ratified as special counsel to the city to basically fulfill those duties as the city attorney until the office of the city attorney is filled. That would be January 4th. So, that is going to be the next chance that we would have to appoint me as a city attorney if that is what everyone's pleasure is. There were some questions about compensation and those sorts of things. I have a valid contract with the city. This did not affect that contract. I don’t see any reason why we would go into those details. I haven’t breached a contract, and the city has certainly not done that. So, that is that, and I can tell everyone is just fascinated by that.” Council Member Lenard, “Now’s our chance.” Attorney Wright, “Well, you will have multiple chances, one in January and another one in May.”

Council Member Lenard, "I do have a small question, Phil. If we do this, does something need to be added to this motion that, as a special counsel that it, will be under the same provisions as your current compensation?" Attorney Wright, "I don't think that is necessary. Both the city and myself have that contractual obligation whether we do anything or not. As far as I'm concerned, this is more of a formality; nothing really changes. It is just that we are trying to be within technical compliance with Kansas Statutes. I think it was done in 1968, I believe. I think the dynamics of cities and attorneys both were way different then than what they are right now."

Council Member Lenard, “I move to Approve Charter Ordinance 11, Exempting the City of Burlington, Kansas, From the Provisions of K.S.A. 14-205 and Any Amendments Thereto So as To Exempt the City of Burlington, Kansas, From the Requirement That the City Attorney Be a Qualified Elector of The City of Burlington, Kansas.” Council Member Tschantz, “I second the motion.” Mayor Luke instructed City Clerk Brown to poll Council for a vote. All votes were in favor. Mayor Luke declared, “Charter Ordinance 11 passed unanimously, 5:0.”

Council Member Lenard, “I move to appoint Philip Wright as Special Counsel to fulfill all the duties of City Attorney until the office of City Attorney has been filled.” Council Member Ernst, “I second the motion.” Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 4:0.

RESOLUTION 2022-09 WATER EMERGENCY – WATER WARNING

Mayor Luke, “We have the resolution 2022-09 for the stage 2 water emergency – water warning. I would like the resolution to be approved so I can officially sign the declaration that has to be forwarded to the state.”

Council Member Tschantz, “I move to approve Resolution 2022-09, declaring a stage 2 water emergency – water warning.” Council Member Ernst, “I second the motion.” Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 4:0.

LEGAL DEPARTMENT: Update

General: Attorney Wright, “Normal duties.”

City Court: Attorney Wright, “Mayor Luke, “Court went so well you have nothing to report?” Attorney Wright, “It went pretty smooth. Come and see what we do. It is always worth the entertainment.”

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.

League Conference: City Clerk Brown, “I attended the Annual League Conference in Overland Park last weekend. It was a very good conference and good speakers. I enjoyed it a lot.”

LEPC Meeting: City Clerk Brown, “I attended the LEPC meeting on October 12th at the courthouse.”

Reports: City Clerk Brown, “I handed out the third quarter financials.”

Level Pay: City Clerk Brown, “The level pay forms have come in, and the new amounts will be effective on the October billing.”

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CMB and Trailer Court License: City Clerk Brown, "The cereal malt beverage and trailer court licenses have been sent out, and they will be due back for the first council in December."

Saddle Club: City Clerk Brown, "We have an agreement with the Saddle Club, and they are supposed to notify us or give us a list of when they have an event. They did not at the time of the contract, and he just recently added one, so I have that there. They will be having a member-only event on Saturday, November 5th and 10:00 a.m., but I think it is open for anyone to go and see if you want. That is the only thing that they have had."

Sunchaser Campers: City Clerk Brown, "The Sunchaser campers have started leaving receipts with the cities they visit to show what kind of revenue they bring in. Between what they left at the chamber and what they spent within the city was almost \$2,500.00. They hit just about every single eating establishment, Silver Threads & Golden Needles, Rock Creek Country Club, Hoover's, the Museum, and the Chamber of Commerce."

Council Meeting Schedule: City Clerk Brown, "Something else I would like for you all to start thinking about, we don't have to vote on it tonight, but the last council meeting in December is the 21st, do you want to still hold that council? We can have all the bills and everything ready to go and sign, and we can just approve it on the first council in January if you so choose. That would be January 4th."

Mayor Luke, "Is school out?" City Clerk Brown, "I am not sure when school is out for Christmas break." Attorney Wright, "My kids are out of school, but I don't know if that is the same time here. I will say I probably won't be able to make that meeting. I will probably be on a plane back from Brazil." Mayor Luke, "Okay, we have a month or so to decide."

QUESTIONS/COMMENTS

Council Member Lenard, "You still have the employee recognition dinner tomorrow?" Mayor Luke, "Yes." City Clerk Brown, "Yes, I was going to say that. Employee appreciation luncheon is tomorrow at noon in the back."

REPORT BY CITY OFFICERS:

Council Member Lenard, "I'd like to say thanks; several of us attended the league conference. It had a lot of good information and stuff that we have talked about. There were some great city clerks and other experts in the other cities, so it was good to hear. I know I set in on the last day with some other cities, and you think you have it bad. Some of these people talked about some of the things they have; we are in a good position on a lot of things, even nuisance properties. It was good to kind of get that benchmark of what is going on. I talked to the folks from Neodesha that came through, and they complimented our downtown with the baskets and everything."

Council Member Curtiss, "I'd also like to thank you for the league conference. It was great. I sat in on a lot of good sessions."

Zoning Clerk Hugunin, "There is no school from December 20 to January 2nd. They come back on the 3rd of January."

MAYOR'S COMMENTS -EXECUTIVE SESSION:

Mayor Luke, "I really don't have anything that I need to bring up at this time. I want you also to be looking at the personnel policy because we will be looking at having a special session for that. There are also experts out there that routinely update and work on personnel policies throughout the state of Kansas. It is a cost, but it's not a large cost if we were to utilize any of their services to assist us in accomplishing what we want. They will be able to identify any weak spots that would identify where we could get ourselves in trouble with certain policies. We may be looking at sometime around the last part of November or the first part of December to look at that. Take the policies you have at home and look at those and see where you might have questions or concerns and what we can do to improve them and bring them up to date. They haven't been updated for quite a while."

Council Member Lenard, "I looked through my books, and I don't have the policy. I have ordinances. Do you have those electronically that you can resend?" City Clerk Brown, "Mary has those, and she should send those. So, you want just a whole fresh copy?" Council Member Lenard, "Yes. So, does the league then have – what did they say? How many—they have 1600 legal inquiries that the league had processed? So does the league have an HR, or is that in your wheelhouse?" Attorney Wright, "I don't. I have actually been in contact with a client law attorney that specializes in employment law but also is a city attorney in some city like Burlington, the same size. I have had some informal conversations with her about what the cost is of something like that to go through to help the city update and make sure they have a decent employee manual."

[8] CONTINUATION: October 19, 2022 Burlington City Council Regular Session

“There was a presentation given at the CLE on Friday that quite honestly just scared the daylights out of me. Employment laws are an extremely specialized kind of niche right now. It's something I am personally not comfortable doing. It is not in my wheelhouse. It's not something I have ever done. I think what the mayor is suggesting is a great idea to kind of get your thoughts together and think about potentially bringing an expert in. She quoted me loosely that it will be \$2,500 - \$3,000 to do that, which I think would be money well spent. She did offer to do kind of a gratis consult with the city council at some point by Zoom. If you wanted to get that set up for one of the meetings, I'd be happy to get that set up too. She seemed really good and, as a city attorney, would understand where we are coming from a little bit more so than maybe attorneys in other places. A lot work at big employment firms because they are that specialized; big firms generally need bigger price tags.”

Council Member Lenard, “The one thing I thought of was getting ahold of Cooper and see if he might have some....” Mayor Luke, “EMC.” Council Member Lenard, “EMC because he has helped us out with different things.”

FUTURE AGENDA ITEMS:

GENERAL: City Debt - How to fund projects Expense Tracking on Projects Budget 2023	GAAP - Infrastructure Capitalization City/County Grant Funds – Discussion on Matched Funding Council Discussions on Evaluations, Succession Planning, etc.
ELECTRIC DEPARTMENT: Power Plant - Additional Generation	<i>RICE NESHAP Compliance</i>
PARKS DEPARTMENT: Events in Parks (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 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)
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