

**BOOK 26**

**December 6, 2023**

**BURLINGTON CITY COUNCIL REGULAR SESSION 12-6-2023**

City of Burlington Governing Body met in Regular Session at City Hall’s address, 1013 N. 4<sup>th</sup> Street, Burlington, Kansas, at 6:00 p.m. Wednesday, December 6, 2023. Mayor Luke called the meeting to order.

**THE PLEDGE OF ALLEGIANCE**

**ROLL CALL:**  Stan Luke, Mayor

Council Members present:

<input checked="" type="checkbox"/> Jerilyn Curtiss	<input checked="" type="checkbox"/> Maxi Berryman	<input checked="" type="checkbox"/> Lewis Lenard (President of Council)
<input checked="" type="checkbox"/> Lila Van Horn	<input type="checkbox"/>	<input checked="" type="checkbox"/> Martin Ernst

Superintendents Present:

<input checked="" type="checkbox"/> Kevin Boyce (Parks)	<input checked="" type="checkbox"/> Alan Schneider (Electric)	<input checked="" type="checkbox"/> Mark Davidson (Street)
<input checked="" type="checkbox"/> Doug Jones (Chief of Police)	<input checked="" type="checkbox"/> Danny Hawkins (Water/Wastewater)	

Also Present:

<input checked="" type="checkbox"/> Anne Brown (City Clerk)	<input type="checkbox"/> Mary Mader (Administrative Assistant)
<input checked="" type="checkbox"/> Philip Wright (City Attorney)	<input checked="" type="checkbox"/> Jimmy Hugunin (Zoning/Grants Clerk)
<input type="checkbox"/> Greg Holmquist (Assistant City Attorney)	<input type="checkbox"/> Kerri Weltha (Deputy City Clerk)

**Media Present:** Mark Petterson (Coffey County Republican)

**VISITORS:** Tyler Tilley, Jay Hale, Cara Mays, Paul Abendroth, Mike Abendroth, Becky Petterson

**AGENDA:**

***Council Member Lenard, “I move to approve the agenda as presented.” Council Member Van Horn, “Second.” Motion unanimously carried, 5:0.***

**MINUTES 11/15/2023:** Mayor Luke, “You have before you the draft minutes of our regular session of November 15, 2023. Are there any additions or corrections?”

***Council Member Ernst, “I move to approve the draft minutes of November 15, 2023, as presented.” Council Member Lenard, “Second.” Motion unanimously carried, 5:0.***

**APPOINTMENT: Republic Services – Tyler Tilley**

Tyler Tilley, “I believe Jennifer sent the letter with the price increase that we are asking for and the rate table. Based on the consumer price index she sent out it was across the nation a 5.6% increase. We are asking the maximum for the city contract of 4%. Are there any questions on that or anything I can clarify?” Mayor Luke, “Has anything changed in the contract other than the price?” Tyler Tilley, “No, sir, just the rates.” City Clerk Brown, “It is basically a \$0.50 increase.” Council Member Lenard, “So, is the amount that comes back to the general fund, is that a percentage or a fixed rate?” City Clerk Brown, “It’s a fixed rate. We charge the \$0.52 service fee per customer. They also-- I’d have to see the chart that’s on there. It’s not a percentage.” Council Member Lenard, “So it doesn’t escalate as the index moves? It doesn’t change as well?” City Clerk Brown, “It does change from what we collect from our residents.” Council Member Lenard, “What I am asking is if you raise it 5% does a fraction of the 5% then come back to the city?” City Clerk Brown, “No. We keep any penalties collected, along with the \$0.52 service fee.”

***Council Member Lenard, “I move to adopt Ordinance 901, Establishing Trash Rates, to be effective January 13, 2024.” Council Member Curtiss, “I second the motion.” Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 5:0.***

**PUBLIC COMMENTS:**

Jay Hale, “I have two things. Sometimes, we think that, ‘I am the mayor of a small town or a member of the city council of a small town,’ and we forget that could be a big deal to someone. The other night, that little girl who got to meet the mayor was a big deal to her. You were very gracious to her to help her light the Christmas tree and things. You were very gracious. That was a big deal to meet the mayor.

## BOOK 26

December 6, 2023

“The second thing I want to talk about. One of my old Mennonite church pulled an old man stunt in his car not long ago. The chief of police showed up and another one was on the scene and just couldn't get over how gracious and kind the Chief was to the first old man who messed up the car. So, Chief, I appreciate you dealing gently with some of my old people out there. So, thank you.”

### **ELECTRIC DEPARTMENT: DISTRIBUTION Update**

**General:** Electric personnel have been doing many line locates, customer service requests, tree trimming, shop maintenance, preventative line maintenance, street light maintenance, and vehicle and equipment maintenance.

**Inventory:** Superintendent Schneider, “A lot of our time has been spent doing department annual inventory.”

**New Service:** Superintendent Schneider, “Installed underground service in the 1100 block of Jarboe.”

**Christmas Lights:** Superintendent Schneider, “We finished up and hung the Christmas lights along the highway so everything is lit.”

**Call-Outs:** Superintendent Schneider, “We worked an after-hour call-out for a turn on the Friday before last. Then, we worked a callout for a tree burning on the power lines in the 1200 block of Niagara Street. Turns out that was the Four Rivers Rural Electric Co. distribution line. We helped dispatch get in contact with them so they could take care of that.”

**Department Assistance:** Superintendent Schneider, “A couple of the men helped the water department with their telehandler as it failed to start on the job site. The men were able to diagnose and get it running.”

### **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.”

**EIA Reports:** Superintendent Schneider, “We are preparing for our energy information agency reports.”

**Generator Maintenance:** Superintendent Schneider, “We did a maintenance run on generator #4.”

**Generation Project:** Superintendent Schneider, “The jacket water is installed in the generator. It has been tested, and they discovered two leaks in the water system, and have been repaired and are functional. The crankcase oil has been installed. They discovered one minor leak, and it has been repaired. They are still waiting on the control panel people to complete the terminations in the control panel and the sensors on the generator itself. Larry is working on a final schedule for completion and start-up. Once I have that, I am happy to share that with everybody.”

### **QUESTIONS/COMMENTS**

**Generation Project:** Council Member Curtiss, “All of the welding is done?” Superintendent Schneider, “Yes.” Council Member Curtiss, “So, I can come now?” Superintendent Schneider, “You can. The bigger equipment that they were using in the beginning, they are packing that out of there now. So, the plant is a whole lot cleaner than what it was. You can actually walk around if you want to come out and visit.” Council Member Ernst, “Do we think that the control panel is going to be completed by the end of this year? Superintendent Schneider, “My honest guess is that we are looking at January honestly.” Council Member Ernst, “Through January?” Superintendent Schneider, “Yes, I believe so. I hate to tell you something not good but that's what I believe is going to happen. We will know better when Larry gets me his completion schedule.”

### **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.

**Thank you/ Equipment Maintenance:** Superintendent Hawkins, “I'd like to thank Alan for getting lights in the water plant. What we ended up doing was we went to Victor L Philips and rented a scissor lift. It was a whole

## BOOK 26

December 6, 2023

lot cheaper to rent for a whole week because they were charging \$200 a day, and you could rent it for a whole week for \$409. We have been doing all kinds of different projects inside and maintenance, and it has really come in handy.”

“So, we have everything lit up now, and I want to thank Alan for getting the lights and working on that. We take it back this Friday. As Alan said, I want to thank Tom Hess. He did a great job. We lifted up the telehandler, we pulled the pump, and it just died on us. We went through it the best we knew how. Tom Hess came out, and he started troubleshooting it. He found out it was a sensor that he was able to bypass and was able to get the boom down again. He got it in the next day, and it’s fixed. I am grateful for those guys for helping us.”

**Water Leak:** Superintendent Hawkins, “We fixed a water leak today over on Wilson Street just west of Caldwell’s there. There was a service tap that came undone. We put new stainless-steel clamps on it and got it completed.”

### **WATER AND WASTEWATER: Production Update**

**General:** Superintendent Hawkins, “Normal duties.”

**Chemical Adjustments:** Superintendent Hawkins, “They are releasing the water from Redmond now, and it’s not liking the water from Redmond because of all of the rain waters and snow so the alkalinity and the hardness are extremely low. Where we add lime, we had to back the lime off tremendously in order to do that, but the plant likes lime, so we are just having to deal with what we have. It is still running okay; it just doesn’t like rain water, so we are hoping for some alkalinity and some hardness to come back.”

### **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.

**Drainage Issues:** Superintendent Davidson, “We had an issue with a drainage box at 6<sup>th</sup> and Hudson. The lid was undersized, and we were having some flooding issues. Killough Construction came down and replaced that with a larger inlet lid.”

**Alley Repairs:** Superintendent Davidson, “We have been doing some alley work. We replaced an alley culvert at 9<sup>th</sup> and Des Moines.”

**County New Parking Lot- 6<sup>th</sup> and Neosho - Jail Project:** Superintendent Davidson, “We also installed the new crossing lights at the county’s new parking lot. Burlington Construction poured new concrete with ADA ramps, and solar-powered crossing lights and marked it for a crosswalk.”

**Call Outs:** Superintendent Davidson, “We had two different call-outs. One on Saturday night, we had some ice control, and then again on Sunday morning.”

**Equipment Maintenance:** Superintendent Davidson, “We have been cleaning up the equipment.”

**Safety Training:** Superintendent Davidson, “We attended the monthly safety meeting. Our department and City Hall sat in on an AED class.”

**Sign Maintenance:** Superintendent Davidson, “We have been straightening signposts.”

**Inventory:** Superintendent Davidson, “We have been working on inventory.”

**2024 Street Improvements:** Superintendent Davidson, “I passed out the 2024 worksheet for street work. We are going to be doing the west end of Cross Street, the asphalt part of it. I don’t think we have enough funding to do all of Cross, so we are going to do half of it. Then, we will do 6<sup>th</sup> Street with a two-inch mill overlay from Niagara to Housatonic next year. Then, in 2025, we are scheduled for quite a bit of chip seal. Then, we will go ahead and remove the concrete portion, the east portion, of Cross Street and put it back in 2025. That is the prediction that we are going to do that. I can’t say that it is set in stone. That is the plan.”

### **QUESTIONS/COMMENTS**

**BOOK 26**  
**December 6, 2023**

Council Member Lenard, "I have one comment because I talked to Mark; just a reminder that Richard Mason will be retiring in the middle of the month. Great service to the city."

**POLICE DEPARTMENT: Update**

**General:** Chief Jones, "Normal duties."

**Activities/ Cases:** Chief Jones, "We worked some domestic violence calls, a minor injury accident yesterday on 12<sup>th</sup> and Miami."

**Christmas Parade:** Chief Jones, "We worked traffic control for the Christmas parade Saturday night."

**City Court:** Chief Jones, "We have city court a week from tomorrow."

**Nuisance: Properties/Vehicles Update:** Chief Jones, "Demo has been fully completed on Espinosa's property at 507 S. 6<sup>th</sup>. Officers have been aggressively actively working nuisances. Some have been abated, and some have gotten tickets that will be showing up on the docket."

**Personnel- Recommendation to Hire:** Chief Jones, "The police committee, Anne, myself, and Randy Stuart had interviews Monday. We had three individuals we interviewed, and the consensus is to make a provisional offer of employment to Jack McCoy contingent on him passing the psychological assessment. He did the psychological assessment yesterday and mailed it off to Dr. Wall down in Wichita, and it usually only takes him a couple days to get the results back."

***Council Member Curtiss, "I move to extend an offer of employment to Jack McCoy for the position of Police Officer at the starting hourly wage of \$20.25, contingent on successful psychological assessment." Council Member Ernst, I second the motion.***

Council Member Curtiss, "I'm very impressed." Council Member Lenard, "I'm guessing then he's scheduled for the academy....?" Chief Jones, "I will get their schedule once I turn his paperwork in, then they will tell me when he will go to the academy. I am anticipating January or possibly February." Mayor Luke, "How's Victor working out?" Chief Jones, "He is doing good. He is actually out on shift tonight by himself, so he is doing good."

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

**PARKS DEPARTMENT: Update**

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

**Tree Trimming:** Superintendent Boyce, "We have been trimming trees in the parks."

**Mulching Leaves:** Superintendent Boyce, "We are still mulching leaves in Kelley Park."

**Inventory:** Superintendent Boyce, "We are working on inventory."

**Weather Control:** Superintendent Boyce, "We had snow and ice removal."

**Banners:** Superintendent Boyce, "We changed the banners out from veterans to the holiday banners. Thank you to the electric department and Jimmy for the help."

**QUESTIONS/COMMENTS**

**Dog Park:** Council Member Van Horn, "Do we have the timeline for the park benches or tables or whatever for the dog park?" Superintendent Boyce, "No." Council Member Van Horn, "Okay, is it still going to happen." Superintendent Boyce, "Yes." Council Member Van Horn, "When will we know when that is going to happen?" Superintendent Boyce, "When I get time or when Burlington Construction gets time to pour the concrete." Council Member Van Horn, "Okay."

**FINANCE: Claims Ordinance & Payroll Ordinance**

a.	Claims Ordinance	2023-23	\$	<u>338,554.72</u>
b.	Payroll Ordinance	2023-24	\$	<u>102,644.92</u>
c.	Payroll Ordinance	2023-25	\$	<u>101,070.92</u>

**BOOK 26**  
**December 6, 2023**

TOTAL     \$     542,270.56

**CLAIMS 2023-23:** *Council Member Lenard moved to approve City of Burlington Claims Ordinance 2023-23 for the amount of \$338,554.72 for payment of city bills. Council Member Curtiss gave the second.* City Clerk Brown, “The larger expenses we have tonight are Axon Enterprise \$4,032.00, Core and Main \$5,307.09, Holmes Construction Plus \$7,777.77, Kansas Municipal Energy Agency \$4,720.40, and Kansas Power Pool \$ 157,192.53. **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, 5:0.”**

**PAYROLL 2023-24:** *Council Member Curtiss moved to approve City of Burlington Payroll Ordinance 2023-24 in the amount of \$102,644.92, 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 2023-24 passed unanimously, 5:0.”*

**PAYROLL 2023-25:** *Council Member Curtiss moved to approve City of Burlington Payroll Ordinance 2023-25 in the amount of \$101,070.92, 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 2023-25 passed unanimously, 5:0.”*

**PLANNING & ZONING: Update**

**General:** Zoning Clerk Hugunin, “Normal duties.”

**Vehicle Maintenance:** Zoning Clerk Hugunin, “All of the city hall vehicles were serviced.”

**City Hall – Phone System Update:** Zoning Clerk Hugunin, “We got the new phone system from MT Networks set up and going. It is working really well.”

**Inventory:** Zoning Clerk Hugunin, “I have been working on inventory.”

**Server Maintenance:** Zoning Clerk Hugunin, “I have been doing some server updates.”

**City Hall – Map Room:** Zoning Clerk Hugunin, “Also, I am working on getting the map room totally finished. Just need to look at getting some shelving to put all the maps on.”

**AED Training:** Zoning Clerk Hugunin, “I did the AED training this week.”

**Banners:** Zoning Clerk Hugunin, “Like Kevin said, I helped with the Veterans banners.”

**QUESTIONS/COMMENTS**

Mayor Luke, “What about our sign?” Zoning Clerk Hugunin, “I am waiting on them to get parts and then to get here.”

**LEGAL DEPARTMENT: Update**

**General:** Attorney Wright, “Normal duties.”

**ORDINANCE 902: FLORAL PARK**

Mayor Luke, “We had the ordinance for Floral Park last meeting. Any changes with the information since then?” Attorney Wright, “We did get the title work for it back; I believe you have a copy of it. I recommend moving forward with it and get it taken care of.”

***Council Member Lenard, “I move to adopt Ordinance 902 to unencumber Real Property at Floral Park and to allow for its future development by Unified School District 244.” Council Member Van Horn, “I second the motion.”***

Mayor Luke, “What the ordinance does is it allows the signature of the quick claim deed when everything gets taken care of at the title company.”

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

**BOOK 26**  
**December 6, 2023**

**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 November, we will be sending \$804.38 in delinquent accounts to the Kansas set-off program for collections.

**Evergy Bond:** City Clerk Brown, "The Evergy Metro, Inc. bond issuance closed successfully on December 1<sup>st</sup> as planned."

**Interviews:** City Clerk Brown, "I sat in on the police department interviews on Monday."

**KPP Meeting:** City Clerk Brown, "I will be attending the KPP annual membership meeting in McPherson this Friday."

**Personnel Policy and Guidelines Handbook Update:** City Clerk Brown, "I am hoping to have a draft copy of the revised personnel policy and guidelines later next week. Jennifer has been backed up with other issues, so it has taken a little bit longer for her to get there. As soon as I have that, I will get a copy sent out to the committee for review."

**Personnel Training:** City Clerk Brown, "As Mark said earlier, city hall and the street department had the AED training yesterday."

**Goals and Accomplishments:** City Clerk Brown, "I have completed the review and updated the city hall goals and accomplishments."

**Year End Reports:** City Clerk Brown, "The office is preparing for year-end reporting and rollover processing."

**OTHER COMMITTEE OR COUNCIL BUSINESS:**

**LICENSE RENEWALS for 2024:**

Mayor Luke, "This time of year, we have to do the Cereal Malt Beverage Licenses and Trailer Court Licenses for 2024."

**LICENSE APPLICATIONS FOR 2024**

**TRAILER COURT LICENSES:**

BLB Properties      16 lots

**CEREAL MALT BEVERAGE LICENSES (6)**

Across the Borders      Casey's General Store      Dollar General      Pizza Hut      Pete's of Erie,  
Inc.      Family Dollar #33262

***Council Member Lenard, "I move to approve the Cereal Malt Beverage Licenses and Trailer Court Licenses for 2024 as presented." Council Member Curtiss, "I second the motion."***

Council Member Lenard, "How many do we have? Because we were missing a couple of them a year or two ago." Council Member Curtiss, "Right, even last year, I think." City Clerk Brown, "Because they didn't get them to us in time." Council Member Lenard, "So, we believe all the renewals are there?" City Clerk Brown, "Yes, they are." Mayor Luke, "There are six cereal malt beverages and one trailer court." City Clerk Brown, "I did ask them that because we don't typically have it until the second council of the month. We had them early because everybody got them turned back in." Council Member Curtiss, "So, we only have one trailer court license?" City Clerk Brown, "Yes."

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

**REPORT BY CITY OFFICERS:**

**MAYOR'S COMMENTS:**

**BOOK 26**  
**December 6, 2023**

Mayor Luke, "Back to the police officer. Was there a potential starting date assuming he passed the psychological assessment?" Chief Jones, "If I get his psychological results back tomorrow, then he may start tomorrow." Mayo Luke, "Okay, he's ready." Chief Jones, "He's ready."

**FUTURE AGENDA ITEMS:**

<b>GENERAL:</b> 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.
<b>ELECTRIC DEPARTMENT:</b> Power Plant - Additional Generation	<i>RICE NESHAP Compliance</i>
<b>PARKS DEPARTMENT:</b> Events in Parks (Updates)	
<b>LEGAL DEPARTMENT:</b> Municipal Court Updates	Misc. Legal - Documents, Cases, Contracts, etc.
<b>PLANNING AND ZONING</b> Work with Advantage Computers and City Departments to improve Cyber Security Nuisance Grass: Work with PD FIRM Floodplain Map Changes – Updates	Quarterly Construction Valuation Report Prepare Easements for any City-owned property without one Permits - Building/Zoning/etc. Burlington Corporate Boundary Updates on Map (Work with State)
<b>POLICE DEPARTMENT</b> Nuisances (Work with Zoning Clerk) Voice Stress Analyzer Project	Department Activities and Cases
<b>STREET DEPARTMENT:</b> Concrete St. Repairs/Free State Ct. Replacement/Repair Pavement Management System/Asset Management System	Street improvement Plan, Paving Gravel Streets, Crack Filling, Street Improvements 2023 Asphalt Project
<b>WATER &amp; WASTEWATER DEPARTMENT:</b> 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