

BURLINGTON CITY COUNCIL REGULAR SESSION 8-17-2022

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, August 17, 2022. Mayor Stan Luke called the meeting to order.

THE PLEDGE OF ALLEGIANCE

ROLL CALL: Stan Luke, Mayor

Council Members present:

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

Superintendents Present:

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

Also Present:

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

Media Present: Mark Petterson (Coffey County Republican)

VISITORS: Paul Abendroth, Bobby Skipper, Jay Hale, Nathan Gifford

AGENDA:

Council Member Lenard, “I move to approve the agenda as modified.” Council Member Ernst, “Second.” Motion unanimously carried, 5:0.

MINUTES 8/3/2022: Mayor Luke, “You have before you the draft minutes of our regular session of August 3, 2022. Are there any additions or corrections?”

Council Member Curtiss, “I move to approve the draft minutes of August 3, 2022, as presented.” Council Member Tschantz, “Second.” Motion unanimously carried, 5:0.

APPOINTMENT: Bobby Skipper – Circus Update

Bobby Skipper, “I am here to give an update on the upcoming fall festival, which includes the circus and rodeo and a car show and a hometown carnival. There will also be a BBQ competition. Nothing much has changed since I last appeared before the council to discuss this. Since then, we have made a few last-minute visits with a few of the city department heads, and there are still two more to go. I was able to meet with Mr. Kevin and kind of re-hash everything to make sure everything is where it is supposed to be. He did bring up a few things that I need to follow up on. I was going to get with him in the upcoming week. Hopefully, Mr. Alan and Mr. Danny, I have a few questions. I don’t anticipate still any need for any kind of heavy lifting, but I appreciate the support the city has given so far. I think we are still in line to perform as we have hoped.

“The circus will come in on September 15th and set up. Depending on the health of their animals, they might use the elephants to hoist the center mast of the tent. That is always real fun to watch. They might not have those elephants, but if they do, it’s fun to come out and take pictures and look at. The plan is to hopefully, if at all possible, on Friday night have some kind of function for the general public. I have not asked or spoken about this but maybe just have some of the teams cook for us or maybe a crawfish boil; something unique that the community has never had and provide a little flavor and maybe even a little entertainment. In that case, I would like to come back and specifically ask. I know we don’t have but three weeks, but I might come back and ask for that if things work out. The community has been really good to support. We have been able to stay within our budget and actually fund a lot of things so we can keep doing this year after year, maybe. Does the council have any questions about any of the events or anything that might take place?”

Council Member Curtiss, “How many of those booths do you have for the games?” Bobby Skipper, “We have 15, but we plan to have ten on-site. Those are going to be fun, I hope. I hope people really latch on to that. It is tough getting a carnival nowadays for different reasons. As a community and wanting other people to participate and have fun with these things that we have invested in. I hope that we can reuse them and reuse them. They can be used to make money as fundraisers for different groups. I think even the elementary school is trying to get a PTO off the ground, for instance. They may be able to have some seed money but operating one of these booths—that’s kind of neat. I like doing stuff like that.” Council Member Curtiss, “Thank you.”

Mayor Luke, “Have you talked with the state yet about the banner?” Bobby Skipper, “I have.” Mayor Luke, “What was their--?” Bobby Skipper, “Normal permitting. They wanted to see some geometry, but we were able to put all that through. They are just like the city, they kind of yield to the city’s discretion.

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I was able to meet with Mr. Alan on that. To me, importantly, even if the state yields to the city, it's really, we want the city's preference to be maintained. I'm erring on the side of not doing the banners right now because of the wind issue you talked about. If you have a big banner and the wind catches it, I don't care how you secure it; it's going to rip and tear. We may just forgo that at the time, but we made a good practice of it." Superintendent Schneider, "Whatever we need to do." Bobby Skipper, "Yes, sir, and I appreciate that"

Superintendent Boyce, "We have three dumpsters in Kelley Park. Do you think you will need more than that? We have a four-yard and two two yards. For the fair, we brought in an additional six yards and two four yards." Bobby Skipper, "I can't imagine us needing more than ten yards of capacity. You brought up the circus, and I still don't really understand where their animals' byproducts are going to be; I have no idea. If it's excessive, it might make sense to just put it in a pile somewhere." Superintendent Boyce, "I'll get with you the first of that week, and we can designate a spot for that. They can put it in a pile, and we will come pick it up and put it in our mulch pile." Bobby Skipper, "Yes, sir."

Mayor Luke, "Lewis asked for a quick update on the businesses downtown, new ones that have been in, or opened, or in the process." Bobby Skipper, "So, the little café just opened MarieBelles. It's a diner/café/ bakery. Her passion is baking, but as you know, a lot of the bread and butter financially may come from serving breakfast and a home-cooked meal for lunch. I think she is seeing that now. The people who have eaten there, I haven't had the opportunity to eat there yet, but I understand it's down the line—kind of like soul food type of lunch. So, that has worked out pretty good. She is open and going. There is some activity up the street with the Eckan building. I think you guys know that is for sale, but there is a little activity there; something may come of that here pretty soon. Across the street, I guess the activity with everybody putting barricades up on the street maybe it has caused some additional people to do stuff. Pam Scott, who has the theatre there she, is doing some stuff. Maybe that will get to looking better.

"There are some new apartments in downtown; they were in the paper, I think, some of the pictures of those apartments. That is pretty neat. I've seen those full. I've seen a lot of cars there every night with people coming in renting it just one or two nights. The other theater has sold to Miss Dani Birk. I think she has plans to do something, so we will see where that goes. Then also the new coffee shop across from the bank. There is a lot there where the gas station once was. The county tore it down; now, I think there is interest in two or three different parties there to build something. That could be a beef jerky place or a brewery here pretty soon. What that looks like we don't know yet, but it could happen."

APPOINTMENT: Nathan Gifford – Hornet Games

Nathan Gifford, "Thank you all for your time tonight. I just wanted to come and introduce myself; I am Nathan Gifford. We own Hornet Games downtown at 306 Neosho. I wanted to come before you to see if we could block off four parking stalls for Halloween night so that we can do a Star Wars-themed trick-or-treat. We would like to start probably 2:30 p.m. – 2:45 p.m. for set up and then tear down about one hour or an hour and a half after dark. We are just going to provide trick-or-treaters candy. I have a good buddy who lives in Gridley, Sean Dougherty, come in his full Mandalorian outfit. We are going to offer pictures with the Mandalorian, and we are working on getting another Mandalorian in full costume as well. We will have pictures inside, so if the weather is good or bad, kids can come down and get a \$5 snapshot or \$10 with the Mandalorian. So, we wanted to see if we could get permission to have four of the stalls that are right in front there just during that time frame. If it's bad weather, we won't need it, but if the weather is good, then we would like to block it off. We have a ten-by-ten tent and some other things; some droids. Kids can come with their parents and do snapshots for free, then if they want to come in and get a picture with the Mandalorian in full gear. Do you have any questions?"

Mayor Luke, "That will be unique or different." Council Member Curtiss, "What is the time frame?" Nathan Gifford, "We are thinking that we want to be ready for...the kids normally do the parade downtown; they stop at 75 and go back because of the traffic. I think we want to be ready to go, so as soon as they get out of school, some parents already start hitting the businesses downtown before they go home for dinner. I think we want to be ready for right then and there." Council Member Curtiss, "So, set up at 2:00 p.m.?" Nathan Gifford, "I'm thinking more like – I mean, that would be a perfect time. We are thinking more like 2:30 because normally gets out at 3:15, so 2:00 would be fantastic." Council Member Curtiss, "Until?" Nathan Gifford, "6:25 p.m. is sundown. I looked at my phone to see when sundown was for that night. So 7:30 or 8:00 would be perfect." Council Member Curtiss, "8:00 p.m.?" Nathan Gifford, "Then we can put the barricades in the shop if we needed to or just on the sidewalk or in the stall of the street, whatever you would like us to do."

Council Member Curtiss, "I move to allow Nathan Gifford to block four parking stalls in front of Hornet Games on October 31st from 2:00 p.m. to 8:00 p.m." Council Member Lenard, "I second the motion."

Mayor Luke, "Mark?" Superintendent Davidson, "I'm fine with that."

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

PUBLIC COMMENTS

Jay Hale, "This is a good town to live in." Council Member Curtiss, "And we are glad you are here."

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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.

Generator Project: Superintendent Schneider, "We have been working in the substation for the generator project. We have dug the hole, did all the rebar work, and poured the concrete for our termination stand, which will be the 15kv cable that comes out from the new generator. We have that done and complete. We are as far as we can go right now until some of the forms come off inside the power plant for the walls on the new generator. We have everything ready to go with that."

Customer Concern: Superintendent Schneider, "I met with a customer earlier this week that has some concerns about their billing. They were concerned if they were in the correct rate of service or not, classified correctly. I visited with them. We went through all of 2021 and seven months of this year of their billing. They are in the right class of billing, and we discussed why they are in that class."

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

Outage: Superintendent Schneider, "We worked on an outage down here at Willow Bend last Thursday, August 11th. A very large tree limb fell from a cottonwood tree across our conductor. There is a line fuse out here by Hoovers on the corner that just affected Willow Bend. We verified that there was no damage to our power lines. We were able to get them right back into service."

"Today, the outage was because of a squirrel inside our substation. It went to ground on our spare transformer, the switch gear of it, not the transformer itself. Being so close, it opened up the tiebreaker, isolated us from Evergy, cleared that everything was okay, and put it right back into service."

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 our required reports. We are getting all of our generation reports filed and put away."

Annual Oil Samples: Superintendent Schneider, "We have tested two of our units for our annual operability testing requirements through KPP (Kansas Power Pool). This is what determines our capacity payments from them for next year. We have two units complete. We have two more to complete. We will do that sometime next week, I hope."

Generator #4 Maintenance: Superintendent Schneider, "We have been doing maintenance on generator #4, the DC supply generator."

Generator Project: Superintendent Schneider, "Larry Wheeler's crew is still working. They are working every day and weekends. They are getting closer and closer to pouring, but they are just not ready yet for the concrete for the walls. They have probably ¾ of the bed plates set that the generator will sit on. They have those set-in place. They are working every day."

ELECTRIC DEPARTMENT: PERSONNEL- Dallas Birk Resignation

Superintendent Schneider, "As you will see in the next item, Dallas Birk has submitted his resignation. His last day with the city will be this Friday."

QUESTIONS/COMMENTS

Advertising: Council Member Lenard, "Are you wanting to go ahead and move to post for that position?" Superintendent Schneider, "We have been advertising. I need to get with Anne to see what her schedule is and if anybody on the electric committee wants to sit in on interviews, I have two gentlemen I would like to interview. One is working for a line contractor right now, and the other one has been through Pratt Community College power distribution program, and I believe he is with another contractor right now. They have just submitted their applications within the last week."

Exit Interviews: Council Member Lenard, "I don't remember, but I know several months ago we talked about exit interviews. I don't remember if that is done by Anne. Is it Anne or the superintendent? Where did we end up on that?" City Clerk Brown, "It was kind of just left up in the air. You never really said if you wanted to go ahead with it and who you wanted to --." Council Member Lenard, "What does the policy – is the policy vague on that?" City Clerk Brown, "I don't think we have a policy on that." Mayor Luke, "We have done some, and then others we haven't done."

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Council Member Curtiss, "I think it would be beneficial to have some type of an exit interview with our personnel." Council Member Lenard, "Do you have an opinion on that, Philip?" Attorney Wright, "I do have an opinion." Council Member Lenard, "Can we ask for it?" Attorney Wright, "You can. It is a personal opinion. I don't think that they are effective, and I'm not sure that I would do them." City Clerk Brown, "Did you say they are not effective?"

Attorney Wright, "I don't think that they are effective, and I wouldn't for a lot of reasons. I would recommend that you probably should skip that process. One of the reasons being I think the superintendent knows what happened anyway, and they can probably explain that to somebody if there were any questions about it. We have to be really careful because we are borderline talking about things that need to be done in executive session under non-elected personnel. So, let's make sure we don't talk about any specific people. I think if you wanted to ask somebody why somebody quits, ask Alan why somebody quit, he can probably tell you the information that you are probably seeking, in my opinion. I think a lot of time, an exit interview can turn into, especially if it's a sour grape situation, a situation where someone is just going to unload anyway. Whether or not that information is true, relevant, or if it's somebody's perception."

Council Member Lenard, "I think the one thing we have experienced before is making sure we have keys, passwords, and all that stuff. That is probably a different type of turnover. That is probably the biggest thing." Mayor Luke, "Now that we do." City Clerk Brown, "Yes, we have not had any issues with that." Attorney Wright, "I guess in my mind an exit interview you bring them in to ask them why the separation, or if there is anything the city can do better, try to do that sort of thing. I have been on the working end of several of them personally, and I find them offensive. You're probably talking to the wrong guy if you want an opinion on them."

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.

New Service: Superintendent Hawkins, "We installed a new water meter service on Mohawk Street. I'd like to thank Mark (Superintendent Davidson) and his guys for helping us and letting us dig up his road."

AMI Meters: Superintendent Hawkins, "We are still installing water meters that we still had left. We got a call from Gary Armitrout that the water meters for the water plant will be leaving next week from the manufacturer. Today we got the gaskets and the bolts in the mail. So, that is at least moving in the right direction."

Sewer Machine Maintenance: Superintendent Hawkins, "Key Equipment was able to come back and fix our sewer machine. So, we are starting to clean sewers again."

Lift Station #1 Maintenance: Superintendent Hawkins, "Lift station #1 we had an inch and a half broken pipe that comes off pump #2. It came up, vibrated, and cracked in two, so the guys replumbed that and got it all put back together."

WATER AND WASTEWATER: Production Update

General: Superintendent Hawkins, "The plant is running well. We are just running a lot of water. We are still running a lot of hours. We are well over 700,000 gallons a day. We are waiting for rain."

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.

Street Improvements Project 2022: Superintendent Davidson, "We finished our 2022 street asphalt project. They finished Friday of last week, I believe. We went along as usual and built up along the edges of the alleys."

Alley Maintenance: Superintendent Davidson, "We have been working on alleys. There was one that we had to cut the center down behind the Marie Belles restaurant and the post office. The trash truck seems to be cutting some ruts in there. We are adding more rock, trying to build it up."

Sign Request: Superintendent Davidson, "We had a request to put in a no parking sign up down at the coffee shop on 4th Street across from the bank. Chief Jones went ahead and okayed that, so that is installed."

Tree Trimming: Superintendent Davidson, "We have been doing a lot of tree trimming."

POLICE DEPARTMENT: Update

General: Normal Duties.

Cadet: Chief Jones, "School starts tomorrow. We hope between school and extracurricular activities; our juvenile call load decreases at least a little bit."

Activities/ Cases: Chief Jones, "We have been working some domestic violence, fights, internet, and phone frauds and scam calls, both injury and non-injury accidents."

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“We have been doing a couple funeral escorts. The one Monday was huge.

“We have made some arrests on city warrants and cleared some of those up.”

City Court: Chief Jones, “We had city court last week. It was done in a timely manner.”

Nuisance: Properties/Vehicles Update: Chief Jones, “Officers have been working nuisance properties and vehicles. We have gotten quite a bit of cooperation on the initial contact. We have at least one property that is going to get a formal 10-day letter on their property.

“I had an individual contact me about the property at 1301 Neosho. He purchased or is in the process of purchasing that property. He was reaching out to me for contact information on the next property to the south 116 S 13th; I believe it is. I don’t know where we are on that because last weekend, he managed to blow his boat up. He is in KU Med in the burn center, Brad Payer. I am sure that will bring things to a standstill for a little bit. He has plans for that area. So, hopefully, working with him when he has recovered.”

QUESTIONS/COMMENTS

Radar Sign: Council Member Curtiss, “How about our street speed limit sign? Are we going to put that up now with school starting?” Chief Jones, “Once I get it figured out how to set the programming correctly on the internal clock on that system. It is not the most intuitive programming because the school speed limits change a couple of times throughout the day, depending on which campus it’s at. I’m going to be working with Custom Signal to get that figured out because their documentation on that isn’t the clearest in the world. If I am reading it correctly, I can only set one time change a day, and that is not going to work. As far as other radar speed limit signs around town, it had been discussed in the past, and I have pricing and quotes, but we have never taken any further action on it.”

Council Member Lenard, “We did talk about fixed signs in the school zones that would prevent programming and things like that. That is something that the police committee might want to consider.” Chief Jones, “Some of the newer ones have better options on programming. The system that Philip bought isn’t quite as versatile, but you’re talking stuff in the \$2,500 to \$5,000 range per sign.” Council Member Curtiss, “Is Cross Street – that would be the area first that we would need to consider, correct? Because of the amount of traffic.” Chief Jones, “We would also want consider Neosho Street down by the elementary school.” Council Member Curtiss, “Right, but I can see where this would be our first priority, okay.”

Nuisance: Properties/Vehicles Update: Council Member Berryman, “Chief, I have a question on 8th Street; how is that zoned?” Chief Jones, “Where at?” Maxi Berryman, “The whole street, specifically the corner of 8th and Alleghany. Is that zoned residential or commercial or how?” Chief Jones, “8th and Alleghany should all be zoned residential.” Council Member Berryman, “Okay, the house on the corner of 8th, the number is 61 something, some of the numbers have fallen off the mailbox. How has it been allowed to function almost as a junkyard?” Chief Jones, “Are you talking about the south side of the street? 725?” Council Member Berryman, “It’s 61 something. Those are numbers on the mailbox, 61 something.” Chief Jones, “Is it a mobile home?” Council Member Berryman, “It’s a whole mess of homes stuck together, and an RV is stuck on it.” Chief Jones, “8th and....” Council Member Berryman, “8th and Alleghany and I don’t know north from south. If you are going up towards Neosho, it would be on the left-hand side right on the corner of 8th and Alleghany.”

Chief Jones, “David Stratton’s place, I think, is where you are talking about. We have worked with David quite a little bit through the years, and we have gotten some things accomplished with him. He is not really in violation of a lot of stuff. He has an RV, trailer, a pickup that is currently tagged--.” Council Member Berryman, “And a lot of miscellaneous stuff in the front.” Chief Jones, “Having miscellaneous stuff isn’t a violation.” Council Member Berryman, “What constitutes a nuisance then? Maybe I don’t have a clear understanding.” Chief Jones, “Okay, as an example of what is not a nuisance, Don Sobba’s place in the 1400 block of Potomac. We have a neighbor that complains regularly about the farm implements that he has on display out there. That is not a nuisance. It’s simply--.” Council Member Berryman, “Oh, I know the one you’re talking about. To me, I wouldn’t consider that, no.”

Chief Jones, “Some of it is subjective. If it is detrimental, disagreeable, offensive odors, dilapidated or deteriorated. Unfortunately, I am the one that gets to make that call on a lot of that stuff. So, I get to go in there in my unofficial role as a building inspector which I have no credentials for other than general handyman experience. I have to make the call as to whether or not it’s a dilapidated or deteriorated or what is going on there. If it’s something very obvious, it’s relatively simple. If it is something that is private property, I have to use my best judgment whether it is a blight to the neighborhood or if--.” Council Member Berryman, “So, that is not considered a blight to the neighborhood?” Chief Jones, “If it’s Stratton’s place--.” Council Member Berryman, “I don’t know who owns that.” Chief Jones, “That is what I’m saying; I think that is who you are talking about.” Council Member Berryman, “It’s right on the corner of 8th and Alleghany. It’s on the left-hand side as you are going towards Neosho.”

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Chief Jones, "Yes, I am pretty sure that is David Stratton that you are talking about. He has stacks of firewood because he heats with wood." Council Member Berryman, "And like six lawnmowers in the back?" Chief Jones, "That is not illegal. It's not a violation." Council Member Berryman, "But all that stuff together? Sure, each separate, it's not a violation, each separate one." Chief Jones, "We get into the issue then of are we interfering with private property rights? Is it interfering? Does it reach the point of being annoying or becoming a detrimental or blight or affecting someone else's property values?" Attorney Wright, "I'm going to jump in here for just one second. Really this is about safety and welfare. So, if it is creating a safety risk to other people, then I think that is where we have started to draw the line. That's where we have said if it stinks, if there is garbage, if the house is falling in because it's dilapidated, holes in the floor, those sorts of things are traditionally how we have construed those nuisance statutes. I don't know if that helps or not." Council Member Berryman, "Thank you." Attorney Wright, "That is really where we are going with this stuff. Is it presenting some kind of health or safety risk to the community?" 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.

Mowing: Superintendent Boyce, "Mowing, water flowers, and watering trees have been taking up quite a bit of our time."

Dynamic Discs Course: Superintendent Boyce, "I met with Scot Jeffers, and we set up a meeting with Dynamic Discs. We have had a request to put in a disc golf course. Scot thinks it would be good for the older generation for physical activity. We discussed it and decided that Oak Park by the blue water tower and the walking trail would be the area. Dynamic Discs came down on August 9th to walk through it. The disc part of it of the baskets, Dynamic Discs laying out the course, and the signage would be \$4,500 estimated. Then for the concrete, the approaches where you would throw from estimated would be \$12,000. Scot said he would cover the \$4,500 as far as the signage, baskets, and them drawing out the plans. He asked for assistance on the \$12,000; whether the city crew does some of the work or helps pay for that. If everybody is in agreement with that, then we will move forward."

Council Member Curtiss, "Is that nine holes? Is it a full one?" Superintendent Boyce, "It will be 12 or 13. To have a competition, it needs to be 12 or 13." Council Member Curtiss, "Well, it's big. Emporia, thousands of people come in for it there." Superintendent Boyce, "We showed them the other parks in the area. We have a sidewalk that joins over to Katy Park, and it would all just tie in. We could also tie in Jones Park in time." Council Member Curtiss, "We toured Dynamic Discs with the Rec Center when we went on a trip one time. I was just totally amazed. I am all for it." Mayor Luke, "Do you have any idea Kevin how much of the \$12,000 would be offset if city staff did the work?" Superintendent Boyce, "No. I am just trying to get permission to move forward. I haven't even visited with Mark to see if they would be able to assist with pouring concrete or anything." Mayor Luke, "Consensus to move forward?" Council Member Curtiss, "I am for it." Council Member Tschantz, "I am." Other council members agreed.

FINANCE: Claims Ordinance & Payroll Ordinance

a. Claims Ordinance	2022-16	\$	<u>966,436.95</u>
b. Payroll Ordinance	2022-17	\$	<u>95,014.51</u>
	TOTAL	\$	683,168.84

CLAIMS 2022-16: Council Member Lenard moved to approve City of Burlington Claims Ordinance 2022-16 for the amount of \$966,436.95 for payment of city bills. Council Member Curtiss gave the second. City Clerk Brown, "The larger expenses we have tonight are Brenntag \$52,414.93, CIC - Computer Information Concepts \$7,800.00, Core and Main \$8,972.44, Global Track Warehouse \$5,561.00, Kansas Power Pool \$375,043.24, and G.O. Bond payment for the State \$391,440.62." **Hearing no additional discussion, Mayor Luke instructed City Clerk Brown to poll Council. All votes were in favor. Mayor Luke declared, "Claims Ordinance 2022-16 passed unanimously, 5:0."**

PAYROLL 2022-17: Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2022-17 in the amount of \$95,014.51, 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 2022-17 passed unanimously, 5:0."

AUTHORIZATION TO PUBLISH THE NOTICE OF REVENUE NEUTRAL RATE HEARING & BUDGET HEARING

Mayor Luke, "At this time, we need to look at the revenue-neutral rate hearing and the budget hearing publications."

Council Member Lenard, "I move to authorize publication of the Notice of Public Hearing for City of Burlington's Revenue Neutral Rate at 6:20 p.m. and 2023 Budget at 6:30 p.m., which will be held during the City Council meeting on September 7, 2022, at 1013 N.4th Street, Burlington, Kansas." Council Member Curtiss, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0.

PLANNING & ZONING: Update

General: Zoning Clerk Hugunin, “Normal duties.”

Chips for America Program: Zoning Clerk Hugunin, “My office and the phone have been busy with talk about this new plant coming in. I have people in Missouri, Oklahoma, and Arkansas calling me, wanting our zoning regulations and building requirements. They are talking about RV parks. A lot of the property people are looking at; we can’t touch. It’s too far away from us. It’s not the extraterritorial. We will work that out, but it has been pretty hectic on that side of it.”

Nuisance: Grass/Weeds: Zoning Clerk Hugunin, “I have been –what have I got? I think I have ten properties that will be getting letters next week if their ditches aren’t mowed. It has been a mess with ditches. People don’t think that they have to mow the ditch. If it’s too deep, they don’t want to mow it. I don’t know what their issues are. There are some ditches that aren’t even deep, but they say they won’t mow it because it’s too deep. They are responsible from the right of way to the road and also half of the alley.”

Council Member Curtiss, “So, how long do you give them to mow it before we go in and mow it? Zoning Clerk Hugunin, “If they aren’t mowed by this weekend, a lot of them will have ten days from me knowing that they received the letter. I’m hoping, because I don’t want Kevin to hate me when their crew is doing nothing but mowing ditches. I hope a lot of these get mowed over the weekend. I hope just where I have gone and talked with people and just educating them that they have to mow, weed-eat, or something.”

OTHER COMMITTEE OR COUNCIL BUSINESS:

ORDINANCES: 889- 2022 UPOCs, and ORDINANCE 890 - 2022 STOs

Overview: Mayor Luke, “We have Ordinance 889, which is adopting Uniform Public Offense Code for Kansas cities 2022. Anything you want to say on that, Doug?” Chief Jones, “We looked at the draft copies which have been similar to previous years and compared it to what is actually in the UPOC book from the League of Municipalities and identified a number of things that we don’t need in our city ordinance because it is already covered in the UPOC book and the same with the STO – Standard Traffic Ordinance book. Mary has actually included the actual ordinance that is stamped draft, which is what we are asking to be adopted. The next page is that same ordinance with everything still on it that it struck through, so you can see what we are looking at getting rid of—the same with Ordinance 890, Standard Traffic Ordinance. The one marked draft is what we are looking for, and the one right behind it is what we are taking out. The only thing we are actually keeping under the Standard Traffic Ordinance is the city’s unconventional vehicle stuff because we can do that under state law. We have our own unconventional golf carts and things like that. That is the only thing we really need to keep. We’ve really cleaned the rest of this up and eliminated any redundance ordinances.”

ORDINANCE 889, Adopting Uniform Public Offense Code for Kansas Cities, Edition 2021: Council Member Tschantz, “I move to adopt Ordinance 889, Uniform Public Offense Code for Kansas Cities, 2022 Edition.” Council Member Curtiss, “I second the motion.” Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0.

ORDINANCE 890, Adopting Standard Traffic Ordinance for Kansas Cities, Edition 2021: Council Member Curtiss, “I move to adopt Ordinance 890, Standard Traffic Ordinances for Kansas Cities, 2022 Edition.” Council Member Tschantz, “I second the motion.”

Council Member Curtiss, “This is for golf carts, ATVs, and all of those things that don’t have the stickers on them that aren’t licensed.” Chief Jones, “Our adopted unconventional vehicle ordinance will remain in place. The state, which is what this is drawn from, prohibits them entirely. The city council made the decision to allow them on Burlington streets.” Council Member Curtiss, “And we are looking at that, correct?” Chief Jones, “Yes, we are.” Council Member Curtiss, “Thank you.”

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

LEGAL DEPARTMENT: Update

General: Attorney Wright, “Normal duties.”

Ordinances: Attorney Wright, “I reviewed these ordinances that we just passed and answered questions about them.”

City Court: Attorney Wright, “We had municipal court last week.”

QUESTIONS/COMMENTS

Industrial Park Property: “Mayor Luke, “You received a request to purchase property out of our Industrial Park?” Attorney Wright, “No. I didn’t receive anything.” Mayor Luke, “We will make sure you get it.”

Shirley Williams Complaint: Attorney Wright, “Actually, one other thing that the council may need to be aware of. I was contacted by an attorney for Shirley Williams with regard to her complaints against Forte. Nothing has come of it yet, but I had a conversation with the lawyer that is representing her.”

[8] CONTINUATION: August 17, 2022 Burlington City Council Regular Session

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.

RNR & Budget: City Clerk Brown, “I have been working on finalizing everything for the RNR and budget hearing.”

REPORT BY CITY OFFICERS:

APPOINTMENT: Melissa Daily

Melissa Daily, “I’m so sorry. I missed my time earlier.” Mayor Luke, “You had a time?” Melissa Daily, “I talked to Anne?” City Clerk Brown, “Yes, I forgot to tell Mary to add it.” Mayor Luke, “Okay, you’re alright. Go ahead.” City Clerk Brown, “You didn’t get back to me on what you were doing because you said you needed to check with someone and you would get back with me and let me know.” Melissa Daily, “Oh, I’m sorry. So, I’m here for Catbackers. The Catbackers organization for Burlington High School is asking if the city will donate the use of Kelley Hall on October 22 for our Halloween dance.”

Council Member Ernst, “That is just the use of the building without the deposit, right?” Mayor Luke, “The use of the building with no deposit or rental, I should say.” Melissa Daily, “Right.” Superintendent Boyce, “We have done it in the past.” Council Member Curtiss, “Is it available?” City Clerk Brown, “It was when I talked to her. We need to check it to make sure that it is still available because you were going to let me know on that for sure.” Melissa Daily, “I’m sorry.”

Council Member Curtiss, “I move to allow Catbackers to use Kelley Hall on October 22, waiving the rental fee, if the building is available.” Council Member Ernst, “I second the motion.”

Mayor Luke, “We will have Jimmy tell us if it’s available.” Melissa Daily, “The original date was the 29th but it was not available, and either was the 4-H building. So, we opted to bump it up to the 22nd.” Council Member Ernst, “You want Kelley Hall and not the 4-H building?” Melissa Daily, “That’s what I was told.” Zoning Clerk Hugunin, “They were already in the book.” City Clerk Brown, “So, I did pencil you in.” Mayor Luke, “Time; I assume you would want it for decorating?” Melissa Daily, “I assume we would want it in the morning so we can decorate. Then I know when we talked with Anne, she said we had to be out at midnight. Does that mean we need to be cleaned up and out at midnight?” City Clerk Brown, “The park closes at midnight.” Melissa Daily, “Then we will be out at midnight.”

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

Melissa Daily, “Thank you all so much.”

MAYOR’S COMMENTS:

Work Session: Mayor Luke, “Last meeting, I brought up a work session. We discussed it before, but we did not set a date or items for the agenda. Is a work session still needed for the second Wednesday of September at 6:00 p.m., and if so, what are the agenda items? We can’t just have a meeting with no agenda. – Hearing none as far as items are concerned, then we will not have a meeting then unless we come up with items between now and then.”

FUTURE AGENDA ITEMS:

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

Mayor Luke declared the meeting adjourned.

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