

BURLINGTON CITY COUNCIL REGULAR SESSION 9-7-2022

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, September 7, 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, Craig Marshall

AGENDA:

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

MINUTES 8/17/2022: Mayor Luke, “You have before you the draft minutes of our regular session of August 17, 2022. Are there any additions or corrections?”

Council Member Curtiss, “I move to approve the draft minutes of August 17, 2022, as presented.” Council Member Ernst, “Second.” Motion unanimously carried, 6:0.

APPOINTMENT: Craig Marshall – USD 244 #244 General Update

Craig Marshall, “Good evening. First, I want to say thank you for the leadership that you guys provide on the city council. I know it is not an easy job. The work that you do for the city of Burlington is greatly appreciated. Just to help our great city be even better, you guys obviously play a big role in that. Again, thank you very much. From the school district’s standpoint, we are off to a new school year. I just connected with Stan and Anne; I thought I’d get on the agenda here for just a minute to see if you guys had any questions. Anything at all as far as us getting back into the new school year. Things are going really good so far. We are off to a great start.”

Mayor Luke, “You even won your first football game.” Craig Marshall, “We did. Lots of activities. Our new high school administration it was like drinking from a fire hose this past week. We had home volleyball, home cross country, and home football. I said guys, ready or not, here we go. They did terrific, and so did a lot of other people, not just Jodi and Taylor, our new administration at the high school but a lot of people were involved. We had a lot of positive comments on the way we host events. We host a lot of events. You wouldn’t believe the administrators from other school districts and the things that they say about us hosting and the good job that we do. They are kind of amazed that we host that much. We have good facilities—well, we have terrific facilities, and we kind of like to show them off.”

Mayor Luke, “Did we get all of the summer projects completed?” Craig Marshall, “We did for the most part and for the most part on time. Some were later, for example, the concrete with Burlington Construction; we had so much rain there in June they were scrambling to make up, but we got our concrete work done and other projects that we had. Some painting and flooring projects all got done. It really has improved our schools and brought them up to nice modern standards over the past; this is my seventh year of being here. We are making improvements to make things look nice and function well. We want to have a good learning and teaching environment in our school districts. Our enrollment is slightly up from our first day last year. We are up about 21 students, which is a nice situation for us to have. People want to be here in Burlington and for us to have a slight increase in enrollment is a nice positive for us. We will see our count day – we have an official count day on September 20th when we find out again our funding based on our student enrollment. That is our big count day thought out the state of Kansas.”

City Clerk Brown, “How is your early learning center going?” Craig Marshall, “It is going terrific. We actually have a waiting list now, and we are up to about 43 kids. It is incredible. We started out day one with 18 kids, that was back in June of 2021. It has just taken off.

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We have had some challenges. When we first started this project, all of a sudden, covid hit, and you're trying to do renovations, and you're trying to start a program, and you have a pandemic. People aren't sure if they should be sending their kids to a daycare and early learning center or not. As time has gone by, things have obviously gotten better in terms of the pandemic. Like I said, we are up to 43 kids. We have four infants coming in the next two months approximately. We are looking to increase our license. I don't know exactly how many more kids we can take in that facility.

We think possibly 60 might be a really good sweet spot for us. There is a real need for daycare. A big time need for daycare in the community. We have people from Burlington, New Strawn, Kincaid, Gridley, LeRoy, and even one family drives here to work from Gardner and brings their kids. I'm sure our daycare is a lot cheaper than in Gardner. I can't even remember where else. I think we have Hartford, if I'm not mistaken. We have people that come from all over the area. We are providing some employment for people, and we are providing an excellent place for kids to go from birth to five years of age, and they can have early literacy, numeracy, colors, shapes, and you get the idea. It is going really, really well. Any other questions or comments? Again, thank you for your leadership. I may sneak back in another time or two as the year goes on. Thank you for your time."

APPOINTMENT: FFA – Cattle Show – Julie Carden

"I'm Halle Finnerty, I am the president of the FFA chapter, and this is Tori (Rossillon). She is our vice president. We are just wanting to get October 22 possibly approved for our boo bash cattle show at the Coffey County fairgrounds." Mayor Luke, "Have you talked with the Fair Board? It's their organization and their facilities." Halle Finnerty, "Yes, of course." Mayor Luke, "And you have done this before?" Halle Finnerty, "Yes, we have done it for two years." Council Member Ernst, "It is definitely open that weekend?" Superintendent Boyce, "Yes, I've worked with Scot Jeffers on it, and he is good with it. I didn't with the fair board because Julie is on the fair board, so she took care of that part. I think we are good to go." Mayor Luke, "There is nothing that we have to do for it?" Superintendent Boyce, "No." Mayor Luke, "Okay, then, as far as the city is concerned, since it is the fair board's materials and location, we don't have any motion that we have to make. The facility is open and available. Have a good third year." Halle Finnerty, "Thank you so much."

PUBLIC COMMENTS

Bobby Skipper, "I had a request or public comment with a request to the council. I have one final thing that we would like to add to the fall festival that I seek permission from the council on. We had a donation for us to bring in a band but a different type of genre than we have ever had. If any of you have ever heard of zydeco music, we have hired a zydeco band, or I propose to hire a zydeco band with the council's approval to perform on Thursday night, the 15th. Zydeco music is creole cajun. This particular band is coming from New Orleans. The band's name is Beau Bayou and the Sabine Connection. There was also enough money left over to have some food that we can serve to the general public that goes along with the theme of the zydeco band. We bought a bunch of shrimp, potatoes, sausage, and corn. We have some guys coming up from Arkansas who are willing to cook for us. So, we will have this little mixer proposed at Kelley Park Thursday night. The band starts at 7:00 p.m., so maybe we would have the food ready around the same time.

"And if any of you have never done a shrimp boil, the shrimp and the other stuff is laid out on a series of tables, and people self-serve. We will try to keep everything sanitary and have stuff for people to pick their food up with. I don't expect a lot of attendance, but this is kind of unique. We are proposing that they perform on ground level right in the middle of everything else that is going on. So, people can really get that feel. I urge you to google zydeco music so you can get a taste of what it actually is before you hear it for the first time." Council Member Tschantz, "I didn't know what it was called, but I have heard of it." Bobby Skipper, "Yes, sir." Council Member Tschantz, "But forget the shrimp. I can't have it." Bobby Skipper, "Well, there is other stuff too."

Mayor Luke, "And it will be by the gazebo?" Bobby Skipper, "Yes, sir." Superintendent Schneider, "Yes, we need to visit about how much electricity they will need." Bobby Skipper, "Yes, sir." Mayor Luke, "We have always had bands at other events at the transformer location there, and it was good enough. I would hope that they would have about the same thing." Superintendent Schneider, "It might be a little light right at the gazebo. Let's visit, and maybe we can come up with a solution." Bobby Skipper, "Yes, sir, and thank you." Superintendent Schneider, "And ask your band what type of amperage draw they might have." Bobby Skipper, "Will do. They did say they used the big heavy-duty extension cord, so it doesn't flip breakers, so they probably do pull a lot. I'll get that for you. I'll see you Tuesday –no tomorrow morning if you're in your office." Superintendent Schneider, "I'll be in."

Bobby Skipper, "I still intend to get with Mr. Kevin and the others; I haven't visited with those guys yet. I just want to double-check and make sure we are doing everything." Mayor Luke, "With Kevin, you have the walk-through inspection of the property. You will have Scot Jeffers included in that also." Bobby Skipper, "Yes, sir." Superintendent Boyce, "Walk through prior to?" Mayor Luke, "Yes, and afterwards as well." Superintendent Boyce, "Will Monday be okay?" Bobby Skipper, "Yes, sir." Mayor Luke, "That way, any damage can be repaired, and everybody will know what it will look like before and after. Do you have the insurance certificate?" City Clerk Brown, "I don't remember seeing it. I don't think we have received that yet." Bobby Skipper, "I will make that a priority in the morning." Superintendent Schneider, "Please say again the date for the band." Bobby Skipper, "The September 15th." Mayor Luke, "Next Thursday."

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Superintendent Boyce, "As far as tables for the shrimp boil, what do you need?" Bobby Skipper, "If I could use the ones that are close, that are the cities, that would be great, or I'm willing to haul tables." Superintendent Boyce, "We have eight picnic tables extra that I can bring down. As far as what you are going to put your shrimp boil out on..." Bobby Skipper, "Oh, newspaper sir – to cover the table?" Superintendent Boyce, "On a picnic table? Is that what you are going to use?" Bobby Skipper, "We were thinking about the plastic folding tables." Superintendent Boyce, "Okay, and you are providing them?" Bobby Skipper, "Yes, sir, I can because it is nasty. That stuff gets on everything." Superintendent Boyce, "The tables at Kelley Hall and the 4-H building, I'd just assume you do not use those for that." Bobby Skipper, "Yes, sir. They would smell like shrimp."

Mayor Luke, "Any other questions for Bobby? Does anyone have an issue with them adding this to their program?" Council Member Ernst, "It sounds great." Council Member Curtiss, "Go for it." Mayor Luke, "Alright, you are set. Get in touch with the superintendents as you need to and make sure everything gets taken care of." Bobby Skipper, "Yes, sir, and thank you. Please come. This is something kind of unique, and it is open to the public, so please show up."

PUBLIC COMMENTS

Paul Abendroth, "I have a question. I was wondering who the water police are around here? Why I ask that? I find a padlock on my water meter that was just installed. How can I hook up to it with a padlock on it?" Superintendent Hawkins, "Because the padlock is put on all meters that we do. When we generate a work order, then we go out and unlock the padlock, then we return the work order back to city hall, and then you start the billing process. That is how we do all of them." Paul Abendroth, "I'm not even hooked up to the water meter, but I am already getting billed for it." Superintendent Hawkins, "Because Cook's came to me and asked for your water to be turned on. That was a request by your plumber." Paul Abendroth, "Then why is the padlock on it then?"

Superintendent Hawkins, "Because we padlock all of our meters. If we have the eyelet that we install, then we always put it on there. What it does is it generates orders. In the past, what we have done is if we didn't padlock it and people ask for it to come on, then two or three months go by because the plumber goes out to turn the meter on, then it isn't billed for two or three months. Then when we bill for the past two or three months, the homeowner gets upset. So, it is easier for us to put a padlock on it then we are asked to turn the water on. I'm assuming because Cook's plumbing said that you told them to come down to me and turn the water on." Paul Abendroth, "Then why am I being billed?" Superintendent Hawkins, "Because it generated a work order to be turned on." Paul Abendroth, "That doesn't mean that I should be billed for no use of water." Superintendent Hawkins, "You are going to get billed for your service charge regardless once a month. If you would like us to turn it off, you can request that at City Hall. We can come out and turn the water back off, and we will put a padlock back on it. It's your decision." Paul Abendroth, "No." Council Member Tschantz, "Easy Paul."

City Clerk Brown, "You can come down to City Hall, and we can look at the bill with you and see what the charges are." Paul Abendroth, "I need to have the water on to start with because the water lines in the house have to be checked before I do the sheetrock." Superintendent Hawkins, "Okay, and when the plumbers come to us because the homeowner requested to turn on the water, that is what triggers us to start our billing process. That way, the plumber doesn't turn it on and off, and then three months later, someone doesn't remember to tell city hall. It is the way we do things to make sure that we follow up on our part, and it follows up on your part." Paul Abendroth, "That sounds like a screwed-up deal to me." Mayor Luke, "If they came in tomorrow and said they wanted the water back on, the padlock removed, then they would have access to the water to check their distribution inside the house?" Superintendent Hawkins, "We can. I'm just saying the policy that we have been doing for years and years and years is that if a plumber comes to us and asks us to turn the water on, then that is when we generate the work order."

Mayor Luke, "If the owner of the building comes in and asks to have it turned on, then do we remove the lock?" Superintendent Hawkins, "Yes, then it generates the request. Any of them, homeowner or plumber, because they are speaking on behalf of the person owning the residents." Mayor Luke, "Okay, so if I have it correct, then first thing tomorrow morning, if they came in and said I want my water on, you will go out, it will create a work order, and you'll remove the lock. Then he will have water." Superintendent Hawkins, "Continuously from there on out and it starts the billing process. The issues that we have had in the past is that we would rely on the plumber to come back to tell us--." Mayor Luke, "We have to end this because it is 6:20, and we have to go into a hearing. So, Paul, first thing in the morning, request it, and they will remove the lock." Paul Abendroth, "I'll make this statement. I think if the meter is put in to start with, then I think it ought to be left unpadlocked so the plumber can get his job done without having to --." Superintendent Hawkins, "The plumber has to come to us." Mayor Luke, "We have to go into the hearing."

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APPOINTMENT: Public Hearing for Revenue Neutral Rate

Council Member Lenard, "I move to authorize the Mayor to open the public hearing for the Revenue Neutral Rate." Council Member Ernst, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

Time Opened: 6:21. Mayor Luke, "At this time, the hearing is open. Are there any comments from the public?" No comments were made.

Council Member Lenard, "I move to adopt Resolution 2022-06. to Levy a Property Tax Rate Exceeding the Revenue Neutral Rate." Council Member Shove, "I second the motion." Hearing no additional discussion, Mayor Luke instructed City Clerk Brown to poll Council. Council Members Curtiss, Ernst, Berryman, Shove, and Lenard voted, 'Yea' and Council Member Tschantz voted 'Nay'. Mayor Luke declared the motion passed, 5:1.

Council Member Curtiss, "I move to close the public hearing." Council Member Ernst, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0. Time Closed: 6:23

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.

Skate Park – Down Guy: Superintendent Schneider, "We have replaced another down guy anchor at the skate park by the old armory."

Pole Replacement: Superintendent Schneider, "We changed a single-phase junction pole down in Kelley Park. We had two underground primary feeds serving off of that."

Maintenance: Superintendent Schneider, "The men are doing equipment maintenance."

Call-outs: Superintendent Schneider, "We worked three call-outs since last council. Starting Saturday, August 27th, we had a broken area light pole at the rehabilitation center here for Coffey County Hospital. That was an area rental light. After visiting with Vic at the hospital, that light is not needed because they have enough security lights on the outside of the building that we just removed that and took that off of their billing for that monthly fee. Saturday, September 3rd, we had a line fuse blow out at Country Club Heights. A squirrel had got on a primary piece of that before it goes into the underground headed north out there. That outage is limited to two homes. Sunday, September 4th, we had a call for a three-phase broken poll. If you look out east of Casey's, you can see we have our digger truck tied to that. We start working on that tomorrow to replace that pole. It was just rotten. A gentlemen's camper roof caught it. There was no damage to our conductor going across there."

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 plant reports. We are finalizing reports to submit to Kansas Power Pool for our annual capacity payments."

Southwest Power Pool Guidelines: Superintendent Schneider, "Monday, August 29th, Larry Holloway with Kansas Power Pool came to visit. He just wanted to see the progress with the project. We had some discussion about Southwest Power Pools setting some new guidelines for reporting outages of generators that might be taken out of service. There is going to be a new reporting procedure for that. Depending on how that downtime works, it could affect annual capacity payments that are paid to the member cities."

Generator Project: Superintendent Schneider, "Larry Wheeler is in the process now of trying to schedule the concrete pump truck with the concrete company. Once they get that scheduled, the main factor of that is the pump truck availability, and they are ready to pour the foundation walls for the generator."

QUESTIONS/COMMENTS

Council Member Lenard, "On the new reporting with the Power Pool, do we have a guesstimate of what the financial impact may be with the capacity payments?" Superintendent Schneider, "That would really depend on the capacity of the generator. Basically, what they do is –say we took #6 out of service for two months, then they would prorate that out of our capacity payment." Council Member Lenard, "So, if we looked at our average run time for our last year and compared it to this year, could we figure out what delta may be financially?" Superintendent Schneider, "I could break that down to say if it was down for a week, what that would look like. I did not have time to do that today, or I would have had that ready. – One more thing, if I have time, Lewis had asked me about an outage in the southwest part of town. We didn't actually have an outage to where a customer called and said we are out of service. We had a breaker operation on circuit three, and we have not found a cause to that. We are looking to see if we can see anything that is out of place so we can prevent anything further from that incident."

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APPOINTMENT: PUBLIC HEARING FOR 2023 CITY BUDGET

Opening the Public Hearing: Council Member Curtiss, "I move to authorize the Mayor to open the public hearing for the City Budget for 2023." Council Member Tschantz, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0. Time Opened: 6:30 p.m.

Mayor Luke, "Are there any comments from the public?" No comments were made.

Taking Action: Council Member Lenard, "I move to adopt the City Budget for 2023 as presented." Council Member Tschantz, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

Closing the Hearing: Council Member Lenard, "I move to close the public hearing." Council Member Ernst, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0. Time Closed: 6:31 p.m.

EXECUTIVE SESSION:

Council Member Lenard, "I make a motion to enter a 10-minute Executive Session for consultation with an attorney on matters that would be deemed privileged in an attorney-client relationship per K.S.A. 75-4319(b); with the Governing Body, Mayor Luke, City Clerk Brown, and outside counsel present." Council Member Curtiss, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0. Mayor Luke, "As soon we have legal counsel on the phone, we will start our ten minutes."

Mayor Luke, "Our time is up, so we are now back in regular session. We need to have an additional executive session."

Council Member Lenard, "I make a motion to enter a 10-minute Executive Session for consultation with an attorney on matters that would be deemed privileged in an attorney-client relationship per K.S.A. 75-4319(b); with the Governing Body, Mayor Luke, City Clerk Brown, outside counsel present, and Tai Coons." Council Member Ernst, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0. Time Closed at 6:46 p.m.

Mayor Luke, "We are now back in regular session."

Action Taken: Council Member Lenard, "I move to approve selling to Mae Builders LLC the section of property at Industrial Park #4 Lots 10-13, for \$9,000 and in accordance with the contract between the purchasers and City of Burlington, noting that it is contingent with the removal of article 35.4." Council Member Ernst, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

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.

Water Leaks: Superintendent Hawkins, "We have had three water main breaks that we fixed. Those were over on First and Franklin, 16th and Neosho, and the third one was at the electric plant."

Sewer Pump Station Maintenance: Superintendent Hawkins, "We have been working with Jim Morris with RW Vaught. He has been helping us with the sewer pump station. I want to thank Alan and his guys for going out and doing some troubleshooting out there. We are trying to alleviate some of the situations where we are getting faults on our sewer pump station. He ordered some relays and a backup battery as well. He will install those as soon as they arrive along with a couple of relay switches. I am hoping that will alleviate some of those dings we get all night long."

AMI Meters: Superintendent Hawkins, "We got another 30 one-inch meters. The guys have been going out and installing those as well."

WATER AND WASTEWATER: Production Update

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

Mixer Maintenance: Superintendent Hawkins, "We did some maintenance on our lime mixer. I ordered new blades for them since the old ones were wearing out. We will do the installation on them here shortly. Those are on the way."

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WATER AND WASTEWATER: Personnel – Recommendation to Hire

Superintendent Hawkins, “We did have an interview with a young man named Noah Hollinger. I wanted to thank Martin Ernst for sitting in on that as well. I would like to give him an opportunity to come to work with us at the water plant. He had a really good interview, and I am really impressed with him. I would like to give him that opportunity.”

Council Member Ernst, “I move to extend an offer of employment as a water/wastewater non-certified operator to Noah Hollinger, at the starting hourly salary of \$18.42.” Council Member Curtiss, “I second the motion.” Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

Superintendent Hawkins, “I’ll let him know this evening. Also, talking with Martin and Anne, and the others, I just wanted to open it up for discussion with the whole council. We know that there is a lot of stuff that we are hearing with the development up north; I think it would be in the best interest of the water department that we look at filling the trainee position. If we do end up having to produce more water and have more shifts, then we need to be ready to have more operators available. I know the trainee position isn’t an operator position, but we would be able to move that person up quickly and get them into that certified operation over some time. I am just wanting your thoughts on that. If it is okay with you guys, I would like to go out for applications for that with your blessing.”

Council Member Lenard, “What did the committee say? Did you talk with the committee?” Superintendent Hawkins, “I visited with Martin and a little bit with Mrs. Jerilyn today.” Council Member Tschantz, “Personally, I don’t see anything wrong with it. If we are looking at some new company coming in, then we are going to be providing a lot of water, then we need a trainee because that is going to be a lot of hours.”

Council Member Ernst, “I move to authorize Superintendent Hawkins to advertise for a Water/Wastewater Operator Trainee until filled.” Council Member Curtiss, “I second the motion.”

Council Member Curtiss, “It has taken a while to get somebody in this position anyway, hasn’t it?” Superintendent Hawkins, “Yes.” Council Member Curtiss, “So, it’s to our advantage maybe to put this out there.” Superintendent Hawkins, “Yes, be proactive now. I feel really blessed that we found Noah early. I am hoping he comes out and does a good job. I am looking at down the road. If we need more operators, we need to start training them now. Trying to find that person too has been really challenging for us too. I am just trying to be proactive and get the ball rolling before it actually gets here.”

Council Member Lenard, “When you interviewed, how many interviewees did you have for this position.” Superintendent Hawkins, “I only had two applicants. Basically, what we have been doing is as applicants come in, we are just interviewing them as they come in. We can’t even get a pool anymore.” Council Member Lenard, “Was there anyone in that pool that could be the trainee?” Superintendent Hawkins, “The first one could not be the trainee, no. All this time that we have been advertising, we have only had two applicants. It’s a tragedy when we used to go out; we would get 20 or 30 applicants, then we could pick the best three and interview them. Now it’s slim pickings. It’s hard just to get people to apply.” **Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.**

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.

Tree Trimming: Superintendent Davidson, “We have been doing quite a bit of trimming street trees.”

Road Maintenance: Superintendent Davidson, “We have been filling potholes and rocking roads. We worked on radiuses on several different intersections.”

Crack Filling: Superintendent Davidson, “We are trying to get our crack filling started. The guys have been working the last six- or seven-days crack filling. You will be seeing them in a different part of town.”

Safety Meeting: Superintendent Davidson, “We attended the monthly safety meeting.”

Country Club Heights – Alley Work: Superintendent Davidson, “There is a resident out at Country Club Heights that is building a new 40’ by 50’ storage building. He has requested an extension of the alley entrance off of Gary Street. We went out yesterday and started working on it, and we found that it has already been rocked. It has already been there for quite some time, so we dug it down and will re-rock it for him. We will also rock the west alley.”

POLICE DEPARTMENT: Update

General: Normal Duties.

Activities/ Cases: Chief Jones, “We have making arrests on domestic violence calls and driving while suspended. We made an arrest for trespassing; he bonded out, and we turned around and arrested him for trespassing again. That time he picked up a 2x4 and went after one of the sheriff’s deputies, and he got tased for his trouble. The county attorney has all that through district court. We are also working fight calls.”

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“Another person fell for another scam. He stayed on the phone with them the entire time. They went to two different banks, withdrew \$5,000 in cash out of each bank, then drove to Council Grove, which is the nearest UPS store, and he gave them instructions on how to package it up, what to tell the clerks in answer to their questions, and they mailed \$10,000 in cash to somebody in Florida. I think on the opinion page in tomorrow’s paper; there is yet another article about falling for scams. People just don’t get it. Even if you have the slightest question, call us or the Sheriff’s Office. Talk to somebody. Don’t believe this stuff.

“We’ve had injury and noninjury accidents and funeral escorts. We finished up a very extensive child abuse case. An eight-month-old and an almost two-year-old. He is in jail on, I believe, a \$75,000 cash bond. We’ve made arrests on city warrants.”

City Court: Chief Jones, “We have city court tomorrow.”

Intern: Chief Jones, “The high school gave us a new intern. Today was his second day, and I just met him for the first time today. He wants to be a state trooper, and he wants to get a feel for it and get his feet wet and see what he is looking at getting into. He seems like a good kid.”

OK Kids: Chief Jones, “We have OK Kids this weekend. We have been busy working on that. Set up for that will be Friday. We are absolutely delighted to be back out at John Redmond for this event.”

Nuisance: Properties/Vehicles Update: Chief Jones, “We received calls on grass over the weekend. We are working with Jimmy on getting those resolved.”

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, “We mowed three nuisance properties on our normal list.”

Dynamic Discs Course: Superintendent Boyce, “An update on the disc golf at Oak Park. The Recreation Commission board okayed paying for all of that. Basically, we are just going to be providing the property for it. I will do a little assist in backfilling and prepare for grass seed.” Mayor Luke, “Is there any maintenance to do on this?” Superintendent Boyce, “Not really.” Council Member Ernst, “What kind of time frame are they looking at?” Superintendent Boyce, “As soon as possible.” Council Member Ernst, “How long do you think it will take to get it built?” Superintendent Boyce, “I don’t know. I asked yesterday how soon we can start, and he told me as soon as possible. I think it is going to be pretty quick, and I don’t think it will take long. Probably by the end of the year, it should be mostly installed.” Council Member Curtiss, “Yeah, they will need concrete and all of that.”

Superintendent Boyce, “If you look at hole #3, that is going to change a little bit. Where the yellow circle is the X, that is the basket that will be moved to the west a little bit or your left if you are holding it. Hole #5 is the same thing. You can’t really see the basket in the picture, but it will also be moved to the left a little bit. Hole #3 is actually in an easement, so it is not actually on our property, so we will move it over a little bit. Then the same on hole #5. So, we will move it over a little bit and get it on our property; then, we won’t have any issues. At the last meeting, I said it would be 12 or 13 holes. I don’t know what changed. That is between Scot and the designer of the course.”

FINANCE: Claims Ordinance & Payroll Ordinance

a. Claims Ordinance	2022-17	\$	<u>419,397.95</u>
b. Payroll Ordinance	2022-18	\$	<u>94,414.80</u>
	TOTAL	\$	513,812.75

CLAIMS 2022-17: Council Member Lenard moved to approve City of Burlington Claims Ordinance 2022-17 for the amount of \$419,397.95 for payment of city bills. Council Member Ernst gave the second. City Clerk Brown, “The larger expenses we have tonight are Allgeier Martin \$6,064.01, Brenntag \$12,229.60, Core and Main \$10,017.18, Killough Construction \$266,511.10, Midwest Metering \$15,800.00, Stanion Wholesale \$7,510.62.” **Hearing no additional discussion, Mayor Luke instructed City Clerk Brown to poll Council. All votes were in favor. Mayor Luke declared, “Claims Ordinance 2022-17 passed unanimously, 6:0.”**

PAYROLL 2022-18: Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2022-18 in the amount of \$94,414.80, 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 2022-18 passed unanimously, 6:0.”**

PLANNING & ZONING: Update

General: Zoning Clerk Hugunin, “Normal duties.”

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Nuisance: Grass/Weeds: Zoning Clerk Hugunin, "Like Chief said, we have still been dealing with several properties on grass and ditches. Chief delivered a ten-day letter ten days ago today. They got it mowed Sunday or Monday. We sent over a couple of other courtesy letters. I have one lady that I talked to, and she has a new mower coming today. She is older and lives by herself. I am still working on one with a ditch, trying to find the owner, which has been difficult. I might have found it today."

Subdivision: Zoning Clerk Hugunin, "I had a meeting Thursday with a proposed subdivision. I had Danny, Alan, and Mark there. We went over what we would like to see on the plat and what we need. I gave him a copy of the developer's agreement. When we get that back, then we will proceed forward. I think we have talked about it in the past; it is just across from Country Club Heights. There is a lot of stuff that we have to do there. That is not our extraterritorial, and it is not in the city, so there is a little bit of work to do there. We will see what happens."

Permits: Zoning Clerk Hugunin, "I have been updating permits, and then I issued a few building permits this week. Only for garages."

OTHER COMMITTEE OR COUNCIL BUSINESS:

ORDINANCES:

LEGAL DEPARTMENT: Update

General: Attorney Wright, "Normal duties. I don't have anything unless someone has questions."

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 August, we will be sending \$809.45 in delinquent accounts to the Kansas set-off program for collections.

2021 Audit: City Clerk Brown, "I did receive, and after reviewing, I did accept the 2021 draft audit. Sean with Gordan CPA Auditing, Accounting and Counseling will be here at the next council to present the final audit."

Interviews: City Clerk Brown, "I set in on interviews."

Reports: City Clerk Brown, "I handed out your COVID-19 sales tax and utility revenue reports."

Kansas Homeland Security - Hazard Mitigation Plan: City Clerk Brown, "I sent an email out to all of you this afternoon. It came in on the first, but I did not get it until this week because I was out all last week. They sent a new form for us to fill out from the state from the adjutant general. This is something new that we have not done before. I spoke with Julie at the county today, and they are pressuring her to get them signed and turned in. We normally do a resolution which she said that would just come later. They are just wanting us to get that filled out and sent in."

Council Member Curtiss, "Is there a cost to this?" City Clerk Brown, "Not that I am aware of." Council Member Curtiss, "When I read through it, I didn't see anywhere where there was a cost." City Clerk Brown, "This is just saying that we are going to participate in the mitigation." Attorney Wright, "They just want assurance that the city intends on participating in the program. I think they have to send a couple of people to a meeting or two. It is all detailed in that letter. We just need somebody to authorize the city to sign that and send it over. It's not really binding." Council Member Curtiss, "Okay, because I read through and didn't see that we had to pay anything." Attorney Wright, "I think it is all federally funded." Mayor Luke, "We have done this process before, but we have not had to do this letter. That's what's new." Council Member Curtiss, "That's what's new? This last part?" Mayor Luke, "Yes."

Council Member Curtiss, "I move to authorize Mayor Luke to sign the Regional Hazard Mitigation Plan." Council Member Ernst, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

QUESTIONS/COMMENTS

Council Member Lenard, "I know we have talked about our salary survey. What is the schedule for that?" City Clerk Brown, "Actually, I got the information on it. I have not gotten it printed out yet. I need to get it printed and start looking at it." Council Member Lenard, "So then in the grand scheme of things because we just voted for our budget. What is the timing if there was an adjustment to the salaries to the budget for timing wise?" City Clerk Brown, "We can't change the budget at this point in time because we just accepted it tonight, so--." Council Member Lenard, "I understand that, but obviously, you can deplete your budget pretty quick. So, what is the timing of that?" Mayor Luke, "Well, any increase of salary or changes take place in April, which is no different than before. It has always been in that timeline." Council Member Ernst, "This is just something that gives us an idea?" Mayor Luke, "Of where we sit. It gives us a chance to review it and make sure where we are. If we are way out of whack one way or another, then we can adjust and take care of it." Council Member Lenard, "And our last adjustment was when?" City Clerk Brown, "In April." Council Member Lenard, "No, salary." Mayor Luke, "It was four years ago. When we do cost of living other things, we stay pretty close." Council Member Lenard, "Okay, thank you."

REPORT BY CITY OFFICERS:

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MAYOR'S COMMENTS:

CHIPS for America – New Plant: Mayor Luke, “I will be sending each of you an email tonight. On that will be a map that Bobby Skipper passed out to the commissioners showing kind of the site plan for the project up by BETO Junction. My computer skills are fair, and I could not get it reduced enough to fit on one page. So, I will send everybody the map so you will have it. Within the next two meetings, I will bring an update on everything that we have been going through and doing and the status of several things that the county and the composite group should have with respect to where we set. We will not have an application process from the federal government by then. We are hoping to have it by the end of November. We will prepare to file our application as soon as that application process is open. I am not sure that I would say the end of November is a good date with the elections and everything. Hopefully, by the first of the year, in my cloudy crystal, it’s a little clearer in January.

“Things are still progressing. We have had several meetings with high-level people from the federal government and the state. We are making progress. We are scheduling meetings with the governor and the potential future governor to get their buy-in. We have met with the department of defense and the general contractor who will oversee the construction of all the buildings. We have worked with the training people for what training is going to be involved to fulfill the jobs that are there. We are getting our final numbers from all of the potential plants to know where we sit with how much water we are going to need to supply. Danny tells me there are multiple levels of gray water, so we are determining if ours is light gray, medium gray, or dark gray.

“Talking with some people about what it would cost to generate this kind of water flow and supplying that the budget for the project which there is scheduled to be an excess of one billion dollars. Hopefully, I will have some more information on that. Right now, we don’t have enough for her. Definitely, nothing that is final. Everything looks good; as soon as I get a little more on the water side with the water committee and get them fully vested in everything. Right now, we really don’t have anything to go on other than five million gallons a day sometime somewhere. Other than that, I don’t have anything on the water side.”

Council Member Lenard, “What is our capacity of our existing water towers?” Superintendent Hawkins, “Right now, the blue water tower is 250,000 and the gray 200,000. We have half a million in the ground, so we roughly have a million gallons capacity.” Council Member Lenard, “And if a person was to order a new water tower, what would be a reasonable --.” Superintendent Hawkins, “You’re probably looking at, depending on the size of the tower in gallons, if you’re going to build something comparable to the blue water tower, it would be \$300,000 to \$400,000. That is just a guess.” Council Member Lenard, “What time? How much time?” Superintendent Hawkins, “Well, materials would be the biggest issue with everything; you can’t get them. We have heard numbers from engineers say it may take a year or a year and a half to get things here. The issue is the material. I know a lot of the projects that they say even some of the larger ones, they are ordering material, and it’s taking a year and a half or two years to even get there to the sites.”

Mayor Luke, “They aren’t looking for anything for even partial operation until mid-2025. So, that is where we sit with it for now.” Superintendent Hawkins, “The biggest challenge we have with infrastructure is getting it out of Burlington. The arteries getting it out need to be substantially longer than what they are right now to get the capacity.” Mayor Luke, “Then water district #3 will be the distribution company that goes out.”

Community Improvement Plan: Council Member Lenard, “I didn’t make the last one, but I seen the notes, and we’ve exchanged some emails, but we have our projects with the county. I was under the impression a few months ago that we shut down the New Strawn to Burlington trail for the main purpose of the potential cost and lead time to build a bridge over the river and dealing with the Corps. The emphasis was developing trails in town. That’s what all the other cities said. Then apparently, it’s back on the radar.” Mayor Luke, “I don’t think it ever left.” Council Member Lenard, “I guess my only input is if you’re going to have a committee to spend time and make recommendations, then maybe you ought to do it.”

Mayor Luke, “At the meeting there, myself and Jerilyn were trying to get to the maps where the routes were inside the city limits, and we have to go to Google Earth to get those maps to pull up. I didn’t realize that. They are also working on the stormwater issue. There are some modifications and changes in that. They have three or four potential sites to the west of Burlington for either dry storage, which means they will have a dam there that will direct the flow of water into a retention area, or they will have a continual wet storage where there would be a lake. They did have an error on their maps. They had the Country Club marked as closed, and after they showed that, I made a comment, and they said, oops, that was supposed to be on Strawn’s map, not Burlington’s. They are taking care of that because they washed out all of seven, eight, and nine. That has been taken care of. We will see. The next meeting is the last Wednesday of September. Waverly, Strawn, and Burlington were the only ones present.”

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Council Member Curtiss, “I would think if they were here and looked at that, they would have known that Country Club is active.” Mayor Luke, “I don’t know who the engineer lady is that was doing it, but I think she just got on the wrong page and wrote closed. There weren’t any pictures. That is where that sits. They keep hounding on the Burlington to New Strawn, and they had three or four routes that they are proposing, including walking along the highway over the top of the dam. We will see.” Council Member Lenard, “It will go away in time.” Council Member Curtiss, “It will. I believe that.” Mayor Luke, “It is just like the routes in town, the walking trail in town, its private property. If the people don’t want the sidewalk or a five-foot-wide walking facility on their property, we cannot mandate that it happen. If they go down Housatonic, there is not a single sidewalk west of 6th street. They want to take it all the way to 12th and they want to walk right through the disc golf course. I have a feeling that is going to kind of--.” Council Member Lenard, “Here’s your helmet.” Mayor Luke, “I think that will go away too. They have a proposal.”

Disc Golf: Council Member Curtiss, “That disc golf it’s really interesting how many different kinds of discs there are for all of the different distances and everything. It was just amazing.” Mayor Luke, “It is almost as expensive of a sport as buying golf clubs. You have left, right, up, and down. You see them carrying a whole duffel bag.” Superintendent Boyce, “The difference between a golf course and a disc golf course is there is no charge in disc golf.” Council Member Tschantz, “Not yet.” Superintendent Boyce, “Nope, there is not going to be.” Council Member Curtiss, “No.”

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