

BURLINGTON CITY COUNCIL REGULAR SESSION 7-6-2022

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

THE PLEDGE OF ALLEGIANCE

ROLL CALL: Stan Luke, Mayor

Council Members present:

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

Superintendents Present:

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

Also Present:

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

Media Present: Mark Petterson (Coffey County Republican)

VISITORS: Paul Abendroth, Greg Holmquist, Nathan Gifford, Von Watson, Joshua Watson, Samantha Kuhlmann, John Kuhlmann, Jay Hale, Steve Gifford, Alan Gifford, Colin Hansen, Brooke Carol, Laura Riccobono, Becky Petterson

AGENDA:

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

MINUTES 6/15/2022: Mayor Luke, “You have before you the draft minutes of our regular session of June 15, 2022. Are there any additions or corrections?”

Council Member Curtiss, “I move to approve the draft minutes of June 15, 2022, as presented.” Council Member Shove, “Second.” Motion unanimously carried, 6:0.

MINUTES 6/30/2022: Mayor Luke, “You have before you the draft minutes of our special session of June 30, 2022. Are there any additions or corrections?”

Council Member Lenard, “I move to approve the draft minutes of June 30, 2022, as presented.” Council Member Shove, “Second.” Motion unanimously carried, 6:0.

APPOINTMENT: Colin Hansen – KPP- Mayor Luke Award Recognition

Colin Hansen, “Good evening, everyone, and thank you for the opportunity to get to visit with you all tonight. My name is Colin Hansen. As of February 1st, I became the new CEO and general manager of the Kansas Power Pool or KPP, your power supplier. It has been a real honor and privilege to get to do that. For 22 years before joining KPP, I was with Kansas Municipal Utilities, or KMU, as their executive director. I was out of McPherson and was representing about 190 cities across Kansas where we did not only the electric but also natural gas, water, wastewater, and telecommunications. That’s more of an introduction to me. Prior to that, I started my career in Iowa. I am an Iowa kid; I’m midwestern through and through. I worked for the Iowa Association of Municipal Utilities. So, for nearly 30 years now, I have been working for municipal utilities and with public power, and really over the last year, I have got to have what I consider two of the biggest honors, the biggest honors of my career. One of them is getting to be the new CEO and general manager of KPP. It really is an honor and privilege. It's a big responsibility and one that I take very seriously. We want to make sure that we keep laser-focused on reliable and affordable power for all of our 24 communities, including Burlington. Even more to that point is to make sure we make a difference in our communities and do everything in our power to do that. I also have to say that I have a really great team that I get to work with. I am very proud to get to be part of that team.

“The other big honor that I got to experience this past year was getting to be the chairman of the board of the American Public Power Association. It is a big responsibility. If you look, APPA represents over 2,000 public power systems all across the United States. It serves around 49-50 million Americans receiving their power from a public power system, employing between 200,000 to 300,000 people across the country. It is a very big responsibility. As their members, they include some of the largest utilities in the country, like Los Angeles, Seattle, San Antonio, and Orlando. So, my emphasis or platform over the last year has been to really focus on what I consider to be the small public power systems.

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Not that I would ever say that Burlington is a small public power system, but when you compare it to LA or the New York power authority, it is a little bit smaller. Anyway, it has been a real privilege to get to service that. I got to turn the gavel over at our annual conference in Nashville on June 15th, and I feel like I have a load of bricks taken off my shoulders. So, it was a great responsibility but also something that I was happy to turn over to the next gentleman.

“One of the things that I got to do in Nashville that was really special was to get to present the APPA Spence Vanderlinden award to Mayor Luke. We are very, very appreciative of the efforts that he has put forth for public power not only in Burlington, not only in Kansas but across the country. It is a very big and impressive award, and I couldn’t be happier to be the person that got to be on stage with him in front of 1300 people to present that award to him in Nashville. I think we have a clip of the video.” Video from the Nashville award ceremony was played. Colin Hansen, “Again, I just wanted to take this opportunity to congratulate Stan, Mayor Luke, on this honor. I also wanted to congratulate all of you. I got to spend my afternoon today touring your city and touring your electric system and water system. Really you all are doing a phenomenal job. I really am impressed by everything that you do here. From the governing body to the staff, you all do an amazing job on the electric side.

“The one thing that I didn’t mention, and I haven’t mentioned it to Stan yet, because I was afraid he wouldn’t let me stand up and actually do this tonight. We looked it up, and Spence Vanderlinden is actually a graduate of Iowa State University, not Kansas State. He was on the board for Harlan Municipal Utilities, a little town of Harlan, Iowa, for over 25 years. A great person to name the award after.” Mayor Luke, “It takes all kinds.” Colin Hansen, “Thank you again for letting us be here tonight.”

APPOINTMENT: John Kuhlmann – Gifford Fireworks Complaint

John Kuhlmann, “My name is John Kuhlmann. I am a resident at 825 Niagara Street. I have been there since 2017, October. My family and I live there. We don’t have a problem with fireworks; we don’t have a problem with celebrating; we have a problem with irresponsibility. We feel that there has been some irresponsibility on somebody’s part here because we have sustained damages to our home. We have been littered upon our home with pounds of trash, and our consent nor permission was requested or asked. We shouldn’t have to provide our neighbors with permission to our property to clean up trash that is also on the roof of our house where our insurance would be liable if they fall and get hurt for a public event that I feel under city code 7-301 through 7-311, they were performing a public fireworks display without the proper permit which also requires liability insurance set by the minimum amounts from the city of Burlington, Kansas. If the location of the event is determined to cause undue risk, harm, or damage to property, then the permit can be denied, but there has never been a permit from what I’m aware of because I came in earlier today to request the permit and was informed there was no permit. They just have permission to close the street, and that is all.

“They shoot off a 30-minute firework display from the public street. I have it videotaped. It is 30 minutes in full with a five-minute or so constant finale of mortars and everything else going off. And I have video at the end after the last explosion goes off from the amount of explosions of the finale; you can audibly hear for 30 seconds trash raining down on my house, my neighbors, the grass, the trees. I spent four to six hours yesterday in 100 plus heat index cleaning my property because I knew just allowing them to come on my property for 30 minutes time would not get all of the trash. I still have trash on my roof and my gutters. I have unburned mortar stars that are the pellets that you see that explode out that give you the color and the effect; I have them in my gutters, they are on my roof, they burned marks on my truck. I tried to have the city of Burlington police department do something – criminal littering, criminal damage, shutting it down because it didn’t have the appropriate permit. I was informed that I had to come to you guys because it was approved. It wasn’t the event that should have been approved. They asked for a block party, not a public fireworks display. They did openly advertise it on both the Hornet Games public business page as well as their public personal page to come down and enjoy the show. They have posted previous years too. I have a box of trash that I could present to you guys so you can see. I have pieces that equal to one to two inches; they are hard materials, some of them are plastic, some of them are hard clay—that weighs one ounce or half an ounce. That is severe hail criteria sizes right there. It has happened since 2018 when we lived there without the public display permit and the insurance.”

Mayor Luke, “Alright, we appreciate your input. We will address--.” John Kuhlmann, “I can submit plenty of --.” Attorney Wright, “John, let’s do this. I am the city attorney. Why don’t you get my card on the way out and call me to set up an appointment, and I will give you the city’s position because I don’t agree with your analysis. I’d be more than happy to sit down with you and talk. So, grab my card. I will be down here next Thursday if that works for you.” John Kuhlmann, “I would like to present this evidence to you.” Attorney Wright, “I’m not going to – I don’t really care about your evidence. I’m going to tell you what the city’s position is on that. Then we can discuss your concerns, and I think that is the appropriate way to handle it. I think there is a card out there that has my contact information on it.”

Mayor Luke, “Alright, thank you.” Samantha Kuhlmann, “Sounds like we need a lawyer. Have a good night.” John Kuhlmann, “I have already contacted the media, and because you guys are choosing this route, they will be contacting you, WIBW TV.”

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PUBLIC COMMENTS

Jay Hale, "Since we are talking about fireworks, I'd like to compliment the city on the firework show. There weren't that many people this year. I am not sure what is going on with the people, but numbers have been declining. It was a good show. Kevin and his crew got the city park looking good. So, I just want to say thank you."

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.

Pole Changes: Superintendent Schneider, "We have changed out one or two 3-phase distribution poles. We changed out a 30-foot street light pole."

Tree Trimming: Superintendent Schneider, "We have trimmed a few trees out of the right of ways."

Pole Disposal: Superintendent Schneider, "Usually when we change a pole out, we cut off the top parts of the pole, so it's safe to get the pole out of the power lines. We basically had a dump truck load of those that we hauled to the landfill to clean up around our parking lot there, not that you could tell with all of the construction going on."

Street Light Repairs: Superintendent Schneider, "We made some repairs to the street light controller there at 10th and Neosho. It operates the decorative lights there on the west side of Neosho. We did maintenance and repairs on that. We worked a call out Tuesday the 28th. A car down at 3rd and Hudson backed over one of those decorative lights I just spoke of. It leveled it clear down to the concrete. Luckily it didn't damage the anchor bolts in the concrete. We were able to have enough parts and pieces in a new pole there in storage, so we were able to get it in service the next day."

High Voltage Testing: Superintendent Schneider, "We had our annual high voltage testing completed last Wednesday and Thursday. We do that annually. We test the trucks and all of our rubber goods that we use to protect the lineman from the power lines."

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.

Boiler Maintenance: Superintendent Schneider, "Power plant crew did boiler maintenance in the lower part of the plant."

Insect Spraying: Superintendent Schneider, "We sprayed for bugs again."

Generator #4 Maintenance: Superintendent Schneider, "We had an oil circulation motor on generator #4 that was heating up and kicking out. We took it out to a repair shop in Topeka. The windings look good, but the bearings were bad, which was probably putting stress on that and kicking the relay out at the breaker box. We did a little maintenance on that starter as well."

Painting: Superintendent Schneider, "Lonny (Jasper) painted the outside building in the substation that has all of our DC power supply in it."

Reports: Superintendent Schneider, "We are still completing reports. We are caught up through June with the end of the month reports."

Generator Project: Superintendent Schneider, "Last council I spoke that they were scheduled on the generation project to pour the floors the next morning, and they did. All the rebar is tied for the walls. Wheeler and his crew took the opportunity with the holiday to go back to Ohio. They are cleaning bedplates and some other various parts that need some attention in their shop. They are scheduled back here and will keep moving forward with the project."

Turbo Charger: Superintendent Schneider, "Our turbocharger came back from inspection in Salina with turbo specialties. The inplays on the thrust of the turbo bearing was in good shape and within specification. We have that on-site, and we have it in storage to keep the weather off of it. The final piece for the project that needed to come in was the control panel. It came in. It was in Michigan getting rewired, so it is basically brand-new inside. The touchscreen computer that operates everything is brand new. Everything is on-site and ready to go."

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.

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Cleaning Sewers: Superintendent Hawkins, "We were out cleaning the sewer lines, and while we were out doing that, we started noticing the pump on the sewer machine started leaking water out of the pump. I contacted Key Equipment, where we purchased it out of Kansas City, and they advised that we need to get the seals in it rebuilt because it is over ten years old. I scheduled a time with them, and I tried to kill two birds with one stone. With the price of gas bills so high, we needed to rent a crawler camera. When we were cleaning some of the sewers, we needed to see what was going on in some of them. So, we rented one. You might have seen us out on the highway this morning. We dropped the sewer machine off and picked up the camera for a one-day rental, and ran it up the line. We didn't find anything really worth tearing up highway 75 over. We will do a little bit more maintenance on it as far as cleaning. It basically is just a lip that is catching the grit."

Water Service: Superintendent Hawkins, "We installed a water service at 16th and Kennebec."

Lift Station Maintenance: Superintendent Hawkins, "We replaced the transducer at pump station #4; it went out on us. It is now in. I talked with Jim with R.W. Vaught about the PLC that you asked me about last time. Lewis (Council Member Lenard), on why it just quit. He has no idea. We have put it back in, and it has not failed since. He doesn't know we are just going to keep plugging away."

WATER AND WASTEWATER: Production Update

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

Water Increase: Superintendent Hawkins, "We have increased our flow from 1000 to 1200 gallons per minute for summertime flows. We are not seeing anything out of the ordinary."

Lead and Copper Sampling: Superintendent Hawkins, "We completed the lead and copper sampling. The THHM's and HAA5's, so we have a lot of sampling that is done in July."

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.

Country Club Heights Maintenance: Superintendent Davidson, "We had a request/complaint out at country club heights on the west side. There was an alley utility easement that we had probably 25 years ago cut a ditch in. It needed some maintenance. We went in and did some tree trimming and brush removal, and cut a ditch in there. Hopefully, we will alleviate some of the flooding out there for Walker Trimble and his neighbors to the north. We also gave them some other ideas on how to drain their property which will entail doing a curb cut. They seem to think water wants to run to the west, and we finally convinced them that it runs east. So, they will do some sloping in their yard. I gave them permission to hire a contractor to do a curb cut, so maybe we can help them out a little bit."

2022 Street Improvements: Superintendent Davidson, "Killough construction came in on Monday, June 20th, to start grinding. Wednesday, they came in to start laying hot mix. We are just a little over halfway done with the project. Some of the streets that need a new overlay are over by the elevator. I worked with the elevator and Killough; I asked Killough to come back in August; that way, they can be done with harvest. They were good with that. We had several soft spots. One was here at Cross and 2nd; we were able to go in and dig that out; they hot mixed it. We had several other ones on the south side of town. We replaced a street culvert at 10th and Saint Lawrence, which will be overlaid in August, so we are a little bit ahead of schedule on that one. There was anywhere from a two to a four-inch lip on some of the driveways and alleys. We are following the asphalt company around to take care of that to help the property owners."

Vehicle Maintenance: Superintendent Davidson, "It has been a bad week for truck maintenance. We had three dump trucks down, one electrical and two with brake issues. We are in the process of putting new breaks on the trucks. We started bringing more rock in from the Paxton quarry out west of town to add to our stockpile."

STREET DEPARTMENT – Sidewalk Cost-Share Application 2022-03

Superintendent Davidson, "I have one sidewalk application for James Higgins at 417 Niagara. That is for 88 feet of sidewalk."

Council Member Curtiss, "I move to approve Sidewalk Replacement Cost-Share Application 2022-03, James Higgins for 417 Niagara Street." Council Member Ernst, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

STREET DEPARTMENT –2022 Street Improvements

City Clerk Brown, "I would like to add at this time under the street projects. When we approved the bids, the bids were done correctly, but the total amount was off. So, we need to reapprove the amount that we can spend on those." Council Member Lenard, "Is that based on the tonnage, incorrect pricing, or--." City Clerk Brown, "No, their prices were right. When I wrote the total down, I only wrote it for the one amount; I didn't include the milling on it. Their bids were correct; it was just the amount that we need to adjust."

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Council Member Lenard, "I move to amend the previously awarded Street Improvements Project 2022 to Killough Construction as presented, not to exceed \$608,810.65; as being in the best interest of the City of Burlington." Council Member Tschantz, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

City Clerk Brown, "If I can also, then I would like to address the City Dam, which is part of that too. It was the same thing. We just need to amend the not to exceed amount."

Council Member Tschantz, "I move to amend the previously awarded City Dam / Drake Park Project to Killough Construction as presented, not to exceed \$32,504.00; as being in the best interest of the City of Burlington." Council Member Shove, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

POLICE DEPARTMENT: Update

General: Normal Duties.

Activities/ Cases: Chief Jones, "We obviously have been dealing with fireworks. Today we had to deal with an adult caregiver for four grandchildren. He is 56 years old. He has some medical issues. When we went to check on the kids, due to the living conditions of the house, they had no working refrigerator and no air conditioning; the house was filthy and had animal feces throughout it. We wound up having to take those four kids into police protective custody. We dealt with that from about 11:30 until about 4:30 this afternoon. We got them placed with a family. Surprisingly, we didn't have to go to Andover; they were placed fairly local.

"We are working an assault case down at the Kelley Park ball fields. There is a back story on that one that Philip may get interested in later on. Arrests for city warrants, arrests on narcotics, and we've worked some injury and noninjury accidents."

City Court: Chief Jones, "City court is next week on the 14th."

Nuisance: Properties/Vehicles Update: Chief Jones, "I have reached out to and made contact with several property owners or property managers. Two of the out-of-town ones, we got signature cards back on their properties. One of them has reached out to us about what he needs to do with his mom's property. The other one is Forte, and their vice president happened to be there, and he dealt with the issues that were pertinent to nuisances that morning. We have made contact with a couple of others."

QUESTIONS/COMMENTS

Nuisance: Properties/Vehicles: Council Member Berryman, "On the two trailers on Allegheny, I think on the corner of 8th, one has been taken down; what is going on with the other one? It looks like demo has started." Chief Jones, "Demo has started. Jerame Hugunin is the property owner on that one. My understanding is that he does intend to demolish that trailer. I don't have a timeline yet. He has started some work, mainly sealing off the trailer so squatters can't get back in there. That is part of what that was. My understanding is that the plan is for that trailer to come out also." Council Member Curtiss, "Was he on a time frame?" Chief Jones, "I have not made any contact with Jerame on that." Mayor Luke, "The person that is going to be taking that down, is currently involved in demolishing another facility. When that facility is done, this is supposed to be the next one on his schedule." Council Member Berryman, "Thank you."

PARKS DEPARTMENT: Update

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

Jones Park – Vandalism: Superintendent Boyce, "We did get one of the sinks repaired at Jones Park. When the sinks came in, one of the boxes was partly opened, so the bracket to the sink was missing. So, we are waiting on that bracket, and we will get the other sink installed then."

July 4th - Fireworks: Superintendent Boyce, "We had the set up for the 4th of July celebration at Kelley Park. I am happy to say that there was no mess in Kelley Park after that. Stan was down there bright and early the next day picking the stuff up also. So, thank you for that."

Kelley and Jones Park – Safety Surfacing: Superintendent Boyce, "The next thing I have is safety surfacing at Jones Park and Kelley Park. Those were installed in 2006, and it was roughly \$90,000.00. They didn't have any removal because it was a new install for the playground. Here we are in 2022, and the total cost from AB Creative for \$216,460.00. If we go with the Greenbush Purchasing Cooperative, basically it is kind of the same as a state purchasing policy, then we would get an \$8,350.00 discount. That would bring the total to \$208,110.00, and that would be my recommendation."

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Council Member Lenard, "I move to approve AB Creative/Greenbush Purchasing Cooperative to replace safety surfacing for the playgrounds at Kelley Park and Jones Park, not to exceed \$208,110.00." Council Member Shove, "I second the motion."

Council Member Lenard, "I think we talked about this that we did get extended life out of this. I don't know if I asked you before, Kevin, but when do you determine the failure of that surface?" Superintendent Boyce, "They estimate it on this type of surface for ten years, and we are at 16 years. I am quite certain in the winter time if we come in and do the fall test on it, it would fail the test. As the rubber surface gets cold, it gets very hard. That is where it would fail. Basically, they have a system set up with a bowling ball that they drop from a certain distance, and the bounce of it determines it. It is run by a computer and everything. I am quite certain we would fail that test. If you go there in the winter time the surface is very hard. Right now, we are okay, but when it's cold, that is when it's going to fail."

Council Member Lenard, "I know at the fireworks the other day I walked across it, and it seemed to be in good shape, but..." Superintendent Boyce, "There are a few seams that are starting to come apart. We have repaired some of those in the past." Council Member Ernst, "How soon are you wanting to do this?" Council Member Curtiss, "That's what I was wondering; when will they start?" Superintendent Boyce, "I am looking at August 10th to September 10th in that time frame. It would be after school starts or in that time frame of it starting and before the circus." **Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.**

B&B Bridge: Superintendent Boyce, "B&B Bridge is who installed the wall at the City Dam. They contacted me, and the foreman on that job found out right at the end of the job that he had cancer. He has passed away in the last three weeks, I believe. They are wanting to install a plaque on the wall in remembrance of him. That was the last job that he did for them."

Council Member Lenard, "That basically, Kevin talked to the parks committee, we went along with it, and it's going to be form-fitted function consistent with other plaques we've had. So, no issues there." Council Member Curtiss, "It's nice." Superintendent Boyce, "We do have some benches in the area down there with plaques on them and stuff like that, so it's..." Council Member Ernst, "Do we know of any background on this person other than he did the dam construction or anything like that?" Superintendent Boyce, "No, I don't. I believe he was from Garnett." Council Member Curtiss, "Do you have the final okay and say on what it is?" Superintendent Boyce, "Yes, when I get back with them, I will see the final product before they can install it, a sketching of it at least." Council Member Curtiss, "Okay." Mayor Luke, "Okay, we don't need a motion for this, I believe." Council Member Lenard, "Informing the council."

FINANCE: Claims Ordinance & Payroll Ordinance

a. Claims Ordinance	2022-13	\$	<u>540,417.45</u>
b. Payroll Ordinance	2022-13	\$	<u>95,954.46</u>
c. Payroll Ordinance	2022-14	\$	<u>96,534.66</u>
	TOTAL	\$	732,906.57

CLAIMS 2022-13: Council Member Lenard moved to approve City of Burlington Claims Ordinance 2022-13 for the amount of \$540,417.45 for payment of city bills. Council Member Curtiss gave the second. City Clerk Brown, "The larger expenses we have tonight are ASC Incorporated \$3,395.00, Gordan CPA for the audit for \$7,950.00, Kansas Power Pool \$267,199.76, and Midwest Electric Transformers \$141,325.50, and I want to add on to this that is part of our claim for the transformer that went down at the electric department. We have heard back from the EMC Insurance company, and they are paying that, minus our \$5,000 deductible." **Hearing no additional discussion, Mayor Luke instructed City Clerk Brown to poll Council. All votes were in favor. Mayor Luke declared, "Claims Ordinance 2022-13 passed unanimously, 6:0."**

PAYROLL 2022-13: Council Member Curtiss moved to approve City of Burlington Payroll Ordinance 2022-13 in the amount of \$95,954.46, as presented. Council Member Tschantz 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 2022-13 passed unanimously, 6:0."

PAYROLL 2022-14: Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2022-14 in the amount of \$96,534.66, 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 2022-14 passed unanimously, 6:0."

PLANNING & ZONING: Update

General: Zoning Clerk Hugunin, "Normal duties."

Census Bureau: Zoning Clerk Hugunin, "I am updating the census bureau reporting again this month."

Permits: Zoning Clerk Hugunin, "I sent over the permits to the county appraiser."

Nuisance: Grass/Weeds: Zoning Clerk Hugunin, "Today I had four ten-day letters that I sent out to property owners. There are several of them that are pretty tall. I have contacted them and contacted them. I've done everything I could and today was their deadline."

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“They should be getting them this week. I have talked with several people since yesterday; since it is good a dry out there that they need to get their ditches mowed. The ground is cracking out there now, so I think they can mow their ditches.”

City Hall - Fence: Zoning Clerk Hugunin, “The fence has been installed. I don’t know if I updated on that, but it is finished. They did a great job. It seems to be keeping trash from blowing around. Although, I think they are doing a pretty good job of picking up their trash over here. That helps too.”

Floodplain Maps: Zoning Clerk Hugunin, “The last thing I have is I wasn't at the special meeting, and I know it was brought up about floodplain maps. I don't have maps to give people. It is all online, and right now, it is just the preliminary maps that have been out for a couple of years now. That is all I have. I think they are waiting until they get this whole thing; everybody state-wide has their ordinances done and everything before they make those available to the public. I can give people the website if they want it. They can look it up; it's out there, instead of everyone coming in and me printing maps. It is easier if they just look it up.” Council Member Curtiss, “I’d like the website.” Zoning Clerk Hugunin, “I will get you the website.” Attorney Wright, “Why don’t you say the website, and we will get it in the minutes.” Zoning Clerk Hugunin, “I’ll have to go in my office and get it.” Mayor Luke, “Go ahead.” After he returned, he gave the web address as follows: gis2.kda.gov/gis/neosho_hw.

OTHER COMMITTEE OR COUNCIL BUSINESS:

LICENSES

Mayor Luke, “We have licenses for trailer court for BLB Properties, LLC and a cereal malt beverage license for Family Dollar/ Dollar Tree. They are new applicants, and we need to accept or reject their applications.”

Council member Curtiss, “I move to approve the Trailer Court License and Cereal Malt Beverage license for 2022 as presented.” Council Member Ernst, “I second the motion.” Mayor Luke, “These will fall in line with the others for 2023.” Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

LEGAL DEPARTMENT: Update

General: Attorney Wright, “Normal duties.”

Floodplain Management Ordinance: Attorney Wright, “I have two things really quick. One of them is that I want to let council know that I did hear back from the state with regard to the floodplain ordinance, and Cheyenne Sun Eagle, I believe, is the gal's name; she confirmed that she received everything she needed from the city. I think we are good with that.”

Firework Ordinance: Attorney Wright, “I also just for the council’s information, you should each have the applicable kind of firework ordinance information. If you have any questions about that, you are welcome to contact me directly. I did want you to kind of see what the state of the law was regarding fireworks in Burlington, so there wasn’t any confusion. Although some of it is a little ambiguous and might cause confusion so if you do have any questions, give me a call.”

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 June, we will be sending \$1,565.40 in delinquent accounts to the Kansas set-off program for collections.

City/County Infrastructure Money: City Clerk Brown, “We have received our second half of our infrastructure money from the county. That’s nice to get that.”

Reports: City Clerk Brown, “I have also handed out to your utility revenue reports and sales tax report for the month.”

Budget Finance Meeting: City Clerk Brown, “Just a reminder that the budget and finance meeting is next Thursday the 14th at 3:00p.m.”

QUESTIONS/ COMMENTS

Council Member Lenard, “On the sales tax report, which we still have called the COIVD-19, on the sewer tax, is that correct for June?” City Clerk Brown, “Oh, I missed the zero. It should be the same as the special highway improvement. It should be \$30,346.02.”

REPORT BY CITY OFFICERS:

EMC Insurance Claims: Council Member Lenard, "I've got one other question. It is great that we have had a couple of claims at the electric plant. Is EMC, remind me, is that per occurrence, or is there an aggregate for claims per year? Is it \$5,000 every occurrence?" City Clerk Brown indicated yes. Council Member Lenard, "There is no cap? So, if we have 20 occurrences, it's \$5,000 a pop?" City Clerk Brown, "Not that I am aware of." Council Member Lenard, "Okay."

Burlington Jail: Council Member Curtiss, "Tomorrow night is the meeting in the library." Mayor Luke, "Yes, tomorrow night on the jail, there is a meeting for Burlington at 6:30p.m."

MAYOR'S COMMENTS:

New Facilities Water Requirements: Mayor Luke, "Anne, Danny, and I were sitting in on a zoom conference call this week with Economic Development and a business in Kentucky that is going to be installing one of the five industrial buildings that are being considered and looked at for Coffey County between Beto Junction and Burlington. The building that would have any impact on us is one that is going to be located at the airport. It is going to impact us in the water supply. The estimated water supply when fully operational is two million gallons of water a day. It will be part of a semiconductor electronic of all of these five businesses will be kind of tied together. I do not know the names of the businesses. All I know is this is one of the major semiconductor-type businesses making capacitors etc. Part of the processes are all tied to the department of defense.

"I will be meeting again with the people from Kentucky on the 15th, as well as with the Flint Hills Community College, which will be looking at doing training for some of the potential staff people. This is pretty much a done deal on this particular building. One of the other three buildings is still in negotiation. They will not impact our ability to provide any infrastructure other than the potential for homes. All total, they are looking at between the five businesses with up to 300 employees. They will be median to well-paying jobs. They will do training to have everybody operational so that they can do their job. They anticipate grant monies. Hopefully, everything will be approved and available in less than one year. During that time, they will be putting together their plans for what their facility will look like. They are allowing a year for the construction of the facilities. At the end of approximately two years, we would need to be able to supply the water that they need. We will be scheduling a meeting with the rural water district in that area as well as the committee here as we move forward.

"Generation capacity, we can meet that requirement at the plant. It will require a lot of additional chemicals, a backup supply of components and parts, and it will include basically a 24-hour operation on the generation of water, so that will be added staff. We are not sure yet, but we believe the modifications and costs associated with infrastructure and possibly the inventory of materials will be part of the grant process. We may have to pay stuff up front and then get the money. We don't know that yet. That is still coming down the road. They have solid financial backing behind them. It looks like at least part of it is a go. The rest of it we are unfamiliar with. That would be electric from either 4Rivers or Evergy, depending where they are with respect to the 35-express way. Water-wise will impact Melvern and any other water supplier in the area. Hopefully, the largest water use will be the one that we serve because we are the only ones that have that capacity to meet their two-year requirement. It's not private information; it's public. We don't know who the exact businesses are by name, but we know that it is all basically in the development of electronic components and parts."

Council Member Lenard, "Is it possible redundancy coming back from Melvern on water supply." Mayor Luke, "If all the facilities go into the Beto Junction area, the answer to that is no. Because they have capabilities to reach just over a million gallons a day extra, and all of the facilities together will require more than that." Council Member Lenard, "I'm guessing they are going to have reserve tanks?" Mayor Luke, "Yes. Where they initially thought that they were going to have four or five able to serve half a day of capability on storage, we are going to look at a little more than that on their part." Council Member Lenard, "And they probably regenerate as well? As much as they can?" Mayor Luke, "They take the water and basically make it a solvent; it's that pure. Anything else would negatively impact the wafers that they make their electronic boards out of. It would be a matter of the first one shift operation they figure at this plant would be 50-70 employees. They get up to three shifts; it would not mean that it's three times that, but they would be looking at well over 120. That was all I had on that. We will keep you informed as to where it goes."

Work Session: Mayor Luke, "As far as a special meeting, I would look at September once school starts and people kind of get back in; we can look at establishing programs for the ARPA funds because we have to have those pretty much defined. They don't have to be installed and spent until the end of 2026, but it takes a while to get them designed. We need to look at what we can do and what we cannot do, utilize the data information that we have." Council Member Curtiss, "Is this a work session?" Mayor Luke, "Yes. I would look at that after school starts unless somebody prefers that before then."

Next Meeting: Mayor Luke, "Next meeting, we have the condemnation hearing on the trailer on Alleghany."

[9] CONTINUATION: July 6, 2022 Burlington City Council Regular Session

FUTURE AGENDA ITEMS:

GENERAL: City Debt - How to fund projects Expense Tracking on Projects Budget 2023	GAAP - Infrastructure Capitalization City/County Grant Funds – Discussion on Matched Funding Council Discussions on Evaluations, Succession Planning, etc.
ELECTRIC DEPARTMENT: Power Plant - Additional Generation PARKS DEPARTMENT: Events in Parks (Updates)	<i>RICE NESHAP Compliance</i>
LEGAL DEPARTMENT: Municipal Court Updates	Misc. Legal - Documents, Cases, Contracts, etc.
PLANNING AND ZONING Work with Advantage Computers and City Departments to improve Cyber Security Nuisance Grass: Work with PD FIRM Floodplain Map Changes – Updates	Quarterly Construction Valuation Report Prepare Easements for any City-owned property without one Permits - Building/Zoning/etc. Burlington Corporate Boundary Updates on Map (Work with State)
POLICE DEPARTMENT Nuisances (Work with Zoning Clerk) Voice Stress Analyzer Project	Department Activities and Cases
STREET DEPARTMENT: Concrete St. Repairs/Free State Ct. Replacement/Repair Pavement Management System/Asset Management System	Street improvement Plan, Paving Gravel Streets, Crack Filling, Street Improvements 2022 Asphalt Project
WATER & WASTEWATER DEPARTMENT: Sewer Lagoon Maintenance/	Sensus Water Meter Replacement Sewer Liftstations –Flushing Rags, etc. Sewer Lagoons - Analysis (KRWA/funds for dredging)

Mayor Luke declared the meeting adjourned.

Approved by Governing Body and signed by Kerri Weltha, Deputy City Clerk