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"I am hoping that Chief (Jones) will just have a presence down there because a presence in uniform means a whole lot to people who think they can get by with stuff. I know he wasn't for this, but hopefully, his presence will be around; that's a big help. They don't have to work it, just be around. I think the Sherriff's department is planning on being around there too."

Chief Jones, "We are planning on being around." Council Member Tschantz, "That is the question that I was going to ask was if the Sherriff's department was going to be there." Arden Payer, "Well, that night, he said that he would support whatever the council came up with, so I think he will be around and present. They are always down at the fairgrounds." Chief Jones, "We always have a presence at the fair." Council Member Tschantz, "Well, I know that, but I'd like to see a commitment from him, for sure." Arden Payer, "Well, the reason I am here is because I can't apply for an ABC license until we have the full approval of the council. I know you already approved it, but we had to have this approved for where we are putting it so I can send that drawing in to ABC. They have to know pretty well exactly where it is going to be, so when they show up, they can walk in that gate and walk 300 feet to it. They don't want to walk all over to find it."

Council Member Tschantz, "I would still like to see a commitment from the Sherriff." Arden Payer, "Well, I will get one from him. I'll ask him anyway. I think we will. Do you want me to report back if he agrees with that?" Mayor Luke, "Just let the Chief know, and he can report back." Council Member Tschantz, "Yes, just send it to the Chief, and Doug can let us all know." Council Member Ernst, "But as far as this instance goes, it looks like the Fair Board is overachieving on this aspect of it because they are doing more than what the ABC is asking for. To me, to get this process started for the Fair Board, we need to make sure that this fence is good. As far as I am concerned, it looks great." Mayor Luke, "The key thing with street barricades is that they are easy to go over and are easy to go under. A six-foot fence is going to be a little more difficult. Having small entrances and exits will help control the ability of people to move freely outside or in. As far as I'm concerned, it satisfies our needs."

Council Member Tschantz, "One more question, this chain-link fence, is the Fair Board buying it, or is it going to be a rental?" Arden Payer, "It is a rental." Council Member Tschantz, "Okay." Kathy Payer, "For another \$100." Arden Payer, "I asked him, and I think he did a fair price. He is going to bring it down, help us set it up, and then he is going to come and get it. We are trying really hard this year because this is the first time that this has happened down there, and I do know that we will have a couple thousand eyes making sure that we crossed our T's and dotted our I's. I have been working with ABC. If you want them, they will come down and approve the site. It is whatever the council wants." Mayor Luke, "It is more of your security to have them come at your request if you want them to come down and look at it. There is no need as far as I see because as long as it goes up the way I see it on the drawing, that will meet our basic needs. I will acknowledge that you are setting precedent, and if it gets messed up, then it will probably never happen again. That is why I want to make sure that you realize that you have to make sure that you are controlling those entrances and exits, so there is nothing that gets outside of that."

Arden Payer, "I agree with you. One thing that I will say is when you see our license, we can serve any type of alcoholic beverage with this permit that they sell at the liquor store. Just for your peace of mind, we are not selling anything other than beer; that is the only thing that we are selling. We can serve from 10:00 in the morning to 2:00 in the morning. That is just what the license says, so don't get too excited. We will not be serving at 10:00 in the morning." Council Member Curtiss, "What are your hours?" Arden Payer, "The concert starts at 8:00 p.m. so then until midnight. I think it shuts off at 11:00 p.m." Kathy Payer, "No, it gets over at midnight." Arden Payer, "Okay, so we will shut down at midnight."

Council Member Shove, "If I may, I'd like to ask Chief under that ordinance the violations from the provisions, how is that going to be enforced? I know that they are going to have to be careful on who they let in and let out; it's pretty specific in here as far as a class C misdemeanor for them to be walking around outside of that." Chief Jones, "If we see an alcoholic beverage container come out, we will be checking on it, but we are going to be relying on Arden and his people to let us know if there is an issue." Council Member Shove, "Again, because ABC is going to monitoring and this is setting precedent, that needs to be taken into consideration." Arden Payer, "Well, there is no guarantee that ABC will be here." Council Member Tschantz, "They could show up at any time. They have before." Mayor Luke, "Okay, I think that addresses our concerns." Council Member Curtiss, "Thank you." Arden Payer, "Thank you."

**APPOINTMENT: Brenda Barnett - Sidewalk**

Brenda Barnett, "What brought me here tonight was the fact that Steve and I both, and any other handicapped person in a chair, have to use the highway to get to the Dollar General. I don't know why I am the one that was designated to do this. I did my homework. According to ADA Advisory R 204.1 general, the federal highway administration must issue guidance on the application of state and local governments for pedestrian access routes open and usable throughout the year, including snow and ice removal. The guidance is available at the FHWA website. Then I have 302.7.1 vertical alignment. Vertical alignment shall be generally planned within pedestrian access routes, including curb ramp runs, blended transitions, turning spaces, and gutter areas within pedestrian access routes, and surfaces with other elements spaces are required to comply with our 302.7 that connect to pedestrian access routes. Grade breaks shall be flush where pedestrian access routes cr—oh well, we don't have railroad tracks.

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“Alright, advisory R302.7.1 vertical alignment- pedestrian access routes surfaces must be generally planner and smooth. Surfaces should be chosen for easy rollability. Surfaces that are heavily textured rough or (inaudible) and paving systems consisting of individual units that cannot be laid will greatly increase rolling resistance and subject pedestrians who use wheelchairs, scooters, and rolling walkers to the stressful and often painful effects of vibration. Such materials should be reserved for borders and decorative accents located outside of or only occasionally crossing the pedestrian access route. Surfaces should be designed, constructed, and maintained according to appropriate standards, specifications, and recommendations for best practice.

“Then I have from the FHWA Office of Civil Rights, the primary purpose of the Federal Highway Administration, FHWA, Americans with Disability Act Program is to ensure that pedestrians with disabilities have an equal opportunity to use the public right of ways and transportation system. The FHWA regulatory responsibility under Title 2 of the ADA and Section 504 the rehabilitation act of 1973 Section 504 includes oversight of state and local entities and recipients of federal funds that are responsible for roadways and pedestrian facilities to ensure that they do not discriminate on base of disability and any highway transportation program activity service of benefit they provide to the public.

“I guess my issue would be that the sidewalks are not very up to date. I'll just get right to the point. They are not up to date. A lot of them are cracked and broken, and you can't even get over them. Like the sidewalk there at Sonic, going from one side of the sidewalk to the other passing Sonic, those ramps are too high. It is very difficult; we have to go very, very slowly to get down and then to get back up them, or footrests drag which that should not be. If we could get something between dollar general and Hoovers or Dairy Queen, then we wouldn't have to take the highway. Until something is put out there for us, we have to take the highway, and I'm going to get emotional, but I wish people would stay off my ass; pardon the language. Stay off my butt when I'm going from point A to point B trying to get done what I need done. Thank you.”

Mayor Luke, "Can I ask you a couple of questions? At the Sonic, is the ramps that are too steep tied into their entrance and exit, or is it at the edges of their property?" Brenda Barnett, "I don't know if it is tied into Sonic or not. The sidewalk kind of stops basically there before you cross there at Sonic, it's just a steep ramp, and then you have to go up another steep ramp to get to the other side before you cross in front where they exit, and you have to go up another steep ramp." Steve Wiedeman, "They are a part of the drive there." Mayor Luke, "They are. Okay, on Dollar General, the property there is owned by Dollar General and the state. With the highway, it is totally on the state and Dollar General. What we can do or what I recommend that we do is that we support you in making a formal claim, some form of a document, to the state and to Dollar General. We can use quotes from the different acts. I cannot say that we can force them to make a solution to the problem, but it will be made evident to them that they are in violation and that they need to address the issue because it is a safety issue. If they are notified and know of a hazardous issue, and something happens, I think they are relatively liable. The Sonic one, I'd have to look at because I don't know whether or not that they put in the sidewalk or – I don't know.”

Superintendent Davidson, "That is still state sidewalk." Council Member Lenard, "Another alternative is that we do have our sidewalk program, and we could notify Dollar General and say here is an opportunity to put in a sidewalk and let them go that way instead of this other way which might be more adversarial. They could probably see that putting in a cost-share would be a nice and quicker way to get this resolved and sonic too. I don't know if we want to get involved in--" Mayor Luke, "Yes, I am not sure what we want to do since it is state stuff." Steve Wiedeman, "Dollar General has a sidewalk that comes part of the way out, but it just drops off. There is no way that you can come through that rocky area to get on that sidewalk; if they were to go ahead and finish that on out, then that would be an access point to go across.”

Mayor Luke, "Okay, so what they have runs east and west?" Zoning Clerk Hugunin, "I think he is talking about what runs north and south." Council Member Ernst, "From the Dairy Queen over--." Brenda Barnett, "No, it's an extension from the sidewalk in front of their store, and it goes over. To get to the sidewalk, you have to go down a steep rocky thing, and that still won't work." Council Member Tschantz, "That's on Hoovers' side, that parking lot." Mayor Luke, "Let us have a chance to hash this over for a little bit, and we will get back to you. We have your contact information." Brenda Barnett, "Alright, and could you possibly look at the other sidewalks. Through the city, it is hard." Mayor Luke, "There are some bad spots." Brenda Barnett, "Okay, thank you all very much." Council Member Lenard, "Thank you." Mayor Luke, "We will see what we can do.”

Mayor Luke, "Alright, what we will do is we will let the committee work with streets and see what some options might be. We will look at getting Philip involved if there is something with putting a letter together and sending one." Attorney Wright, "No." Mayor Luke, "We can't do that?"

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Attorney Wright, "We don't want the city involved in that; it's a civil issue. I think the city could formally ask them to do something about it and formalize it in a letter. But this is a private issue; it doesn't involve the city being part of the highway." Mayor Luke, "Same with Sonic as well?" Attorney Wright, "Just looking at the map a little bit --." Mayor Luke, "That's Dollar General." Council Member Lenard, "We can look at our sidewalks and fix what is in our control." City Clerk Brown, "Aren't most of them along here in the states right of way, Mark?"

Superintendent Davidson, "Yes." Council Member Lenard, "But we can fix them if they are unlevel or..." Council Member Tschantz, "Can we fix them if they are unlevel?" Superintendent Davidson, "Not without going through the permitting process through KDOT." Attorney Wright, "The city could notify them that they need to fix their sidewalk." Council Member Lenard, "We can't fix something that is already there?" Superintendent Davidson, "It is still on state property. If it was a side street, we could fix it, but it is on state right of way." Council Member Lenard, "So, it's their responsibility to fix it?" Superintendent Davidson, "Yes, they have fixed sidewalks down here by the Republican. I have spoken with Ian Stringham with Osawatomie as a contact point, he said if there was a state project doing sidewalks, they would consider doing Dollar General, but they don't have anything in this area. All the sidewalks on the highway are state-owned." City Clerk Brown, "So in other words, unless they have something, they aren't going to do anything." Superintendent Davidson, "They aren't meeting ADA standards anyhow. They are only four foot, and ADA is five foot, and we are supposed to have concave domes. They are out of compliance, and there really isn't anything we can do."

Mayor Luke, "So, we would have to get the state to approve anything?" Superintendent Davidson, "Yes, unless you direct me otherwise." Council Member Tschantz, "I don't want to see us get in trouble with the state." Mayor Luke, "They basically won't come down here to do anything unless they have a project in the area?" Superintendent Davidson, "Correct, like when they did the sidewalks down by the Republican that could have been part of their projects, but we had no idea they were coming to town. They were just in and out. When I spoke with Ian, he said that he had nothing in the near future coming this way." Council Member Shove, "But the sidewalks are not presently in ADA?" Superintendent Davidson, "No." Mayor Luke, "They are four foot wide, and they are supposed to be five." Council Member Shove, "That's not a big enough issue to bring them?" Superintendent Davidson, "No. They can't even take care of the highway, which has some major issues; they aren't going to worry about the sidewalks."

City Clerk Brown, "So what can we require of them with their wheelchairs on the highway? They need to have some kind of something to --. I mean, they are not supposed to be highway 75. Can we require them to have some kind of light or reflective something? Can we do anything?" Council Member Lenard, "That gets into—I think we need to be silent." Attorney Wright, "This whole conversation makes me nervous." Chief Jones, "I have visited with Brenda, my officers have visited with her and some of the others, and our point is that it is not safe for them to have that wheelchair on 75 Highway." Council Member Tschantz, "It's not." Chief Jones, "There is no shoulder for them to get off of the highway until you get north of Dairy Queen; it is flat out not safe. We don't want to work a wreck with one of these people in a wheelchair on a highway."

**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 Transfer:** Superintendent Schneider, "We have changed some distribution power poles. We have been transferring some of the services off of old structures onto the new."

**Service Upgrade:** Superintendent Schneider, "We upgraded the business that is moving in north of the old U-Do. They upgraded their main panel, so we upgraded our service. It was in need."

**Temporary Power:** Superintendent Schneider, "We installed four power temporary power supplies for the spring fling event last Saturday. This Monday morning, we cleaned up our mess and put it back in storage for the next event."

**LED Street Lights:** Superintendent Schneider, "I think we worked on three street lights this week, which is a rarity since we converted over into LED. They have been very dependable and have been working great. They have been a great investment."

**Customer Concern:** Superintendent Schneider, "I have been visiting with customers that had some concern. It turned out that the customer had some issues on their side of the meter. We were able to work with them and help them get guided in the right direction to make those repairs."

**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.

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

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**Generator Project:** Superintendent Schneider, “We have been helping out where we can with the generation project. Things are moving along very well there. They should have the footings for the base of the generator dug out and ready to pour by the end of the week. I am not saying that they will pour this week, but they are getting the footings dug out to set the main foundation for that. We have one of Mr. Wheelers' crew on-site digging that out. His crew got delayed in Rensselaer completing that project and buttoning up that power plant. Progress is being made; it's starting to show now.”

**Outage:** Superintendent Schneider, “Last Wednesday, April 28<sup>th</sup>, at about 12:20 a.m., as everybody knows, the lights went out. What happened was one of our 69k volt lightning arrestors decided it was going to fail, and when it failed, it failed big time. It just disintegrated. What the men were able to do is we transferred our full electrical load-serving all of our customers to our industrial park substation, and we got our load-serving from of it. We have come up, and I had initial tests done because I wanted to know the status of the transformer. Plus, he needed to come down and get some numbers for the arrestors that blew up. We did initial tests on that transformer, and the transformer is testing fine. When that arrestor blew up, it didn't even blow the fuse link. It was so quick and violent that it didn't even blow the fuse.

“What's going to happen is we have arrestors, and when that arrestor blew up, it damaged the one next to it. There are three of them up there. In the process of that, because of the arc flash that happened, we had damaged primary bushings on the 69k side that goes inside that transformer. We got all the parts we need accounted for; they are in shipment right now. We are looking at the week after next for sure, which I believe the 16<sup>th</sup> is Monday. We were hoping possibly that we can get them here next week to start making repairs early. We are looking at roughly two and a half days at repair time on that. Until then, we will serve our load out of the industrial park substation.”

**Moving Equipment:** Superintendent Schneider, “I failed to do this last council. I wasn't here at the last council; thank you to the committee for giving my update. The street department and the Coffey County Road and Bridge have gone out of their way to help us move some of the heavy equipment that we didn't have available in the city. The road and bridge have helped us with their big loader and forklift moving equipment into the power plant, and I want to thank them as well.”

**QUESTIONS/COMMENTS**

Council Member Lenard, “When we had our turbine fail this last winter, did we have an insurance claim on it?” City Clerk Brown, “Because they couldn't prove it, the insurance would not cover that. They couldn't prove it was weather-related.” Council Member Lenard, “In this instance, is this a claim for anything?” Superintendent Schneider, “Unfortunately not. I'd like to sit down and visit with Anne about that.” Council Member Lenard, “So, what is the threshold when something does become a claim for us?” Superintendent Schneider, “Basically, what I am understanding from our insurance policy, if it is a weather-related event and I don't know off the top of my head right now, Anne, I think it's \$5,000.” City Clerk Brown, “Yes, it is.” Council Member Lenard, “Our deductible?” City Clerk Brown, “Yes.”

Council Member Lenard, “Would we have to get met tower data or something like that?” Mayor Luke, “That I am not sure.” City Clerk Brown, “They would probably have claims adjuster come out and look at it as well.” Superintendent Schneider, “When the turbocharger failed last February, they sent an engineering firm out of the Kansas City area and looked things over. I spoke with an insurance agent on the phone at that time, but I don't remember seeing him on site. Everything was over the phone plus based off of the information based on the firm that they hired provided.” Council Member Lenard, “This is what we believe is equipment failure solely, nothing due to weather?” Superintendent Schneider, “I believe that because everyone I visited with agrees we didn't really have weather at the time.” Council Member Lenard, “Thank you.”

**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.

**Line Locates:** Superintendent Hawkins, “There have been many line locates recently. Atmos has something going on. We have had over 30 locates coming from them all over town.”

**Brush Clean Up:** Superintendent Hawkins, “We completed the brush clean up.”

**Fire Hydrant Replacement – Southern Coffey County Without Water:** Superintendent Hawkins, “We did end up having to cancel the fire hydrant replacement that was going to be on April 28<sup>th</sup>. We were expecting weather. It kept saying that it was going to come, and it didn't happen. Even an 80% chance wasn't good enough to get rain. It was the same evening as the power outage that Alan was talking about, so we were still out at that time anyway with those guys. We were up early in the morning going from our pump stations resetting and all of the lift stations online. I guess in some aspects, it was a good thing, or it would have been a very long day if we would have had to do that and then the fire hydrant at the same time.”

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**Grey Water Tower – Maintenance:** Superintendent Hawkins, "One more thing that we are going to do is we are going to have Rodney Breeze going to do a service on our altitude valve at the grey water tower. He is supposed to be here next week to do that."

**Pump Station:** Superintendent Hawkins, "I would like to thank Alan and his guys. They came out to help us pull a pump-on-pump station #6."

**WATER AND WASTEWATER: Production Update**

**General:** Superintendent Hawkins, "The plant is being really good to us right now. There is nothing out of the ordinary. The averages are still running around 450,000."

**Power Outage – Hard Drive Failure:** Superintendent Hawkins, "Jim Morris had good news. He was able to recover all the data from that hard drive that crashed. He got it downloaded for us, and we have it in a file at the water plant. That was good news. Also, him and RW Vaught were to come in, set up the clear well pumps, and get them back on SCADA, so everything at the water plant is running well."

**Filter Maintenance:** Superintendent Hawkins, "We also replaced two airline bushings inside filters #1 and #3. We did that in between runs. So, the guys moved quickly with that; we got that taken care of."

**AMI and Sensus Meters:** Superintendent Hawkins, "Another thing that I visited with the committee about as well, with the Sensus meter stuff going on and there is such a huge delay coming from China and the microchip and everything that is going on. I have been working with Gary Armitrout with Water Law Solution. He is the guy that comes out and calibrates our raw water and our clearwell intake in the water treatment plant. The process of what I was going to do with meter replacement, I was planning to do those last at the end of the AMI run, but it didn't work out that way. He has been doing our calibrations. It's getting to where our calibrations are getting a little bit closer to uncomfortable than I prefer. I want to make sure we keep them in compliance. I went ahead and ordered the two meters for those. It is going to take about four weeks for them to get here. We will install them ourselves. We are not hiring anybody to do that. We will do it ourselves. The only thing that we will have to have done is I will have to have Jim Morris come in and set up the four to twenty milliamp signal to SCADA off of the new meters."

**QUESTIONS/COMMENTS**

**Fire Hydrant Replacement – Southern Coffey County Without Water:** Council Member Curtiss, "Have you rescheduled that?" Superintendent Hawkins, "We are working on that. We are hoping with the rain that we can get out there as quickly as we can." Council Member Curtiss, "So, then you'll have to go and tell all those people." Superintendent Hawkins, "Yes, we will go door to door and pass it out. We want to make sure that everybody is aware. I have had several from the public call me, and they ask if I'm shutting the water off from 5<sup>th</sup> and Potomac? Yes, we are, but that line goes south by the dog pound, but none of those lines attached there go to the 12-inch. It is its own line. So, no one is affected until you get down to the dog pound, then it keeps going south to the industrial park. People have been calling and asking if they will be affected. If you're at 9<sup>th</sup> and Alleghany, you won't be affected by it. We will try to keep everybody on board, and we will let you guys know and the committee when we decide after we talk with Brian Isch and Mike and all those." 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.

**2022 Street Improvement Projects - Killough Construction:** Superintendent Davidson, "We have started to do some street repair preparation for the hot mix this season. Kent Massengill with Killough contacted me and indicated that he wanted to move up the start date by two months. They will come in and do what we have ready; they will do another project out of town, then come back to finish up here. We have some concrete to repair at Burlingwoods. We need to replace the curb and gutter up there. That is what we have been working on."

**Culvert Replacements:** Superintendent Davidson, "We installed a new street culvert in preparation for the hot mix. We have one that we will replace on 10<sup>th</sup> street. The bottom is rusted out. We have it in stock; we just need to get some time to do that."

**POLICE DEPARTMENT: Update**

**General:** Normal Duties.

**Activities/ Cases:** Chief Jones, "We have been working a lot of juvenile cases. We are in the middle of one for what they call a sexting case. There are pictures being sent, and our two victims are not even teenagers yet. We have had a couple of suicide attempts. Otherwise, we have had normal calls."

**City Court:** Chief Jones, "We have city court next week."

**Cadet:** Chief Jones, "This school year, we have had an intern through the school, Jordan Heartpence. He has put his application in to be a cadet with us. I approved that, barring any objections from the committee or the council. A cadet is not allowed to get into any adversarial contacts. He is not allowed to carry a firearm or anything like that, he is not 21 yet, but he is 18. He is an adult. He can do a lot more with us. We can use him for traffic control or parades or things like that. As you should be aware or probably remember, I'm a big proponent on grow your own. Someone is going to get a good officer out of this kid down the road."

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**Nuisance: Properties/Vehicles Update:** Chief Jones, "1303 Yuba has been completely abated clean cut, and it looks good over there. My attention was directed to a couple of other places, 1522 Yuba and 1016 South 6<sup>th</sup>. 10-day letters were prepared on those, and those have been taken care of. The trailers at 1014 Alleghany, the one in particular since that was a structure, they got a 45-day letter. Their 45 days are up on May 31<sup>st</sup>, so the end of this month. Other than that, just normal calls."

**QUESTIONS/COMMENTS**

**Cadet:** Council Member Tschantz, "On the new cadet, we can use him in the office as well, correct?" Chief Jones, "We can, and we have actually used him in the office as an intern as well. One day Becky was unavailable, and we didn't have anybody for him to ride with that day, so we put him to work answering phones. He did a good job that day." Council Member Tschantz, "Good deal." Council Member Berryman, "Would he wear a uniform when he is out doing traffic control?" Chief Jones, "He won't wear a uniform like ours. He can wear something different that identifies him as a cadet, and if he were out doing traffic control, then he would be wearing one of our orange vests."

Council Member Ernst, "Does a police officer have to be 21?" Chief Jones, "In Kansas, yes. He is just a cadet. This covers until he turns 21 and then could go to work full time." Council Member Ernst, "Can he still go to the training and all that?" Chief Jones, "He can't until he is formally hired, and he has to be at least 20 and a half and turn 21 by the time of the graduation date of that academy class."

**Radar Sign:** Council Member Curtiss, "How about that sign that tells us how fast we are going, what are we doing with that?" Chief Jones, "Right now, I am waiting for the weather and the high winds to slow down before I put it back out." Council Member Curtiss, "Okay."

**PARKS DEPARTMENT: Update**

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

**Mowing and Spraying:** Superintendent Boyce, "Mowing and spraying weeds. Mowing is taking the majority of our time right now. We are still trimming a few trees."

**Flowers – Beautification Project:** Superintendent Boyce, "I have been prepping the concrete flower pots for planting. The planting will be Wednesday, May 11<sup>th</sup>, starting at 4:00 p.m., and we will meet at the Caboose. The Jaynes assist with that; they set the date and the time."

**Chamber of Commerce Spring Fling:** Superintendent Boyce, "We took picnic tables and trash cans down for the Chambers Spring Fling on Friday morning. On Monday morning, I picked them back up and put them back in storage."

**Arbor Day:** Superintendent Boyce, "I helped with the Arbor Day celebration last night at Oak Park."

**Nuisance: Mowing:** Superintendent Boyce, "I have been doing some checking on what we mowed last year. We were mowing seven properties last year, and I believe we are down to three this year so far. I know one of those needs mowed now, but we are lucky to get our own mowed right now. I will get to it as soon as I can. That will be the one on 10<sup>th</sup> street." Chief Jones, "I was going to ask about that."

**FINANCE: Building Restoration Loan for 405 Neosho Street – Kristen Hughes**

Mayor Luke, "She requested a loan for \$10,000 with the five-year payback with the first year no interest. She has completed all of the paperwork and the application, so she is ready to go if it is approved tonight."

***Council Member Curtiss, "I move to accept the Decision-Making Authority's recommendation and approve Kristen Hughes Building Restoration Loan Application for 405 Neosho Street in the amount of \$10,000, with a five-year payback." Council Member Ernst, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.***

Council Member Lenard, "So remind me, and everyone that is new on the council, is that a fund?" City Clerk Brown, "It is a fund that we have. This is our building restoration fund, and it is used for the outsides of the buildings for any kind of improvements that they want. We have two different loans, one for \$5,000, and this one is the \$5,000 to \$10,000. It has a subordinate mortgage that goes along with it, and our balance is in that one right now is showing \$121,000. That is for accumulation of interest from the principal, so we have those loans to give out when people come and apply for them. They are approved through the decision-making authority board."

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Mayor Luke, "Are there any others currently active?" City Clerk Brown, "The only currently active ones we have is the CDBG-CV loans from last year; Vintage Sisters, and Steve Strawder's; everyone is current. Those were both \$10,000 loans. The balance on those are \$3,000 each." Council Member Lenard, "When do those come due?" City Clerk Brown, "They make payments every six months, so their next one would be in July of this year." Council Member Lenard, "When is the term?" City Clerk Brown, "I do not have that information in front of me. We have a loan payment schedule for them; I think they are five years also." Mayor Luke, "So, that's two years done, so they would have three more years."

**FINANCE: Claims Ordinance & Payroll Ordinance**

a. Claims Ordinance	2022-09	\$	<u>103,255.37</u>
b. Payroll Ordinance	2022-09	\$	<u>92,772.87</u>
	TOTAL	\$	196,028.24

**CLAIMS 2022-09: Council Member Lenard moved to approve City of Burlington Claims Ordinance 2022-09 for the amount of \$103,255.37 for payment of city bills. Council Member Curtiss gave the second.** City Clerk Brown, "The larger expenses we have tonight are Builders Choice \$1,848.00, Allen Doors \$2,131.18, Core & Main \$1,613.01, Kristen Hughes Building Restoration Loan \$10,000, and US Blue Book, \$2,016.00." **Hearing no additional discussion, Mayor Luke instructed City Clerk Brown to poll Council. All votes were in favor. Mayor Luke declared, "Claims Ordinance 2022-09 passed unanimously, 6:0."**

**PAYROLL 2022-09: Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2022-09 in the amount of \$92,772.87, as presented. Council Member Shove 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 2022-09 passed unanimously, 6:0."**

**PLANNING & ZONING: Update**

**General:** City Clerk Brown, "Normal duties."

**CASE Training:** Zoning Clerk Hugunin, "I attended training in Hays April 20-22."

**Auburn Pharmacy New Location:** Zoning Clerk Hugunin, "I have been working with the new pharmacy on their new location. I know Mark has been a little involved with that."

**Building Permits:** Zoning Clerk Hugunin, "I am working right now with a property that I had talked about a while back in flood plains across from the golf course. I think I'm about that close to being able to get them a permit. I should know something tomorrow which will be good for them and me."

**Arbor Day:** Zoning Clerk Hugunin, "I attended Arbor Day last night. We had a pretty good turnout."

**Nuisance: Mowing:** Zoning Clerk Hugunin, "I have five or six yards that I am looking at sending out letters to. They are probably definitely going to need to be mowed by Sunday."

**QUESTIONS/COMMENTS**

Superintendent Boyce, "On the property for the pharmacy, that building site parking lot entrance to 75 Highway, KDOT sets that right?" Zoning Clerk Hugunin, "Yes."

**OTHER COMMITTEE OR COUNCIL BUSINESS:**

**LEGAL DEPARTMENT: Update**

**General:** Normal duties.

**Ordinance 885 – Licensing of Transient Merchant:** Attorney Wright, "This is the revised draft of ordinance 885, which is in your packet. There was really nothing of substance change. Right now, the city has an ordinance that requires a transient merchant license; it's a daily license. It is \$20 a day, and it requires them to come in. It has been proposed that we change that structure to a six-month license for \$50 or a 12-month license that would be \$100. I think some of the thoughts on that, and Anne and Mary, you can jump in if you want to were to reduce the burden on city staff and also to provide an incentive for some of these merchants to keep coming back in and make it a little bit less expensive." City Clerk Brown, "We have had a lot of transient merchants ask why we don't do it and could we make it easier for them, so they don't have to come in every single time. It's a little more convenient for them." Zoning Clerk Hugunin, "I think we will have more people get them instead of people showing up on a Sunday and not getting one." City Clerk Brown, "We have a lot of people that come in and set up on Saturday. We are not open, so we miss them. If they know they can get a six-month, I think they would be more apt to do that." Attorney Wright, "So, if you guys are good with it."

**Council Member Lenard, "I move to adopt Ordinance 885, Amending Chapter V: Business Regulations, Article 5: Miscellaneous Business and Sales, Section 5-505 Transient Merchants of The Code of The City of Burlington." 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, "Ordinance 885 passed unanimously, 6:0."**

**[9] CONTINUATION: May 4, 2022 Burlington City Council Regular Session**

**Ordinance 886 – Large Item Pickup:** Attorney Wright, “This is the ordinance that was considered at the last meeting; you had a draft in regards to the large item pick up. Input was solicited, and I think the consensus is that everyone was kind of good with it. If anyone has any other questions or comments about it, but it's ready to go.” Mayor Luke, “I know we discussed this some the last time. Is there any other feedback from anyone after the meeting, Philip?” Attorney Wright, “I didn't receive any direct feedback. I think there were some other comments with regard to the time period that we should allow to let people put their trash out or pick trash up. I know there were some comments bouncing around; I think we can leave that alone. Otherwise, we are incentivizing people to put stuff out way too early and leave it out longer than they need to. Does that accurately represent kind of what we got?” Mayor Luke, “It also cuts down on the time scavengers can go through people’s stuff that they have out. It gives us a better chance to control that.”

Attorney Wright, “Which I think was kind of one of the bigger issues. People were coming in and just tearing things apart and making messes of the piles.” Mayor Luke, “Is this ready?” Attorney Wright, “It is ready to go; we can call it 886. I think it is ready for motion if council wants to.” Council Member Curtiss, “Does this say when their items can be placed out?” Mayor Luke, “Article five—must be removed after 72 hours.” Attorney Wright, “It’s in there somewhere.” Council Member Curtiss, “I see it, on seven.”

**Council Member Lenard, “I move to adopt ordinance 886, an ordinance that regulates the community large item pick up as it has been presented.” Council Member Curtiss, “I second the motion.” Hearing no further discussion, Mayor Luke instructed City Clerk Brown to poll Council for a vote. Council Member Lenard, Curtiss, Tschantz, Shove, and Berryman voted, 'Yea', and Council Member Ernst, voted 'Nay'. Mayor Luke declared the motion passed, 5:1.**

**Ordinance 887 – Licensing of Arborists:** Attorney Wright, “This is a proposed ordinance to basically clean up some language with regards to an arborist coming into the city with the license and bond. It increases the amount of bond required from \$50,000 to \$100,000 and also kind of clarifies some of the language that was vague and ambiguous in the ordinance in regards to what that bond would cover. Other than that, it keeps the requirements as they currently are.” Mayor Luke, “The need for this is?” Attorney Wright, “There was some desire to increase the amount of bond from \$50,000 to \$100,000, that was the main reason. Then when I got in and researched, it essentially didn’t make sense, and I can’t remember exactly how it read, but if you look at the last sentence where it says before any license shall be issued, they shall first file evidence of possession of and a minimum of \$50,000 property damage coverage or something like that. It didn’t really say a minimum of bodily injury and \$100,000 of property damage coverage identifying the city. It really was unclear with regard to what the requirements were. It looked like there were some scrivener errors.”

Council Member Lenard, “Is a bond and a certificate of insurance –is that?” Attorney Wright, “So the difference between bond and insurance is that the bond would cover people that are not directly associated with the company.” Council Member Lenard, “A third party.” Attorney Wright, “Right. It essentially works like most people think of insurance, but this would cover the city or third parties outside who aren’t working for the arborists or that sort of thing.” Council Member Lenard, “So our guys that Kevin hires to come in, this doesn’t exclude them? This is pretty standard minimum?” Attorney Wright, “I’ll be honest, I am not really familiar with what other cities are doing as far as bonding requirements for other arborists.” Superintendent Boyce, “The two that I get quotes from carry one million. The other one, I assume, does, but I am not positive about that.”

**Council Member Curtiss, “I move to adopt ordinance 887, an ordinance amending Chapter 13 streets and sidewalks article four trees and shrubs section 13-416 arborists license and bond of the code of the city of Burlington.” 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, “Ordinance 887 passed unanimously, 6:0.”**

**FIRM Upcoming Ordinance:** Attorney Wright, “I have been playing a little bit of phone tag on the flood.” Zoning Clerk Hugunin, “I got a name. I am going to email that to you tomorrow. Shyann works at the state. She is the one who emailed me all this, and I think she can explain way better than I can. I don't necessarily understand why that's a 26-page ordinance.” Attorney Wright, “I didn't either, and here is where I need some help because those zoning ordinances have been modified multiple times throughout the years, and I guess I need a history lesson, and maybe you don't know either and why we did it. That is kind of a big project.” Zoning Clerk Hugunin, “It was all done like 1996 or 1997.” Attorney Wright, “Right, and even before then, it seems like in the 1980s they did some work on it. It has just been totally reworked, and I don’t know if this is meant to replace all of the past stuff.” Zoning Clerk Hugunin, “I think that is what it is meant to do. Replace everything from the past and bring it current.” Attorney Wright, “There is a lot of – it is kind of like a multiple-choice exam. There are several options within the ordinance that the city council is going to need to consider as they go through this ordinance.” Zoning Clerk Hugunin, “I’ll get you her information because she emailed me quite frequently. We have to have this in place before July 5<sup>th</sup>.”

**[10] CONTINUATION: May 4, 2022 Burlington City Council Regular Session**

Council Member Ernst, "What is this regarding?" Zoning Clerk Hugunin, "This is the new floodplain mapping." Council Member Ernst, "Okay." Attorney Wright, "It affects the federal insurance program probably." Zoning Clerk Hugunin, "Yes, FIRM, which is Flood Insurance Rate Map." Attorney Wright, "Right, and I don't know how much it is going to affect current people in situations either." Zoning Clerk Hugunin, "The new flood plain, it's going to affect several people; they will now be in it." Attorney Wright, "Which makes it, as far as I understand it, if they have a flood event, it is going to make them ineligible for insurance." Zoning Clerk Hugunin, "Right, as long as their house is out of the flood plain, they are fine. At the same time, it has removed several properties in town out of the flood plains. It's almost a wash." Attorney Wright, "That is an ordinance that we could probably circulate to the whole city council. It would be a good idea for you all to read through it and see what the different options are that are being offered in the ordinance itself. One of us will get it to Mary, and she can beam it out to everybody." Zoning Clerk Hugunin, "Did I send that to you already, Mary?" Administrative Assistant Mader, "Yes, I think so." Attorney Wright, "Okay, so you already have it."

**LEGAL DEPARTMENT: Mayor's 2022 Annual Appointments**

1. **City Clerk:** Mayor "We need a motion to ratify appointment of City Clerk, Anne C. Brown."  
*Council Member Tschantz, "I move that we ratify the Mayor's annual appointment for City Clerk to be Anne C. Brown from May 1, 2022, through the first meeting of the City Council in May 2023." Council Member Ernst, "I second it." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.*
2. **Chief of Police:** Mayor, "We need a motion to ratify appointment of Chief of Police, Douglass L. Jones."  
*Council Member Shove, "I move that we ratify the Mayor's annual appointment of Chief of Police to be Douglas L. Jones, from May 1, 2022, through the first meeting of the City Council in May 2023." Council Member Lenard, "I second it." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.*
3. **Electric Superintendent:** Mayor, "We need a motion to ratify appointment of Electric Superintendent, Alan Schneider."  
*Council Member Curtiss, "I make a motion that we ratify the Mayor's annual appointment of Electric Superintendent to be Alan Schneider from May 1, 2022, through the first meeting of the City Council in May 2023." Council Member Lenard, "I second it." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.*
4. **Parks Superintendent:** Mayor, "We need a motion to ratify the appointment of Parks Superintendent to be Kevin Boyce."  
*Council Member Lenard, "I make a motion to ratify the Mayor's annual appointment for Parks Superintendent to be Kevin Boyce from May 1, 2022, through the first meeting of the City Council in May 2023." Council Member Curtiss, "I second it." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.*
5. **Water & Wastewater Superintendent:** Mayor, "We need a motion to ratify the appointment of Water and Wastewater Superintendent to be Danny Hawkins."  
*Council Member Ernst, "I make a motion to ratify the Mayor's annual appointment for Water and Wastewater Superintendent to be Danny Hawkins from May 1, 2022, through the first meeting of the City Council in May 2023." Council Member Shove, "I second it." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.*
6. **Street Superintendent:** Mayor, "We need a motion to ratify the appointment of Street Superintendent to be Mark Davidson."  
*Council Member Tschantz "I make a motion to ratify the Mayor's annual appointment for Street Superintendent to be Mark Davidson from May 1, 2022, through the first meeting of the City Council in May 2023." Council Member Ernst, "I second it." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.*
7. **All Other Appointments of Boards, Officers, and Committees:** Mayor, "Now we need a motion to ratify all other appointments for Boards, Officers, and Committees."  
*Council Member Curtiss, "I will make a motion to ratify the Mayor's Annual Appointments of all other Boards, Officers, and Committees from May 1, 2022, through the first meeting of the City Council in May 2023." Council Member Tschantz, "I second it." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.*

=====**The following motion is to include all the Board Appointments**=====

[11] CONTINUATION: May 4, 2022 Burlington City Council Regular Session

8.  **Ratify all Appointments inclusively:** Mayor, "Now, we need a motion to ratify the Mayor's Annual Appointments."

*Council Member Tschantz, "I make a motion to ratify the Mayor's Annual Appointments for 2022, from May 1, 2022, through the first Council meeting in May 2023, as presented." Council Member Shove, "I second the motion." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.*

**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. For April, we will be sending \$2,155.14 in delinquent accounts to the Kansas set-off program for collections.

**Financial Reports:** City Clerk Brown, "I have handed out to you the COVID-19 electric, sewer, and water revenue reports and the sales tax reports."

**Building Restoration:** City Clerk Brown, "I have been working with Kristen Hughes on her building restoration loan."

**Ordinances:** City Clerk Brown, "I have been working with Mary, Philip, and Greg on the different ordinances."

**REPORT BY CITY OFFICERS:**

**Governing Body Institute:** Council Member Curtiss, "I attended the Governing Body Institute in Manhattan on the 29<sup>th</sup> and 30<sup>th</sup>. I felt it was very beneficial. I thank you for letting me go. Our main speaker was Matt Lehrman, and he talked to us about conflict to conversation. He referenced some of the things in your governing body handbook. One of the main things he said was on pages 25 and 26. There are suggestions for being successful public servants. He gave some tips on involving the community like a walk and talk to publish in the newspaper, the mayor and a few council members, walking around a certain path, and if people have anything that they want to bring up with them, then they could do that. Information gathering, if we ever want to have information gathering, that was something like the county did that you get stickers to put down what you consider. One of the meetings I went to, they talked about the KOMA and especially for our new members, that's on pages 31 and 32. It was short, but it was very beneficial. They said the League's annual conference is October 8<sup>th</sup> – 10<sup>th</sup>. That is in Overland Park this year. That is a really good conference. You get a lot of breakout sessions you get to go to. They encourage you to go to that."

**Community Improvement Group:** Council Member Lenard, "We had our county meeting the last Wednesday, and our next one is May 25<sup>th</sup> at the courthouse. The priority is really about the walking trails, which I think each of the communities has recalibrated on that. We are looking at doing more within the city limits. There was more discussion on a watershed out here for Rock Creek. Probably the majority of the meeting was consumed with our economic development, talking about a housing district downtown and that process. They did propose certain housing districts within each community within the county. It was interesting how that is being facilitated. More to come on that. I think they were going to go to New Strawn and talk to them about that. May 25<sup>th</sup> is the next meeting if anyone is interested."

**MAYOR'S COMMENTS:**

Mayor Luke, "Two things quickly. The trip to Flint Hills that was scheduled for Friday is not going to happen at the moment. There was a conflict in timing with people that were going to be invited from the hospitals, schools, and county. That discussion will take place at their site, and see what they provide will be at a later date. Technically on the appointments, you'll notice there are few empty spots. The housing authority has not filled a position. One of their members passed away, so that position hasn't been filled. We have always had issues with some of the zoning positions being filled. We will work on that and fill those positions and notify you when someone has requested to appear and be part of that."

**[12] CONTINUATION: May 4, 2022 Burlington City Council Regular Session**

**FUTURE AGENDA ITEMS:**

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

Mayor Luke declared the meeting adjourned.

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