



*[2] CONTINUATION: June 1, 2022 Burlington City Council Regular Session*

**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 are still completing reports."

**Spraying Weeds:** Superintendent Schneider, "We have sprayed the substation for the first time for weeds and bugs."

**Generator Project:** Superintendent Schneider, "All of the material has arrived on site. If anyone has driven by, it is a terrible mess out there, but we are making progress. The concrete pads are being poured in the basement for our air compressors and oil circulating pumps. They have bored the holes in the footings and laid out the grid pattern for the rebar. They are hoping for footings to be poured next week for that. They are doing lots of welding to get piping ready to go."

**Substation Transformer – Caused Outage – Damages:** Superintendent Schneider, "The tap changer is back from repair. The crew was onsite today to start work on that. It started raining, and oil and water don't mix. They called that off and will be back in the morning. They are hoping to have that back in service by Friday."

**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.

**Maintenance:** Superintendent Hawkins, "We have been doing a lot of maintenance in and around the building and pump stations with the rain that has set in."

**Tilling and Seeding:** Superintendent Hawkins, "Prior to the rain, we were able to till and seed several of the areas that we had been in around town. I am hoping with all the rain; the seed didn't wash away. We will go back and add a little bit more if we need to."

**Pump Station Maintenance:** Superintendent Hawkins, "While the guys were doing the maintenance on the pump stations, we found a diaphragm spring on pump station number one. It had corroded and broken. They replaced it."

**WATER AND WASTEWATER: Production Update**

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

**Personnel – Joe Ward:** Superintendent Hawkins, "The guys are really happy. Joe Ward is starting his first weekend this weekend. He is working in the plant by himself. That helps relieve the guys with the rotation. I am really pleased with Joe and how he is coming along. He has caught on very quickly with the operation of the plant."

**Personnel – Training:** Superintendent Hawkins, "I did a cross-training with all of the guys as well. We sat down and spent several hours doing in-house training on operational procedures. Some of it might have been overwhelming, but it is a good touch-up for the guys."

**Maintenance – Equipment:** Superintendent Hawkins, "We had an issue with our Quincy air compressor in the clear well room. It was turning off and coming back on over and over. We called Quincy anyway because they were coming out to do our annual oil changes and checkups anyway. They found that a starter wire had corroded in two. They were able to replace it while and we were able to hit two birds with one stone. We had all of our updates, and oil changes are done at the same time. That really worked out."

**Power Washing Inside Plant:** Superintendent Hawkins, "The only thing I have left is the guys have been going around to places like our chemical room. Our ferric chloride is there; it's iron-based because it's a coagulant, so it gets splashed around and everything. They are power washing the walls and flooring. We are going to go back in and repaint some of them. We just want to make it look nice in there. The guys are doing a good job with that so far."

**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.

**Rain Water Ditch Issues:** Superintendent Davidson, "We have been dealing with issues about water in ditches. We have been cleaning ditches."

**Bind Weed Spraying:** Superintendent Davidson, "We have started spraying for bindweed. We also sprayed around the shop again for nuisance weeds. We have been waiting for it to dry up."

**POLICE DEPARTMENT: Update**

**General:** Normal Duties.

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**Activities/ Cases:** Chief Jones, "What has unfortunately become a normal run of calls for us anymore, dealing with lots of juveniles. We had arrests for driving under the influence and possession of narcotics.

"Thursday, we escorted the high school track team out of town; they were headed to Wichita for state. I haven't heard how they did.

"We assisted Yates Center with a case.

"We have worked some trespass complaints.

"We worked a suicidal alcoholic, which that one set a personal record for me. The legal limit for driving is 0.08 is considered legally drunk. This guy had a level of 0.419. That is over five times the legal limit. That is a personal record for me; I haven't ever had one that high before."

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

**Nuisance: Properties/Vehicles Update:** Chief Jones, "On the table, there should be a packet on each side for a property that I am recommending be condemned. The trailer is 1014 Alleghany, and there are pictures for that. I worked with Mary, and she got all of the paperwork done very promptly. Thank you, Mary. My recommendation is on the cover page. I made contact with the agent for the owner and explained what is going to happen and how it works. I informed her of the public hearing on that and that she can come in and talk to the council about what her plans are and see if the council feels any leniency at all, but she has to come to talk to you all. Anyway, I recommend that the resolution for condemning 1014 Alleghany to be approved."

**Council Member Curtiss, "I move to approve Resolution 2022-05, to set the date, time, and place of a Public Hearing for 1014 Alleghany Street to determine whether structures thereon should be condemned as unsafe and unfit, and to be demolished." Council Member Lenard, "I second the motion."**

Council Member Lenard, "So this has four lots there?" Chief Jones, "This is the legal description because it is all of the parcels. The only thing I am looking at is the trailer in the middle of the lot, which has 1014 on it." Council Member Lenard, "Are the two trailers on each side within these four lots?" Chief Jones, "They are, but they are not the ones that we are looking at." Mayor Luke, "Do we need to set a date and time now?" Attorney Wright, "The resolution sets the date for the public hearing at July 20." Mayor Luke, "Oh, okay, I just wanted to make sure. I was reading through it and caught part of it."

**Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0.**

**POLICE DEPARTMENT: Recommendations to Hire**

Chief Jones, "After last council meeting, I got with the police committee and received permission to go ahead to interview an individual that we have had work for us in the past. With the police committee's permission and after interviewing him, I am recommending that the city hire Michael Roney as a police officer with the city of Burlington with a potential starting date of Monday, June 6<sup>th</sup> and starting wage of \$22.00. Based on his experience and familiarity, that puts him in below our senior officers but above our junior officers, and I felt that was the appropriate level to bring him in at."

**Council Member Curtiss, "I move to extend an offer of employment as a Police Officer to Mike Roney, at the starting hourly salary of \$22.00 starting on June 6, 2022." Council Member Tschantz, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0.**

**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 and Watering:** Council Member Berryman, "It is short because of all the rain. They have been doing as much mowing and spraying weeds as they can. They have also been watering new trees and flowers, but nature has helped them a lot."

**FINANCE: Claims Ordinance & Payroll Ordinance**

a. Claims Ordinance	2022-11	\$	<u>321,791.78</u>
b. Payroll Ordinance	2022-11	\$	<u>93,681.23</u>
	TOTAL	\$	415,473.01

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**CLAIMS 2022-11:** Council Member Curtiss moved to approve City of Burlington Claims Ordinance 2022-11 for the amount of \$321,791.78 for payment of city bills. Council Member Lenard gave the second. City Clerk Brown, "The larger expenses we have tonight are Allgeier Martin \$7,891.05, Anixter \$3,649.95, Brenntag Southwest \$3,680.65, C&B Equipment \$4,146.06, Core and Main \$9,186.84, and Wheeler World \$228,689.00. **Hearing no additional discussion, Mayor Luke instructed City Clerk Brown to poll Council. All votes were in favor. Mayor Luke declared, "Claims Ordinance 2022-11 passed unanimously, 5:0."**

**PAYROLL 2022-11:** Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2022-11 in the amount of \$93,681.23, 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 2022-11 passed unanimously, 5:0."**

**PLANNING & ZONING: Update**

**General:** Zoning Clerk Hugunin, "Normal duties."

**City Hall - Fence:** Zoning Clerk Hugunin, "I talked with the fence people today. They are really backed up, but they are hoping to be here at the end of June or first of July to get the fence put up over here (at city hall)."

**Nuisance: Grass/Weeds:** Zoning Clerk Hugunin, "I have been busy with nuisance grass. I've gone from 15, and I think we were up to 30. I have three where they have started mowing, and I still have four more that are supposed to get mowed this weekend. People are having a tough time with their yards being swamps. It looks like we have more rain coming on Saturday." Mayor Luke, "We had some action over this past weekend." Zoning Clerk Hugunin, "Yes, we had quite a few drop over the weekend. That was a good thing. Like I said, I think I am down to six yards."

**OTHER COMMITTEE OR COUNCIL BUSINESS:**

**LEGAL DEPARTMENT: Update**

**General:** Attorney Wright, "Normal duties."

**Floodplain Management Ordinance:** Attorney Wright, "The only thing that I have is this stuff with the flood plain management ordinance which is in front of you, and I think you were all emailed a copy of the proposed ordinance. I'd like any sort of feedback that the city council has on that because we need to submit that to the state. It has to be approved by the state before we can adopt it. The process doesn't take really long, but we need to get on that as soon as possible. I don't know if anybody has any comments or anything they want to say about that. Then before we can have a special session, somebody has to request that in writing; that is one of the requirements by statute. So, I have here a written request for somebody to take a look at, and I need three of you to request that if you are so inclined. That needs to be done before we move forward on anything else."

The written request was looked over by council members and signed. Attorney Wright, "Alright, since we have a written request for a special meeting, I would entertain a motion at this point to have the special meeting and also to have a public meeting with regards to the floodplain management ordinance."

**Council Member Lenard, "I move to hold a special session of the Burlington City Council and a public hearing on June 30 at 6:00 p.m. at 1013 N. 4<sup>th</sup> Street, Burlington, Kansas, to receive public comment on and to consider the proposed Floodplain Management ordinance." Council Member Curtiss, "I second the motion."**

Mayor Luke, "We can hold the special meeting and the public hearing at the same time?" Attorney Wright, "What I imagine that we do is open the public hearing like we would do for a budget hearing, close the hearing after public comment, then go ahead at that point in time and open up the special session to consider the ordinance." Mayor Luke, "You have to have the public hearing first." Attorney Wright, "Correct."

**Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0.**

Attorney Wright, "Now that we have approved having a special session and a public hearing, we are required by statute to provide 20 days published notice. I would like to have the council consider the motion to provide for the publication of the notice for the public hearing."

**Council Member Curtiss, "I move to authorize publication of the Notice of Public Hearing for the City of Burlington's proposed Floodplain Management Ordinance on June 30, 2022, at 6:00 p.m. at 1013 N. 4<sup>th</sup> Street, Burlington, Kansas." Council Member Lenard, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0.**

Council Member Curtiss, "So, just putting it in the newspaper gives it the 20 days or where else?" Attorney Wright, "Yes, it's a publication in the newspaper requirement." Mayor Luke, "And out of the 29 pages, when we talked, there were sections that did not pertain to us that we would be eliminating."

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Attorney Wright, "That is correct. As you can see, we are down to 23 pages that we were able to cut. If you looked at the full model ordinance, different things that were sort of added that you could add in with specific situations; for example, the one that is coming to my mind is dealing with HVAC systems. In the event of a loss in dealing with an HVAC system in a flood plain or new construction in a flood plain, there are requirements for having them off the ground and all sorts of things. In talking with various people and the gal from the state, I made the ordinance as simple as possible to comply with federal law and to get everything updated. Jimmy and I were looking at this, and Mary was helping; the last time the city considered a sweeping change with regard to flood plain ordinances was in 1985, right?"

Zoning Clerk Hugunin, "Yes." Attorney Wright, "There is a lot that has changed since then. We are really just trying to get with the program. One of the things that have been missing is that we are required by law to have a floodplain manager or person, and we really didn't have that specified. This ordinance specifies the zoning clerk taking that job. There is just a lot of stuff in there that has to be there to make it so that the city of Burlington complies and allows its citizens to be able to take advantage of federal flood insurance and those programs. Does anyone have any more questions? I am trying to think if there is anything else I can tell you about it. I am going to go ahead and submit what we have to the state and have that approved. I will do that this week. It sounded like there were a lot of people out this week, so I probably won't get it back until next week, but we will have it back well in time before the 30<sup>th</sup>. It has to be submitted before July 5<sup>th</sup> no matter what."

Mayor Luke, "It will be in next week's paper?" Attorney Wright, "It will publish Thursday next week; that is the official publication date. The 30<sup>th</sup> will be 21 days after that publication." Mayor Luke, "Okay, so as long as it gets in the paper, we are set." Attorney Wright, "I hope everybody can make it to that. Having a quorum is extremely important at that special meeting. If you can't attend in person, I would certainly make the effort to call in so that you can participate so that we have a quorum. If the city council does not pass this, then it would disqualify the citizens of Burlington for the federal flood insurance program."

Zoning Clerk Hugunin, "It would knock us out of the F.I.R.M program." Attorney Wright, "The state said it would make us look bad and make them look bad, and there may be some potential liability issues as well." Zoning Clerk Hugunin, "I'd like to thank Philip. It has been a pain in the rear." Attorney Wright, "I'll admit part of why it's a pain the rear is because it is new territory for me. I don't know anything about this stuff. We've really had to dig in. I think Jimmy and I are not really scholars yet on the history of ordinances of Burlington, but we are getting closer, trying to figure out what happened 20-40 years ago and what people were doing with regard to some of this. The last time the floodplain maps were updated was 1996, I believe. I think they are required to be redrawn every certain number of years, and then we have a requirement to approve and adopt those new maps. It will probably be a long time before we have to address this again. I like you guys, but I'm probably not going to be around when you have to do it again." Mayor Luke, "Mary might be." Attorney Wright, "Yeah, Mary might be. She will be the mayor and will get to deal with this again."

Mayor Luke, "Okay, so now until the state okays it. We don't have to do anything." Attorney Wright, "Yes. So, the next step is getting the state to approve it. You can see that is item number one; the chief engineer has to sign off on it before we can do that. We will get that back before the 30<sup>th</sup>. Then on the 30<sup>th</sup>, we will, assuming it is the councils' pleasure, we will go ahead and adopt this. Then I will forward that on to the state to let them know. When you publish this, the summary is going to be pretty lengthy. We whittled it down from what did I say, 23 pages; we got it down to six pages; it's pretty long. Mark will have a good time getting that in the paper." Mayor Luke, "It will be a whole addition." Attorney Wright, "Pretty much."

Mayor Luke, "Anything else?" Attorney Wright, "That is all I have. Thank you, guys, for your flexibility on this. I do take some responsibility for the timing of this. A lot of it is because I was really not experienced and didn't know any better. Some of it I will blame on the state because the lady at the state is on vacation, and I have been trying to get her to call me back." Zoning Clerk Hugunin, "They are having a retirement for the person in charge of us. I think they are all getting their vacations in before they are gone." Attorney Wright, "I think that is why everybody is going to be gone this week too; from what she said, there are a lot of people on vacation. I am glad that we could get it done, and it will work out smoothly."

**CITY CLERK: Update**

***Marlas Birk: Ditch Complaint:*** City Clerk Brown, "First off, Marlas wanted me to convey her appreciation. She did meet with Mark last Monday. They addressed the issues; she was very satisfied with what is taking place. She just wanted to let the council know that she is satisfied with what has taken place."

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**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 May, we will be sending \$2,005.44 in delinquent accounts to the Kansas set-off program for collections.

**Budget Training:** City Clerk Brown, “I attended the state budget workshop training in Iola on May 24<sup>th</sup>.”

**Finance Meeting- Budget 2023:** City Clerk Brown, “We have changed the budget finance meeting from 9:00 am to 3:00 p.m. on Tuesday, June 7<sup>th</sup>.”

**Jail Project – Town Hall Meetings:** City Clerk Brown, “We handed out an email from Sherriff Johnson on the town hall meetings with the dates and locations. This is to inform the citizens of the progress and insight on the jail project.”

**Reports:** City Clerk Brown, “I also handed out the electric, sewer, water, and the sales tax revenue reports.”

**City Hall Repairs:** City Clerk Brown, “Last week we had Cook’s Plumbing come in. We had a toilet in the women’s restroom that needed to be repaired and a leak in the men’s restroom with the sink. Those were both taken care of. They came in on the same day.”

**City Hall – Concrete Work:** Zoning Clerk Hugunin, “I would like to add something. I’d like to thank Mark and his crew for coming up today. We have had a few close calls out front, right in front of the door. That older concrete is really smooth and slick when it’s wet. They came up and ground some lines in there with their machine today, and it has made a difference.”

**REPORT BY CITY OFFICERS:**

**MAYOR’S COMMENTS:**

**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 Lagoons - Analysis (KRWA/funds for dredging) Sewer Liftstations –Flushing Rags, etc.

Mayor Luke declared the meeting adjourned.

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