

BOOK 26

November 15, 2023

BURLINGTON CITY COUNCIL REGULAR SESSION 11-15-2023

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, November 15, 2023. Mayor 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)

Lila Van Horn

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)

Greg Holmquist (Assistant City Attorney)

Kerri Weltha (Deputy City Clerk)

Media Present: Mark Petterson (Coffey County Republican)

VISITORS: Robert Skipper, Jay Hale, Wade Bowie, Shawn McAndrew

AGENDA:

Council Member Lenard, "I move to approve the agenda as presented." Council Member Ernst, "Second." Motion unanimously carried, 4:0.

MINUTES 11/1/2023 & 11/2/2023: Mayor Luke, "You have before you the draft minutes of our regular session of November 1, 2023, and special session of November 2, 2023. Are there any additions or corrections?"

Council Member Van Horn, "I move to approve the draft minutes of November 1, 2023, and the special session draft minutes of November 2, 2023, as presented." Council Member Ernst, "Second." Motion unanimously carried, 4:0.

APPOINTMENT: Mike Abendroth – Canceled

APPOINTMENT: Bobby Skipper – Chili Competition Judging – Rotary Fundraiser – December 2

Bobby Skipper, "Council and Mayor, thank you for having me, and good evening. Congratulations to those of you who passed muster and won reelection. I look forward to another great year ahead, well, another four years for you guys. I am here tonight to ask for the council to come to the Christmas parade and judge the chili again. Last year was the first year we did it. It turned out to be a lot of fun. It was kind of neat. This year, we are going to do it again right outside of Zen Den next to EB Sports. We will have tables inside and outside. Chili will be for sale to the general public. We have had a lot of good suggestions on how to improve it so we will make those. But we would ask the council to act as judges. You will have a nice warm seat on the inside, and we would like you to judge all the chili. We hope there is a lot more chili and people take a bit more pride in trying to win to have the best chili. If it is the council's pleasure, we would love to have you."

Council Member Van Horn, "Would you remind us of the date for that?" Bobby Skipper, "December 2. I forget the time we agreed on." Chief Jones, "The parade starts at 6:00 p.m. I think the chili starts at 5:00 p.m." Bobby Skipper, "Okay." Mayor Luke, "So, be at the Zen Den by 5:00 p.m." Bobby Skipper, "That sounds good." Mayor Luke, "Bring your appetite." Bobby Skipper, "Thank you."

APPOINTMENT: John Kuhlmann – No Show

PUBLIC COMMENTS: None

ELECTRIC DEPARTMENT: DISTRIBUTION Update

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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.

KMU Training: Superintendent Schneider, “We have been in communication with the Kansas Municipal Utilities trainer on setting the 2024 training schedule for the city employees.

Pole Maintenance: Superintendent Schneider, “We did straighten a pole that was in good shape but leaning. We straightened it and put a pole set around it.”

Equipment Maintenance: Superintendent Schneider, “Our digger truck we were having troubles with our third extension on that. We did have a pressure switch on the boom that needed repaired. We got that taken care of today.”

Hazardous Tree: Superintendent Schneider, “We did cut a hazardous tree on the 1000 block of St Lawrence that was leaning over our secondary service. We removed half of the tree.”

Area Light – New County Parking Lot: Superintendent Schneider, “We installed a new area light for the new parking at the courthouse where the church was. We installed it on the north end of that parking lot. That went in today.”

Old Sewer Lagoon: Superintendent Schneider, “We went down to the original sewer lagoon down by the Strawder property. We had three poles and three transformer cans there that we used for a training field. We moved that stuff, and it’s out of 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 reports.”

Service Wire: Superintendent Schneider, “We hooked the service wire from the transformer that serves the power plant to the new breaker panel for the new generator; we pulled that wire in and got that terminated yesterday.”

Training: Superintendent Schneider, “New operators are still training.”

Generation Project: Superintendent Schneider, “They are continuing to work, and they have been working some very long hours and Saturdays and Sundays. Pumps and motors are being tested for function and phase rotation. They are continuing to run control wires. The list is getting a lot shorter. A lot of progress is being made. It is starting to take shape really well. I don't want to even guestimate a time frame, but I can tell you they are plugging along pretty well. I'd invite anybody that wants to come out and take a peek to come out.”

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.

Equipment Maintenance: Superintendent Hawkins, “We did get our skid loader back from Victor L. Phillips, so that is completely fixed now. I am glad to have it back. We have also been doing a lot of work on the telehandler, going through it and getting it up to speed as well. I am very pleased with the guys doing all the maintenance around the shop as well. They have been doing welding on different brackets and stuff at the plant.”

Pump Station Maintenance: Superintendent Hawkins, “We had Douglass Pumping come down to help assist us with pump stations #3 and #6. So, they kind of gave us an idea on how to rebuild the propellers and ware plates on those. They are still helping. They are going to be coming back in a few more weeks.”

Rural Water District #2 – Boil Advisory: Superintendent Hawkins, “As many of you probably know, you probably heard there was a boil advisory that Rural Water District #2 had. So, our phones were getting burned up at the water plant, and I know city hall. So, the radio gentlemen called me asking for details. I told him I'd help

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with that as far as getting it on the radio. As soon as I heard from Mike Riley with Rural Water District #2 that the boil advisory was lifted, I contacted the radio station to let them know also. We try to keep everybody updated. There was nothing in Burlington."

WATER AND WASTEWATER: Production Update

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

Water Usage: Superintendent Hawkins, "We are running a little over 500,000 gallons a day. Since we have had the rain, we are pleased to hear that the assurance district is not having me report anymore to their office because Redmond has plenty amount of water. They sent us an email and told us that we didn't have to report any more on that."

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.

Equipment Maintenance: Superintendent Davidson, "We have been doing work in the shop. We installed a new quick-attach bracket on our tractor. We use our pallet forks on it."

Road Patches: Superintendent Davidson, "We have done some hot mix patches on Alleghany where we had the water leaks."

Culvert Replacement: Superintendent Davidson, "We have also done a culvert crossing at 14th and Alleghany."

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

Trash Pump Repair: Superintendent Davidson, "We rebuilt the trash pump. We have a small trash pump that we can transfer water with that needed some assistance."

Street Maintenance: Superintendent Davidson, "We re-re-rocked 7th Street from Alleghany to Kansas."

Event - Barricades: Superintendent Davidson, "We took barricades down to Kelley Park for the Cancer Support Group walk."

Speed Limit Sign Replacement: Superintendent Davidson, "We had an issue with a speed limit sign on Niagara due to a fire in the ditch from some leaves. We had a report that the sign was damaged. The reflectivity was still good on it. We just, to save everybody a lot of grief, went ahead and changed it out with a new sign and pole."

Thank You's: Superintendent Davidson, "I need to say thank you to Jimmy. He set up a webinar for us for 811 Dig Safe. They had some new changes for our call-ins."

QUESTIONS/COMMENTS

Mayor Luke, "Are we set for winter?" Superintendent Davidson, "Yes sir, we are. We are ready for it to be over with. We have plenty of salt mix; we just need some ambition."

POLICE DEPARTMENT: Update

General: Chief Jones, "Normal duties."

Activities/ Cases: Chief Jones, "We had a report of shots fired in town towards the 500 block of Hudson. Officers got there and found that some Wolf Creek contractors had been grilling outside and drinking while they were grilling, and then they got their firearms out with their suppressors and started celebrating something. Unfortunately for them, one of the responding officers was head of security out at Wolf Creek, so they were terminated within an hour. They had worked out a deal with the court system. They weren't happy with the outcome, but they were working diligently to try to resolve it as best as they could."

"I worked an unattended death. Had a juvenile domestic violence thing. Sometime either Saturday or Sunday, the legion found that their building had been broken into down on 3rd street. They pried open the south-facing

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door, the one that faces the alley. We think they were looking for or expecting to find the money from the mouse races the previous weekend, but that had already been deposited. They did damage inside, but they didn't find anything that they wanted to steal."

Personnel – Graduation: Chief Jones, "Friday, I went out to KLETC. Victor Burr graduated from the academy. That was a good deal there."

City Court: Chief Jones, "City court was last Thursday. That one went quickly. No problems there."

Nuisance: Properties/Vehicles Update: Chief Jones, "Then the demo project at 507 S. 6th, there are some pictures on the tables there; he is going to go ahead and seed, and that is the only thing left to do. The property looks good. When he has it all seeded, he will call me to come over and take a look at it. I have been pleased with how quickly they have gotten this one done. They did a good job for us."

PARKS DEPARTMENT: Update

General: Personnel have been doing the normal duties: cleaning public restrooms and buildings, and building and equipment maintenance.

Tree Trimming: Superintendent Boyce, "We have been trimming trees yet."

Mulching Leaves: Superintendent Boyce, "We will be mulching leaves in Kelley Park probably until the end of December, weather permitting."

Hazardous Tree Removal: Superintendent Boyce, "We have been cleaning up the stump grinding from the hazard tree removals and putting dirt back in the holes and seeding them. At the last meeting, Stan asked how many trees and I said 13 or 14. In that time, I added a few more. There were actually 18 trees removed with the stumps ground down, and then we had nine other stumps that city crews had already removed that they ground the stumps for."

FINANCE: Claims Ordinance & Payroll Ordinance

a. Claims Ordinance	2023-22	\$	<u>110,004.01</u>
b. Payroll Ordinance	2023-23	\$	<u>101,584.23</u>
	TOTAL	\$	<u>211,588.24</u>

CLAIMS 2023-22: *Council Member Lenard moved to approve City of Burlington Claims Ordinance 2023-22 for the amount of \$110,004.01 for payment of city bills. Council Member Ernst gave the second.*

City Clerk Brown, "The larger expenses we have tonight are Brenntag Southwest \$16,538.40, C&B Equipment DBA Douglass Pumping Service \$5,028.50, and Trenary's Tree Care \$10,175.00." **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 2023-22 passed unanimously, 4:0."**

PAYROLL 2023-23: *Council Member Lenard moved to approve City of Burlington Payroll Ordinance 2023-23 in the amount of \$101,584.23, 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 2023-23 passed unanimously, 4:0."*

PLANNING & ZONING: Update

General: Zoning Clerk Hugunin, "Normal duties."

City Hall – Server Room Cabling Project: Zoning Clerk Hugunin, "The cabling project here in the server room is done. It looks really good. They did a great job. It doesn't look like a bunch of spaghetti hanging out of the wall now."

Vehicle Maintenance: Zoning Clerk Hugunin, "City Hall vehicles are scheduled for normal service."

Department Assistance: Zoning Clerk Hugunin, "As Mark said, I set up the video conference for them."

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Nuisance: Weeds/Grass Update: Zoning Clerk Hugunin, “I am still working on two yards. One of them looked like they were mowing today, so it may only be one yard now.”

City Hall – Phone System Update: Zoning Clerk Hugunin, “We have to get a new phone system. We are having trouble with this one like Chief had with his. It will be here next week. We are going with MT Networks. We will have a local vendor. I think it will be a better service than what we were getting before.”

Zoning: Zoning Clerk Hugunin, “Then I have been getting lots of calls for zoning.”

QUESTIONS/COMMENTS

Council Member Van Horn, “Well, I don’t know if this is your department or not, but last meeting, we had Jim Hess here asking about mowing a right of way. Has somebody taken care of that?” Superintendent Boyce, “It’s been mowed. It was on my list to do. He just got here before I got it done.” Council Member Van Horn, “Alright, thank you.” Council Member Ernst, “Thank you.”

LEGAL DEPARTMENT: Update

General: Attorney Wright, “Normal duties.”

Floral Park: Attorney Wright, “I have been working on a couple of things. You have a copy of a draft ordinance in front of you. I am not going to ask the council to pass this tonight, but I wanted to get it in front of you. This is in regard to Floral Park and the school district’s request to remove the contractual and the deeded restrictions so they can have that and develop it. I have ordered a title report which will show if there is anything out there that we need to know about before we do this. The title companies are having a little bit of a difficult time doing some of those title searches right now because the state of Kansas court system was hacked, and they need to be able to get into those systems to be able to do their search. She told me she was going to get up there, maybe tomorrow or something; maybe this week. So, we are a couple of weeks out from getting that back. That is where that’s at. If anybody has any questions or comments about that, let me know.”

Old Sewer Lagoon: Attorney Wright, “I have also been working on the real estate purchase contract for the sewer lagoon. I think we about have that. There are just a couple of things we need to work on that.”

CITY CLERK: Update

General: City Hall Staff have been busy with customers paying utility bills, normal calls and inquiries, preparing work orders, vouchers for bill paying, payroll, and council meeting minutes.

Goals and Accomplishments: City Clerk Brown, “Mary has handed out the goals and accomplishments to all of the superintendents to be returned by Monday, January 8th.”

Personnel Training: City Clerk Brown, “Kerri is gone to attend clerk training this week in Wichita.”

Trash Exemption: City Clerk Brown, “Trash exemption letters have been sent out, and we have been getting a lot of those back already.”

Atmos Energy Project /Trash: City Clerk Brown, “The trash can be put back in the alleys for those people that had to set their trash curbside during the Atmos Energy project.”

KPP Rate Forum: City Clerk Brown, “I attended the KPP Rate Forum in McPherson with Stan and Alan.”

Closed: City Clerk Brown, “Just a reminder that city hall will be closed Thursday, November 23rd, on Thanksgiving Day. In the past, the council has allowed the employees to take off the Friday after Thanksgiving as vacation, comp, or without pay if they so choose. So, we will continue to do that again.”

OTHER COMMITTEE OR COUNCIL BUSINESS

Christmas: City Clerk Brown, “What we have done in the past is \$20 chamber bucks for the council and board members. So, if someone would like to make a motion for that.”

Council Member Ernst, “I move to give a \$20 Chamber of Commerce Christmas gift certificate to each Board Member, City Attorney, City Council Member, City Treasurer, and the Mayor.” Council Member

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Lenard, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 4:0.

City Clerk Brown, "Then we also have the Christmas gift day for the city employees. We usually give the day after Christmas off, which will be Tuesday, December 26th this year. If someone would like to make a motion for that."

Council Member Van Horn, "I move to give each City of Burlington employee the gift of an additional paid day off for Christmas, with the day off for this year to be Tuesday, December 26th, with the option that if an employee is on duty that day, the employee can arrange for another day off in lieu of the 26th of December." Council Member Ernst, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 4:0.

REPORT BY CITY OFFICERS:

MAYOR'S COMMENTS

Executive Session: Mayor Luke, "At this time, I would accept a motion to enter into executive session for a period of three minutes."

Council Member Lenard, "I make a motion to enter a 3-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 Attorney Wright, Greg Holmquist, and City Clerk Brown present." Council Member Ernst, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 4:0.

Entered 6:25 p.m. Exited 6:28 p.m. No action taken.

FUTURE AGENDA ITEMS:

GENERAL: City Debt - How to fund projects Expense Tracking on Projects Budget 2024	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 PLANNING AND ZONING Work with Advantage Computers and City Departments to improve Cyber Security Nuisance Grass: Work with PD FIRM Floodplain Map Changes – Updates	Misc. Legal - Documents, Cases, Contracts, etc. 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 2023 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 the Governing Body and signed by Anne C. Brown, City Clerk