# **BURLINGTON CITY COUNCIL REGULAR SESSION 3-16-2022**

City of Burlington Governing Body met in Regular Session at City Hall's address, 1013 N. 4<sup>th</sup> Street, Burlington, Kansas, at 6:00 p.m. Wednesday, March 16, 2022. Mayor Stan Luke called the meeting to order.

# THE PLEDGE OF ALLEGIANCE

ROLL CALL: X Stan Luke, Ma	yor	
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/Wast	tewater)
Also Present:		
Anne Brown (City Clerk)	🔀 Mary Mader (A	dministrative Assistant)
Philip Wright (City Attorney)	🔀 Jimmy Hugunin	(Zoning/Grants Clerk)
Kerri Weltha (Deputy City Clea	rk)	
Media Present: Mark Petterson (	Coffey County Republican)	

**<u>VISITORS</u>**: Paul Abendroth, Robert Skipper, Sharon Hall, Greg Holmquist **AGENDA**:

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

**MINUTES 3/2/2022:** Mayor Luke, "You have before you the draft minutes of our regular session of March 2, 2022. Are there any additions or corrections?"

# Council Member Curtiss, "I move to approve the draft minutes of March 2, 2022, as presented." Council Member Ernst, "Second." Motion unanimously carried, 6:0.

# <u>APPOINTMENT: Bobby Skipper – Circus in Kelley Park</u>

Bobby Skipper, "Thank you, council, for taking the time to see me this evening. I am here to ask for permission to have a circus on September 15, 16, and 17 at Kelley Park. I made the clerk aware yesterday that the dates kind of shifted on me, so we scrambled to try to pick some dates that were least conflicting with other things going on. How this discussion started was every festival in Coffey County, including those within the cities, happens between June and July. I think there are one or two other functions like OK Kids and Fall Festival that occur outside of June and July, but 99% of what we do happens within those two months, so we looked at adding another festival. Also, with the intent of really creating a draw to the county into our communities that are much more significant than what is already occurring. Instead of hundreds of people, we are looking at pulling thousands. To do that, we look at the core, something that is going to create that draw, and a circus is a good one. A few months ago, we started looking at different circuses, there are a lot of them, but the good ones want a big price to come here. We are not a large metro community, so economically, they don't look at us favorably. We decided we would try to buy them out. We will pay whatever it costs for them to come here, but we want the gain.

"To help pay for it in advance, I approached all the superintendents of all three systems, and they agreed to send their kids on a field trip to the circus on Thursday and Friday, which would be the 15<sup>th</sup> and 16<sup>th</sup>. They will bus their kids in, and they would send letters home in advance saying the cost per ticket for your child is X dollars. Parents are welcome to come. If you can't pay, then the school system or somebody will cover the cost of the ticket. Every kid in the county will go to the circus. The circus is a full-spectrum circus. They have the big tent, the high wire trapeze events, clowns, lion tamers with lions, giraffes, elephants; it's the full monty. It's what you imagine if you ideally had a circus. They will have three shows per day starting on Thursday, three shows Friday, and three shows Saturday. Saturday, during the day, is LeRoy's homecoming. So that is the only thing; I wish we had a different date. I still think it's going to be a pretty good thing. I think we are going to make money.

"What I hope is to reinvest that money back into building something year after year that can be done for our communities. I see that you have a map that I handed the clerk earlier, but to be transparent, I want to talk about the other things that I would hope to add over a period of time, not necessarily this year, along with the circus. On that map, you can see what I have already pre-cleared with Kevin (Superintendent Boyce) and Mr. Jeffers, and now I am approaching the city. In the blue, you can see the circus. In yellow, you see the other things that I would like to add during that time. I understand that I need to come back and ask for permission to have these additions for what I am asking for.

#### [2] CONTINUATION: March 16, 2022 Burlington City Council Regular Session

"Along with the circus, I feel like we could also bring in a two-day sanctioned rodeo, the KPRA (Kansas Professional Rodeo Association). The dates fit great for them, and they could do it. I think that the cost to get them here, I think we can do it. I also have had some discussions about adding a barbecue competition. As some of you remember, in the past, there was an organization called Wild Blue that had barbecue competitions, sanctioned. That alone by itself is not going to create that big draw, but it adds to and provides just another aspect to a greater event.

"Lastly, one thing I would like to go ahead and get approved for tonight along with the circus is a carnival. When we talk about bringing in the carnival, most people think about the people that come in from out of town that set up rides that aren't really nice. If you think back to the '50s, '60s, and '70s for what a carnival was, it was a community event. People set up booths, locals, and operated those booths. I am proposing to do the same thing again. We want to invest in some booths that will be built all to the same specs and same standards, so they can be lined up so they can be utilized by different groups during the carnival. If you can imagine, there can be different games played, whether throwing the dart to pop balloons, tossing rings, archery and shooting the target, break the bottles with the baseball, throw the football through the hole, anything to get stuffed animals. That is the idea of having the carnival is to have different social clubs, and different groups would operate these booths. Now the booths I am proposing to build, I would start off with about 20 of them. They would be able to be disassembled, stored, and reused year after year.

"You will see on the map I gave you the layout, and I'm proposing to have the carnival immediately adjacent to the circus, and we will control access to the circus. People will buy tickets when they come in, and they can buy more than one ticket to be used in the carnival, the games, the booths. The range for our storage was an issue for the booths. I do have storage at the county level. If this is a success – the idea of these booths is to be used by any organization or any festival or any use; it would be a community asset. So, we might be willing to, if this is a success, accommodate those somewhere inside Burlington close to Kelley Park to use them."

City Clerk Brown, "Have you checked with the Saddle Club as far as the rodeo?" Bobby Skipper, "Not yet." Council Member Jasper, "So, at this point, you are just looking for our permission to move forward?" Bobby Skipper, "Yes, sir, specifically with the circus and the carnival." Council Member Ernst, "And you said you have already talked to Scott at the Rec. Center as far as being on the soccer fields? It's not going to damage the fields that much or something like that?" Bobby Skipper, "We will have to get an agreement to repair any damage we cause."

Mayor Luke, "I spoke with Scott, and he and I will put together all the obligations that would have to be met before it can be done." Council Member Ernst, "The only reason I ask is because that is when soccer season is." Mayor Luke, "Scott said this would delay the opening of soccer one week. They were looking at the week before, and that is OK Kids; this would be the following week, then the next week would be the first week of soccer." Council Member Ernst, "Okay." Mayor Luke, "The key thing is that as far as they are concerned as well as the city is the liability. There has to be some form of insurance where we are not liable for any injuries. On the Monday after they move out then, it would be a matter of going in with whether it be your county road group or whoever it is, Anne or Scott, to go through the area, police it, make sure that any potholes or trenches or anything is filled in and compacted so that there is no potential injury. That I have talked over with Scott."

Council Member Curtiss, "You have visited with Kevin?" Bobby Skipper, "Yes, ma'am, on the circus. If these other things come to be and I do come back and ask, then I will start with Mr. Kevin and come back to you guys once I get clearance." Council Member Lenard, "Any idea on the electrical needs, Bobby?" Bobby Skipper, "The circus director came through yesterday and walked out on the premise with me. After asking Kevin where certain things were, I think they are going to be good. I don't think we need anything. Here is one concern, if the rodeo comes into being, they come in big rigs. They will have their camper set up the night before, they will need to get with the city, and we will have to coordinate that." Council Member Lenard, "The barbecue folks, they pretty much took that whole park too."

Mayor Luke., "The barbecue that was here with the Wild Blue was never a profitable operation. Perhaps we might be looking at, not telling you how to do it, but look at just Coffey County organizations and groups that would come in to do the barbecue to start and see if we got any support in the community for it and go from there. Otherwise, that whole staging area and parking and all the parking down by the stadium and recreation park area, that was full." Bobby Skipper, "Yes, sir. It was discussed that there is an effort to put together that same group who formally did Wild Blue, but it's reality; we need to start out small with local hometown teams. But to create revenue, the plan behind that is we have what's called peoples choice. Instead of them paying a fee to enter the competition, barbecue teams, they buy butts and cook butts for us. We take those butts, ribs, or whatever they cook for us as their entry fee, and we serve them to people and sell them, people's choice. We should be able to create enough revenue to cover the cost of the barbecue competition while starting at the same time creating that foot traffic and draw. The idea is to keep people here. If it is just a circus, then they are going to come and then leave. We want to keep people here all day, both nights of Thursday and Friday and all-day Saturday." Council Member Lenard, "I think it will be one of those deals that it will be a work in progress and will have to make things work."

Council Member Lenard, "I move to allow the circus to be held in Kelley Park September 15, 16, and 17." Council Member Curtiss, "I second the motion."

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Mayor Luke, "My question is do we put anything in the motion contingent upon the county signing the liability, etc.?" Council Member Lenard, "I'll amend the motion to state that." Mayor Luke, "And does the second agree?" Council Member Curtiss, "Yes, but did you want anything in there about the carnival?" Bobby Skipper, "I do. I would like to do that, certainly, along with the circus." Council Member Ernst, "And the rodeo and the barbecue?" Mayor Luke, "That is at a future date." Council Member Curtiss, "The carnival and circus you are asking for this year?" Bobby Skipper, "Yes, ma'am." Council Member Lenard, "So, is it easier to dedicate the park or specific activities?" Mayor Luke, "I would say specific activities because that is where the liability insurance and everything are going to cover those." Council Member Lenard, "Okay, I'll add the carnival to it too." Council Member Curtiss, "I agree with that."

Council Member Lenard, "I move to allow the circus and carnival to be held in Kelley Park on September 15, 16, and 17, contingent upon the execution of agreements for insurance and maintenance for indemnification for the city." Council Member Curtiss, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

Bobby Skipper, "Thank you so much again." Council Member Lenard, "Thank you." Council Member Jasper, "Thanks, Bobby."

#### **PUBLIC COMMENTS**

Paul Abendroth, "You guys brought up last time about the city-wide clean-up. I am in favor of keeping cleaning up as it was. There isn't any reason why anyone should be picking up this stuff by hand. You have a big front-end loader and bobcats. Why do they have to pick these mattresses and everything up by hand? Also, on the clean-up, like I have brought up several times before city-wide clean-up, 4<sup>th</sup> Street isn't looking any better; Alleghany is still trashed. None of this stuff has been cleaned up, Stan. Last September, when we had the last clean-up, you said to wait 60 days and see what improvements you'll see. I think it has gotten worse instead of better. Maybe it is not on your bucket list to clean up the city a little bit and make it look a little better than it was. For having all these people come in here, why do you want to have it look like a trash town? Can't you get it cleaned up? No comments."

Mayor Luke, "We will talk about it when we talk about trash pick up in a little while when it's on the agenda."

# **ELECTRIC DEPARTMENT: DISTRIBUTION Update**

<u>General</u>: 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.

<u>Maintenance</u>: Superintendent Schneider, "We found some items like lightning arrestors that were blown. We did maintenance on a capacitor bank that served circuit #2."

<u>*Right of Ways Upkeep:*</u> Superintendent Schneider, "We have been cutting and spraying trees in the utility right of ways before they go up and become an issue."

**<u>Outage</u>**: Superintendent Schneider, "We worked an outage on the 5<sup>th</sup> and 12<sup>th</sup> of this month. Both of those issues were wind-related; there was a broken wire at the connection where it ties to the conductor wire that failed on us."

**2009 Digger Truck:** Superintendent Schneider, "Our 2009 digger truck put itself in limp mode. The catalyst system has been plugged up. We have had them cleaned and regened in the past. We regened it recently, and it didn't last three weeks; it went right back into limp mode. So, they have to pull those catalysts off, which is a chemical process that cleans them. It's in for repair. They found some loose turbochargers seals on it that they think may be a contributing factor to that. We will find out when they get them repaired."

**<u>Boiler Inspection</u>**: Superintendent Schneider, "We had KDHE in last Monday for our annual boiler inspection. Everything is good there. We got the certificate that we post in the power plant."

<u>Job Shadow – Burlington High School:</u> Superintendent Schneider, "I got a call from Crystal Ecton from Burlington High School Tech Program. She has a senior that is going to go to line school this fall. She was inquiring about job shadowing for a day. I visited with Lewis the other day; I didn't visit with the rest of the committee about that. I did go to the Police Department, and Doug gave me a copy of his release form for ride along's. I gave that to Anne so Philip could look that over and do a general format of that should anybody want to be involved in any department. That will be sometime after spring break."

<u>KPP Webinar</u>: Superintendent Schneider, "I sat in on the KPP webinar yesterday. It was based on the supply chain and rising costs associated with that. I think everybody is going through it. There was talk about getting material; lead times are up approximately 51 days which is an increase of roughly 44%, logistics and freight are up 150%, and then the labor force challenges.

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"Now I'm waiting on the full presentation of that so I can distribute that for everybody to get a better look at that. As far as us, we are stocked up pretty well. We do have some materials that we are waiting on. We are not in bad shape; we are just trying to stay ahead of it the best we can."

# **ELECTRIC DEPARTMENT: PRODUCTION Update**

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

<u>EIA (Energy Information Agency)</u>: Superintendent Schneider, "I got all of the energy information reports complete, and those are all submitted."

<u>Generation Project</u>: Superintendent Schneider, "They are disassembling the generator. I visited with Larry, and they have a crew of nine people working to disassemble that and get it ready for shipment. He acted like the permitting to get those here were in good shape. It is a matter of the states along the way releasing that to ensure the road conditions are favorable to move that generator. They have quite a few pictures taken; I was supposed to receive those this weekend, but I have not received them yet. As soon as I get those, I'll put a portfolio together so you can see the progress as it's going on. Before they could start to move our unit, they had two others that they had sold that they had to get out of the way because they were blocking an exit of the building for our generator. When I talked to Larry on Friday, they are on schedule, and everything is going really well. They are sending components for rebuild out to various places, and they will get shipped directly to here as well. They are moving right along with the project."

# **QUESTIONS/COMMENTS**

Council Member Lenard, "I have one comment. I know we are waiting to get that, but there were things like copper, nickel, aluminum, I think steel had gone down, but all of those--." Superintendent Schneider, "Steel has fallen about 40%." Council Member Lenard, "Just like our poles, they changed the law on the Penta (pentachlorophenol), and so I think she said there was a mad rush for wood versus fiberglass cross-arms. She also talked a little bit about some of the implications with Ukraine because a lot of our natural resources come out of that region. One interesting thing she said is that the nickel content in a nickel now is worth \$0.16. So, if you wanted to collect all of your nickels that are worth three times what their face value is." Council Member Curtiss, "And how long will that last?" Council Member Lenard, "Quick. But it was really good because there is so much of this stuff that impacts us. They are trying to do things with the ports and logistics, and they talked about the trucks and the freight. We live in our county, but we are influenced by things that go on all over the world. It was really good."

Council Member Jasper, "Is there any issues going forward getting or 40 footers or anything like that?" Superintendent Schneider, "I don't believe so. They have gone to a new chemical. I didn't write it down, and I'm not going to try to pronounce it, J.J. They are going to a new treatment now. A lot of people are sold on the Penta, and it is a good preservative for the poles. People are trying to get a hold of as many as they can right now." Council Member Lenard, "A lot of the Penta was bought up; they hoarded it. I don't know how long it will last." Superintendent Schneider, "They talked on the seminar and said roughly two years at this pace." Council Member Jasper, "Are we pretty good on our inventory on poles." Superintendent Schneider, "We are."

Council Member Jasper, "How many are we talking about that we have in stock?" Superintendent Schneider, "Close to a full load of 40 foot. I would guess we are close with our 30 foot; we don't set as many 30 foot as we do the 40s." Council Member Jasper, "Right." Superintendent Schneider, "And I am going to guess \$7,000 - \$8,000 for a load of 40-foot poles." Council Member Jasper, "How many poles do you probably set a year of 40 footers?" Superintendent Schneider, "A couple dozen or so." Council Member Jasper, "So, you have that in stock." Superintendent Schneider, "Yes, we do have that. They talk like the Penta with all these people buying that in bulk to have it; another two years, I believe is what they said on that call that we would still be able to get the Penta treated poles."

#### WATER AND WASTEWATER: Distribution Update

<u>General</u>: 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.

<u>Meter Replacements</u>: Superintendent Hawkins, "We got 47 meters in with radios. I was told today by our vendor now that they are eight months out; that's the order that they have. I ordered some more so we could at least be on the list for the next eight months. They are behind with that."

<u>Consumer Confidence Report/Thank You</u>: Superintendent Hawkins, "I want to thank Mary. She did the consumer confidence reports, which will be going out here in April, so thank you, Mary, for doing that."

<u>Generator Maintenance</u>: Superintendent Hawkins, "We have Don Wagner that is going to be coming in with his technician for the generator checkup. He just wants to make sure that everything on it is still going well. It is at no cost to us."

<u>Thank Yous</u>: Superintendent Hawkins, "I want to thank Mark (Superintendent Davidson) and Kevin (Superintendent Boyce); they helped us burn the lagoon. I would really like to thank those guys. Anytime I have ever asked for their help, they bend over backward to help. I want to thank them and their guys. I am very grateful for them."

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<u>Sewer Tap</u>: Superintendent Hawkins, "We completed a sewer tap out at 16<sup>th</sup> and Kennebec today. That is completed."

<u>Lead and Copper Testing</u>: Superintendent Hawkins, "We just received notice from KDHE that we will be testing this year for lead and copper. This is our third year for lead and copper sampling that we will be doing. We had a representative from Kansas Rural Water Association come for a tour of the plant."

# WATER AND WASTEWATER: Production Update

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

<u>Sludge Pit Mixer</u>: Superintendent Hawkins, "We did get into the sludge pit. It is hosed out and ready for the contractor who will be coming soon."

#### STREET DEPARTMENT: Update

<u>General</u>: 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.

<u>Street Maintenance</u>: Superintendent Davidson, "We have been sweeping curb and gutter and streets trying to get the excess chips off from this winter."

<u>Sewer Lagoon Burning</u>: Superintendent Davidson, "As Danny had said, we helped with burning the sewer lagoons."

<u>Snow and Ice Control</u>: Superintendent Davidson, "We had a call out from the sheriff's office Thursday night for some ice control. We sent two trucks out for that."

Evaluations: Superintendent Davidson, "I have been working on evaluations."

Thank Yous: Superintendent Davidson, "I want to thank Mary for her help on the 2022 Asphalt bids."

<u>City Hall – Property Lines</u>: Superintendent Davidson, "We removed concrete from City Hall to line up our property lines."

#### POLICE DEPARTMENT: Update

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

<u>Activities/ Cases</u>: Chief Jones, "Last meeting, I mentioned that we were working on a juvenile battery case. Everything has been turned over to the county attorney, and with his approval, the individual was arrested and charged with three counts of aggravated battery. Judge Wine put a \$10,000 bond on them, and he spent the weekend in juvenile detention in Ottawa. He was bonded out by his grandfather for cash.

"An officer assisted a sheriff's deputy with a combative shoplifter at Casey's in New Strawn. He got some charges out of that. Then after some investigation by the Sheriff's office turns out he just got done doing a burglary at Buddies the bar in New Strawn as well. They did a search warrant and recovered all the booze he had stolen from the bar.

"We have arrested and transported three people on city warrants that we had to go pick up and bring them back to town."

City Court: Chief Jones, "We had city court last week. It went very smoothly, and we were out quickly."

<u>Nuisance: Properties/Vehicles Update</u>: Chief Jones, "I caught up with Jimmy Talley to ask what his plans going forward were. He does not have any plans that involve the city other than a removal of a mobile home inside the city and taking it out into the county. We visited with Gene Ernst, and I also talked with Gene again this morning at 10:00, his intent at that time was to reclaim his property at 1303 Yuba and get Mike Skillman, and Victory Excavating started on demolition as soon as he can get equipment there. I am hoping that we are within a day or two. He wanted to make sure that the city didn't have any issues or problems with him proceeding. I told him the city had no problem whatsoever; they voted to condemn the property a month ago. We were ready to go with whatever he got done.

"When you get to the clean-up discussion a little bit later, I have noticed any number of places that have already started putting brush and trash out. One I'm dealing with on Alleghany Street is one of them that did it."

#### **QUESTIONS/COMMENTS**

<u>Nuisance</u>: Council Member Lenard, "So, on Jimmy's place, I noticed that there is still a vehicle there too, does that--." Chief Jones, "Everything. Victory Excavating is basically going to clear cut the property."

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Council Member Lenard, "It's unfortunate because we go walking, and there are bags of trash; it's too bad." Council Member Jasper, "How long have we been addressing the properties on Alleghany?" Chief Jones, "We basically ran out of time last year when we were trying to deal with them. So, we had to start over in the new calendar year. Then we have had the different winter storms that have come through. They have already gotten the formal letter. If I don't get any significant progress out of them by the end of this weekend, they will be getting a ticket to come to court next week."

# PARKS DEPARTMENT: Update

<u>General</u>: Personnel have been doing the normal duties: cleaning public restrooms and buildings, tree trimming, building, and equipment maintenance.

Snow and Ice Removal: Superintendent Boyce, "We had some snow and ice removal."

<u>*Parks Department Maintenance:*</u> Superintendent Boyce, "We replaced the water heater at the parks department building."

Sewer Lagoon Burning: Superintendent Boyce, "We helped with burning the sewer lagoons."

Evaluations: Superintendent Boyce, "I worked on employee evaluations."

<u>Flower Quotes for Flower Pots and Hanging Baskets</u>: Superintendent Boyce, "The last thing I have is the flowers for downtown and the hanging baskets for Kelley Park. I have a quote from Arnold's at \$2,453.00. That is up 10% in the last two years. It would be my recommendation to go with that."

Council Member Curtiss, "This is pretty similar to what we had last year, the flowers?" Superintendent Boyce, "Yes."

Council Member Curtiss, "I move to allow Superintendent Boyce to purchase flowers for the Parks Department's Beautification Project, not to exceed \$2,453.00, as being in the best interest of the city." Council Member Jasper, "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	2022-06	\$ 429,754.41
b.	Payroll Ordinance	2022-06	\$ 86,494.45
		TOTAL	\$ 516,248.86

<u>CLAIMS 2022-06</u>: Council Member Lenard moved to approve City of Burlington Claims Ordinance 2022-06 for the amount of \$429,754.41 for payment of city bills. Council Member Curtiss gave the second. City Clerk Brown, "The larger expenses we have tonight are Brenntag Southwest \$35,632.50, JCI \$12,110.93, Kansas Power Pool \$241,454.19, Midwest Electric Transformers \$2,955.38." Hearing no additional discussion, Mayor Luke instructed City Clerk Brown to poll Council. All votes were in favor. Mayor Luke declared, "Claims Ordinance 2022-06 passed unanimously, 6:0."

PAYROLL 2022-06: Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2022-06 in the amount of \$86,494.45, 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 2022-06 passed unanimously, 6:0."

#### PLANNING & ZONING: Update

General: Zoning Clerk Hugunin, "Normal duties."

City Wide Clean-Up: Zoning Clerk Hugunin, "I have been issuing building permits."

<u>ARPA</u>: Zoning Clerk Hugunin, "A lot of my time has been spent on the ARPA. I am trying to learn as much about that as I can before we need to start reporting on that."

<u>City Hall – Renovations - Fence</u>: Zoning Clerk Hugunin, "I have been working on getting some quotes for a fence on the south side of the building where they have been cutting the asphalt."

<u>County Planning Board</u>: Zoning Clerk Hugunin, "I will be attending the county planning board meeting as soon as you guys allow me to go or when this is over."

#### **OTHER COMMITTEE OR COUNCIL BUSINESS:**

<u>City Wide Clean-Up:</u> Mayor Luke, "The next item is city-wide cleanup. Is that something you want to do?" Council Member Curtiss, "I have not been approached by many members of my ward on anything. On city-wide clean-up, I think I have had seven or eight people come and say that they want it continued." Council Member Tschantz, "I have only had one." Council Member Lenard, "I'd recommend continuing it if we are going to take a stance to clean the city. Some of the details of how we handle it, we may have to alter our approach to that, but I'd like to see it continue." Council Member Curtiss, "Did we make a change last year as far as when we picked up the trash? Someone made the remark that we didn't pick it up last year like we usually do."

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Council Member Jasper, "We just separated the brush and the trash." Council Member Tschantz, "Yes, that's all." Council Member Curtiss, "We have always done that, haven't we?" Council Member Lenard, "Well, Jimmy edited the flyers, and we talked about some different options." Mayor Luke, "But we have always followed the same week as the county; that is the only week we can do it." Council Member Curtiss, "That's what I thought. I don't remember not doing it at the same time." Zoning Clerk Hugunin, "The only thing we changed was brush clean up to put it at a later date, so we didn't have the brush coming at the same time." City Clerk Brown, "I think we did a couple of weeks later, didn't we?" Zoning Clerk Hugunin, "I don't remember." Council Member Lenard, "We took the rest of it, right?" Mayor Luke, "All the brush we take to the burn pile." Council Member Curtiss, "Okay."

Council Member Jasper, "We kind of left it up if they came across something that isn't safe to pick up, dirty needles or whatever, we just moved on. That's where the Chief comes into play. Didn't we go through that?" Chief Jones, "Discussions came up, but we never got requested to go and deal with any of these locations." Council Member Jasper, "Did we have to leave anything behind?" Zoning Clerk Hugunin, "We left a lot behind." Mayor Luke, "Because it had bed bugs in the mattresses and hypodermic needles and feces from cats and dogs." Council Member Berryman, "What happens to what is left behind?" Mayor Luke, "That is up to the Chief to issue. A lot of people don't have a way to get stuff out to the landfill, but it is still a matter of the liabilities if we have an employee that gets injured--." Chief Jones, "And the needles should be a nonissue. As part of the drug take-back program, which we do all year long, same with the sheriff's office, we have sharps containers that the hospital has provided us. We will take needles and syringes for proper disposal. We don't ask any questions; we won't even ask who they are. If they have a handful of insulin needles they want to dispose of; we will take care of that."

Council Member Lenard, "Remember we talked to the trash service, and they will pick up one item? I don't know, Mark, if you ever ended up helping them do that?" Superintendent Davidson, "We will on occasion, yes." Council Member Lenard, "We socialize that, that was one of our other actions. I don't know if we need to remind everybody again; I think it is one item a week." City Clerk Brown, "It's one item a week, and they usually want them to call ahead of time if it is a big item so that they are aware. We have brought it up to our Facebook page again so that it comes up to the top." Council Member Jasper, "So, when we leave something behind because it doesn't fall in our category of picking up, the trash service is paid to pick it up. Do they do that, or do they leave it behind too?" Superintendent Davidson, "If it is in a container, they will pick it up but usually by the time we get to it, the bags have been torn apart by people searching for whatever. I don't feel like it's our obligation to clean up bagged trash that has been ripped open and clothing that is out. People throw glass in between mattresses. Yes, we are picking up glass. I understand that is our job, but they are not following what we have requested them to do either."

Council Member Curtiss, "I don't know what the solution is." Council Member Tschantz, "I know we want to beautify our town by getting everybody to haul their trash out to the street but picking up mattresses with glass in them and needles and such, I don't think it is right." Council Member Lenard, "I agree with that. If it happens once, are we going to shut the whole program down? I think we have to figure out how we are going to manage it and let Doug do his thing or leave it." Superintendent Davidson, "If it was just a one-time issue, I wouldn't have a problem with it, but it's not. It is continual."

Council Member Lenard, "Same address?" Superintendent Davidson, "It's random. A mirror that they are tired of, they will throw between mattresses, and there is no rhyme or reason. We have stated clean lumber, which to me is no nails, but there are nails sticking out of it. There is also plywood that has nails. If they would just follow what we requested them to do, there isn't an issue. If you could figure out how to get them to do that, I am good with picking it up. At the same time, I am jeopardizing our crew and equipment. We just put \$7,000 worth of tires on the loader, and it's not going to take much to run over a board with a 16-penny nail sticking through it and ruin the tire. That is my only complaint. I don't have a problem with picking up the trash. I consider that part of our job. It is the part where they don't comply with what we tell them to do. They throw it in the bottom of the ditch when the ditch is full of water."

Superintendent Boyce, "Stacking it around mailboxes." Superintendent Davidson, "Yes, stacking it around mailboxes, utility poles, and under guy wires. That is my issue." Mayor Luke, "And all of that stuff we have to pick up by hand." Superintendent Davidson, "Yes. We can pick mattresses up with the loader. It is the stuff that has been piled up underneath that has been soaking in the ditch. It's been out for what, two or three weeks, or a month now? We try to pick that up with the loader, and we just end up gouging the ditches, so we scoop it up by hand and put it in the loader bucket." Council Member Lenard, "What does our sheet say on glass?" Mayor Luke, "No glass." Council Member Lenard, "No glass?" Attorney Wright, "That is why they are sticking it in mattresses." Mayor Luke, "Right, they are hiding it or attempting to." Council Member Curtiss, "How about no mattresses?"

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Superintendent Davidson, "We will have an issue with paint. They will stick it in plastic bags, garbage bags unless we stand there and rip the bags open. We don't know what's in them. When we clamp it, we crush the cans then we are dealing with paint. It runs down the side of the truck and out in the street. Motor oil too. We have picked up hazardous chemicals and weed spray. We are not allowed to take these things to the landfill; then we have to deal with that." Council Member Tschantz, "Then again, our landfill has a place for all that paint." Zoning Clerk Hugunin, "At the recycling center, yes. I think we did change it last year to no bagged trash. If it is in a bag, we are not picking it up." Council Member Curtiss, "It can go in the trash." Council Member Ernst, "So, it should be just big items?" Zoning Clerk Hugunin, "It should be instead of trash; it should be called junk clean up." Superintendent Davidson, "Appliances, furniture, mattresses, and that type of stuff. It ends up being carpet with cat and dog feces in it that has been rolled up and put out there for us. Swimming pools that have dog and cat feces in them, and they cover it up." Zoning Clerk Hugunin, "Hot tubs have been the same lately." Superintendent Davidson, "Yes, we picked up three last year."

Council Member Lenard, "What year was it we had a bunch of lumber and waste, and the next year we had to edit our form? Do you remember what that was, Jimmy?" Zoning Clerk Hugunin, "That was on concrete." Council Member Tschantz, "That was that trailer they tore out." Zoning Clerk Hugunin, "The trailer and concrete. We have it listed no concrete and no structures." Council Member Lenard, "Then we just have to enforce it." Council Member Jasper, "That's where I'm at." Council Member Curtiss, "No bagged trash. We don't have to pick it up, right?" Zoning Clerk Hugunin, "The flyer that we made up last year, we simplified it and made it very clear. We had a lot of flyers leave, and it was all over social media and still did not really change a lot." Council Member Curtiss, "When are the dates for this?" Zoning Clerk Hugunin, "April 11<sup>th</sup> through the 16<sup>th</sup>." Council Member Curtiss, "It's soon." Zoning Clerk Hugunin, "But since the county announced it and it was in the newspaper, we have people setting stuff out already for weeks now." Council Member Lenard, "We need to have something where they can't put it out a few days or a week... like he said if it rains." Council Member Jasper, "I think we tried that this last time." Zoning Clerk Hugunin, "We have it on the flyer that we don't want it out until the weekend before."

Council Member Curtiss, "Did we send out a flyer with the city bills last year?" Zoning Clerk Hugunin, "I don't think we did." City Clerk Brown, "I don't think we did either." Council Member Curtiss, "Could we do that?" Council Member Tschantz, "We did that two or three years ago." City Clerk Brown, "We do put a memo along the bottom." Council Member Curtiss, "I mean the flyer with the information on it." City Clerk Brown, "We could, yes." Council Member Curtiss, "So, many people don't get the newspaper and don't look online. I don't know, maybe that is a thought; maybe that would help." Council Member Jasper, "I think Lewis hit it on the head; we need to enforce it." Mayor Luke, "Philip, what can we do to establish a mechanism for enforcement?"

Attorney Wright, "I just remember having this discussion last year. It was like if people can't get with the program, we will stop it. Really, that is where the city council was at last year with it. I would suggest, and I always come back to this, enforcement is a big deal. It is tough to enforce everything. But if you wanted to enforce it, then we could pass some sort of an ordinance that says if you leave your garbage out, fix a time to it for the city trash day, and attach a hard fine to it. Then Doug goes out and issues citations. You are going to get a \$100 fine if you set it out more than a week before the pick-up day or if you ever leave some kind of trash out. We already have some nuisance things in place, but that is pretty cumbersome to use in this situation. It needs to be easy to enforce and slick, so that's what I would suggest. Do an ordinance that says if you leave trash out more than a week before pick-up day or regular trash day more than the night before, then you can be assessed a \$50 or \$100 fine. Make it a misdemeanor or an infraction. That would be more expensive for people to do than if they would just take care of trash the right way. That's my thoughts on it. It has to be something that the officers can go out and issue a citation on site."

Council Member Jasper, "I don't want to be going back and forth on this." Attorney Wright, "That's what I mean; they can't go and play with people like we do this nuisance stuff. We have to on this nuisance stuff because of due process and some other things; there is a lot that people don't understand. It is just the law. It sucks when you're trying to enforce it, but if it's against you, then you love it. What are your thoughts on that, Chief? It's still an enforcement issue." Chief Jones, "It is still an enforcement issue, but if you give us something very specific and we can issue an NTA no different than writing a traffic ticket. Give me something very specific to work with that basically exempts it from that state statute which is what most of our nuisance stuff is based on. That is where all of the very lengthy due process stuff comes into play. If you want to deal with something specific with trash, then I think it is doable."

Attorney Wright, "It would be something kind of similar with what we passed with regards to the grass and leaf ordinance that we just did where we just assess a fine. They don't have to mess around with these guys. If you wanted to give them a shot, especially if it's in the morning, then tell them you are going to come back in the evening, and if it's still here, then they will get a citation." Chief Jones, "Right, come back tomorrow at the same time." Attorney Wright, "That's right, then issue them a citation, and they can talk to Judge Campbell." Chief Jones, "Our city judge already talking about some other things said if we take a picture of the violation and attach it to the ticket, we will find them guilty based on that picture in court. Their only discussion is how much can you pay and get it paid off."

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Council Member Jasper, "So, going back through last year's minutes, I was on board with thinking about taking it away if people couldn't follow the rules. But we are trying to move forward and be progressive about cleaning up properties and whatnot. I don't think we should take this away. I think we leave this up to our superintendents to handle and our police department. If we need ordinances for citations going forward, then that's where we come into play as a city council, and we just back them and let them figure out how to deal with it in the best manner." Attorney Wright, "I am just going to say there is never a perfect answer. We learned that with the Yuba Street property. There are some people that are going to be difficult." Council Member Jasper, "Agreed, and I just don't want to take it away from the people that aren't difficult."

Council Member Curtiss, "What percentage of people do you think of what you pick up was the bad stuff? Any idea?" Zoning Clerk Hugunin, "It was in the minutes last year, but I don't remember what it was." City Clerk Brown, "Was it like 60%?" Zoning Clerk Hugunin, "Yes, I think it was 60%." Council Member Curtiss, "60% of the places you went to had stuff you shouldn't pick up?" Superintendent Davidson, "Yes." Zoning Clerk Hugunin, "But once you are already picking it up, it's in the loader, and you have already put it in the truck."

Superintendent Davidson, "At that point, it is too late to call the Chief to do anything about it. If we do that, then it is going to last for a few weeks." Attorney Wright, "I could draft the ordinance, but then you guys are going to have to take evidence. You'll have to come in and testify in court that there was a paint can in the bag. We could do that. We can make an ordinance that basically codifies the prohibited items on a list for the city trash pick-up day. If you are in violation of that, then you can get assessed a fine for that; especially for these really hazardous things. It would require you guys having to take evidence of that. You are right; you are not going to want to call Chief and bring somebody over to do a full investigation."

Superintendent Davidson, "Last year, council did give us permission to use our discretion on whether we wanted to pick it up or not. I am good with that as long as the council will still back us with that. If I go off and leave a pile, then I don't want a day later getting a phone call from a council member saying a person called and I didn't pick up their trash, why not? Then when I tell them why I am told it's not a big deal and to go back to pick it up. That has happened in years past; I'm not saying with this council, but it has happened." Attorney Wright, "I am not trying to cut you off, but I am trying to figure out a way to draft an ordinance. So, we are dealing with two or three separate issues on your end. So, things you can't see that are a surprise, like paint, you crush it, and it's a mess. Clear violations, mattresses in the bottom of the ditch, and others where it's bagged." Superintendent Davidson, "Yes."

Attorney Wright, "Okay, so we would have to draft an ordinance kind of around those. I'd suggest the stuff that is in clear violation, you just leave it, and then we can go the next day and cite them. Maybe take notes on it and put the addresses that way, the Police Department can go the next day to issue citations on it, and they can clean up their own mess." Chief Jones, "I'd request that photograph is sufficient evidence because I don't want to pick up the stuff and store it in our evidence room at the Police Department. I don't have room." Attorney Wright, "I don't even think we need that. We need the object to look at, or we need one of these guys because they can come in a testify to it. I don't want to get into technical things of evidence, but the person who takes the photograph would have to be available to testify in court."

Chief Jones, "If it is one of our officers, generally they are here for court anyway." Attorney Wright, "That is what I am thinking for the things that are obvious violations, they leave it, you guys go in--." Chief Jones, "We take a picture and write a ticket. We can leave these guys out of the court process, which I am sure they are not going to be too upset about." Attorney Wright, "Right, but the ones where it's a surprise, you are going to have to do it as someone available. But anyway, those are just some thoughts on it. I can certainly draft something up that tries to address everything and present to city council if council wants me to do that." Council Member Lenard, "Obviously, there have been people that have seen that the county said it and are starting to put stuff out."

Council Member Curtiss, "The paint cans, how did you get those? Were they in a bag?" Superintendent Davidson, "Yes." Council Member Curtiss, "Okay, so we don't pick up anything bagged, right?" Superintendent Davidson, "That is correct, but if they are trapped in between furniture, and we don't see it when we clamp it. It's not all just nice and pretty along the street." Council Member Curtiss, "It is at my house." Council Member Tschantz, "They will do whatever they can to hide it." Superintendent Davidson, "They will throw mattresses and chairs and bagged trash under all that." Attorney Wright, "It kind of makes it clear that people are understanding that they are not supposed to put certain items in the trash. They are hiding stuff in there." Council Member Curtiss, "Right, okay." Attorney Wright, "There are going to be surprises."

Superintendent Davidson, "When they get on a cleaning spree, everything is thrown to the curb to be picked up, and they don't care what is there." City Clerk Brown, "We could ask the council members to ride along to see what they are dealing with." Council Member Lenard, "Us socializing this, we have a gap between the county putting it out and getting these flyers out; we should be doing that."

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Council Member Curtiss, "That's right." Council Member Lenard, "If it means stopping by...I got a bunch of flyers last year. Of course, the people at church and other civic groups, hopefully, they aren't the ones doing this." Mayor Luke, "What I'm hearing is that you want to continue this year as we have in the past and give discretion to those who are picking up to not pick up stuff." Council Member Lenard, "Same as last year." Mayor Luke, "Same as last year. Contact the Chief to have him take pictures, and then we can look at what we want to do from then on and find some means of enforcement. I don't want the seven-month process because we will be back into another pick-up period."

Attorney Wright, "Does the city council want me to draft an ordinance to make enforcement a little bit easier?" Mayor Luke, "There has got to be something to make enforcement easier. Otherwise, you'll go through the nuisance property thing, and it's three to six months down the road. We don't have a lot of choice with anything other than that right now. If there is a mechanism that we could do it faster." Council Member Lenard, "Are you guys good with that?" Attorney Wright, "I don't want to draft something up, and you guys shoot it down. It is going to be some work to do it. I don't mean to sound lazy, but I am. I don't want to do work. That is like 90% of an attorney's work; you do it for nothing most of the time. I have some ideas that would fit this situation that would work pretty well."

Council Member Lenard, "Was your grass ordinance your baseline?" Attorney Wright, "Yeah, it would be something similar to that." Council Member Lenard, "I think that was pretty reasonable, don't you?" Council Member Jasper, "We didn't have a problem with writing people tickets for blowing grass on the street. So, why would we have a problem with having trash all over the place?" Council Member Lenard, "There you go." Council Member Ernst, "Is there going to be enough time though to write the ordinance and actually have it known to the public before the trash clean-up this year?" Mayor Luke, 'No, not this session. It would be before fall." Council Member Ernst, "Okay." Council Member Tschantz, "So, right now, we are kind of stuck between a rock and hard spot then." Council Member Curtiss, "I say we go ahead with what is on our flyer. Include the flyer in the billing, and it's at their discretion to pick up things, no bagged trash." City Clerk Brown, "We will do the flyers like we normally do."

Attorney Wright, "When is it?" Council Member Tschantz, "(April) 11<sup>th</sup> through 16<sup>th</sup>." Attorney Wright, "We wouldn't have the ordinance in place by then." Council Member Jasper, "Is there anything that says if the street department or whatever department goes by that says we are not picking this up for X reason, they call the police department, and our police department just goes and talks to them?" Attorney Wright, "There is nothing that stops them, but there is no enforcement. You have to have something. The police department says you better clean this up, or what? There has to be an or what there. Otherwise, people are going to ask why you're harassing them. There are a lot of pretty savvy people out there. You should ride around with Doug and the police department for a day and find out how savvy people really are with the police at this point. It's not everybody, but there are a lot of people out there is if you don't have an or what, you are almost enabling people because they just got away with it."

Mayor Luke, "Just like your speed limit sign, some people say it's a challenge to see how fast they can go." Attorney Wright, "I think the data on that says it might be working a little bit." Mayor Luke, "Okay, that's where we sit for this time. And you will work on something that we can simplify and have teeth." Attorney Wright, "I'll try to make it a little easier maybe there is something there. We will take a look and research it a little bit more. I know the nuisance ordinances that we have are a little cumbersome to try to enforce with these sort of things."

# **ORDINANCE 884,** Relating to The Possession or Consumption of Alcohol and Cereal Malt Beverages in Municipal Parks

Mayor Luke, "We have the ordinance 884 for the possession or consumption of alcohol and cereal malt beverages in municipal parks at the request of the fair board." Attorney Wright, "So, just briefly, when we start looking at this, we realized basically consumption of alcohol in Kelley Park outside of the building was unlawful pursuant to the ordinance. So, we had to do an amendment to the ordinance. If you take a look at ordinance 884, it is pretty much verbatim the same ordinance as the prior ordinance except, we added subparagraph A3. That says when authorized by the city council Kelley Park provided that a permit is issued under K.S.A. Chapter 41. Chapter 41 of the Kansas statutes is the regulation the ABC (Alcoholic Beverage Control) does. There are three to four different permits that somebody could get to serve alcohol. Other than that, the ordinance is exactly the same; we just added that exception that wasn't there. We weren't really able to authorize what the fair board was asking lawfully. Once this ordinance, if city council chooses to, passes at the next council meeting and after it has been published and effective, I am going to ask you by motion to ratify your prior vote that was done March 2."

Council Member Berryman, "Can I ask one question? From the last conversation, children will not be allowed in there, is that correct?" Attorney Wright, "That is the conversation as I understand it. I think that is part of the ABC regulations." Council Member Berryman, "Right, so what happens if little Johnny is playing outside, scraps his knee, and wants to talk to mama?" Attorney Wright, "Mom is going to have to come out." Council Member Tschantz, "Mom has to go out?" Mayor Luke, "My understanding is that they are going to check IDs and issue wrist bands so they can go in and out. They are going to buy a token so that there is no cash being involved inside the area, and no one under the legal age will be allowed into that space."

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Council Member Berryman, "So, a lot of these children will be outside unsupervised?" Mayor Luke, "That is up to the parents." Council Member Berryman, "That is the part that scares me." Superintendent Boyce, "It is already happening." Mayor Luke, "It is being done now, except they aren't confining it to a concealed space." Attorney Wright, "That has nothing to do with this ordinance." Council Member Berryman, "I am just thinking...." Attorney Wright, "Quite honestly, the ordinance reads that you have to have approval from the city council, so if it doesn't work out, you don't have to give approval next time." Council Member Berryman, "So, do I have to approve the resolution this time or not?" Attorney Wright, "No. You can do whatever you want. I am not telling you what to do; I am just telling you what the ordinance does. That is at your discretion. You can do whatever you want with it. That goes for everybody here. I just made it to where it would be lawful because that is what was voted on March 2<sup>nd</sup>."

Mayor Luke, "On March 2, we approved it based upon doing an ordinance, and now that ordinance is being presented." Attorney Wright, "Because as it sits right now, the vote that was taken March 2 was unlawful, and the Fair Board cannot move forward because alcohol cannot be served at Kelley Park outside both buildings." Council Member Jasper, "Due to the ordinance that is already in place." Attorney Wright, "Yes." Council Member Jasper, "This is the new ordinance that is allowing that to happen for this specific event." Attorney Wright, "This specific event and future events if they are approved by city council." Mayor Luke, "And each one has to be approved by the city council." Council Member Jasper, "As it should be."

# Council Member Lenard, "I move to adopt Ordinance 884, Relating to The Possession or Consumption of Alcohol and Cereal Malt Beverages in Municipal Parks and repealing and replacing Ordinance 826, as presented." Council Member Ernst, "I second the motion."

Superintendent Boyce, "So, we are putting municipal parks, so that's all of the parks? They can come and request...." Attorney Wright, "You would have to look at the ordinance. No. The original ordinance had specific exceptions. So, like you can drink at Drake Park, it was fully exempted out. Kelley Park was exempted out if you had specific a permit and still is in one of the buildings, but you could only consume in the buildings. That was the only two exceptions to that. This adds a third exception which is in Kelley Park if the city council approves it and the person or organization that wants to do this has basically done all of the permitting stuff under ABC." Council Member Lenard, "I think our first one was for May Days years ago; I don't know how many years ago that was. We shot it down."

Hearing no further discussion, Mayor Luke instructed City Clerk Brown to poll Council for a vote. Council Member Lenard, Ernst, Curtiss, Tschantz, and Jasper voted, 'Yea' and Council Member Berryman, voted 'Nay'. Mayor Luke declared the motion passed, 5:1.

#### **LEGAL DEPARTMENT: Update**

#### General: Normal duties.

<u>MT Networks</u>: Attorney Wright, "I wanted to mention a couple of things that I have been working on, on my vacation. I got the MT Network paperwork finished up. I think we are on top of that. We will have people coming in to get their checks." City Clerk Brown, "We are going to start issuing them by Friday."

<u>U.S. District Court Decision</u> Attorney Wright, "I also want to make city council aware that there was a U.S. District Court decision Vote America that affected one of the balloting provisions in the Uniform Public Offence Code (UPOC). Under our Uniform Public Offence Code, there is a provision for somebody partially filling out a mail-in ballot. The U.S. district court basically said that it is unlawful for anybody to enforce that provision; we have never enforced those types of provisions anyway. There were some concerns by the Leagues attorney that we should email this organization called Vote America and let them know that we are not going to enforce that, and I am not going to do that. I don't think that it is wise to do that. We are just going to leave it alone. Just for your information, I don't think we should respond to that. We are not a party to that litigation, and there are absolutely zero reasons why we should respond."

#### **CITY CLERK: Update**

<u>General</u>: 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. For March, we will be sending \$1,411.20 in delinquent accounts to the Kansas set-off program for collections.

<u>KACM Spring Conference</u>: City Clerk Brown, "Lisa Birney, our municipal court clerk, attended the KACM Spring Conference in Wichita on March 3rd and 4th."

*Evaluations:* City Clerk Brown, "I completed annual employee evaluations."

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CJIS Training: City Clerk Brown, "I completed my online CJIS training."

Executive Session: Non-Elected Personnel Evaluations

Council Member Curtiss, "I make a motion to enter a 30-minute Executive Session for Non-Elected Personnel Evaluations with the Governing Body, Mayor, and Personnel Officer Brown present." Council Member Tschantz, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

Council entered Executive Session at 7:20 p.m. and exited at 7:50 p.m. The following action was taken:

Council Member Lenard, "I make a motion that the personnel evaluations and pay increases be approved as presented." Council Member Curtiss, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

# **REPORT BY CITY OFFICERS:**

#### **MAYOR'S COMMENTS:**

#### **FUTURE AGENDA ITEMS:**

TUTURE AUENDA ITENIS.					
GENERAL: City Debt - How to fund projects		GAAP - Infrastructure Capitalization			
Expense Tracking on Projects		City/Cot	unty Grant Funds – Discussion on Matched Funding		
Budget 2022		Council I	Discussions on Evaluations, Succession Planning, etc.		
ELECTRIC DEPARTMENT: Power Plant - Additional Generation		RICE NESHAP Compliance			
PARKS DEPARTMENT: Events in Parks (Updates)					
LEGAL DEPARTMENT: Municipal Court Updates		Misc. Legal - Documents, Cases, Contracts, etc.			
PLANNING AND ZONING		Quarterly Construction Valuation Report			
Work with Advantage Computers and City Departments to improve Cyber Security		Prepare Easements for any City-owned property without one			
Nuisance Grass: Work with PD		Permits -	Building/Zoning/etc.		
FIRM Floodplain Map Changes – Updates		Burlington Corporate Boundary Updates on Map (Work with State)			
POLICE DEPARTMENT Nuisances (Work with Zoning Clerk)		Department Activities and Cases			
Voice Stress Analyzer Project					
STREET DEPARTMENT: Concrete St. Repairs/Free State Ct. Replacement/Repair		Street in	provement Plan, Paving Gravel Streets, Crack Filling,		
Pavement Management System/Asset Management System		Street Im	provements 2022 Asphalt Project		
WATER & WASTEWATER DEPARTMENT:	Sensus Water Meter Replacem	ient	Sewer Lagoons - Analysis (KRWA/funds for dredging)		
WHILE & WHOLE WHILE DEFINITIONE (1)					

Mayor Luke declared the meeting adjourned.

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