

BOOK 26

February 1, 2023

BURLINGTON CITY COUNCIL REGULAR SESSION 2-1-2023

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, February 1, 2023. 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)
 Lila Van Horn 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

AGENDA:

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

MINUTES 1/18/2023: President of Council Lenard, "You have before you the draft minutes of our regular session of January 18, 2023. Are there any additions or corrections?"

Council Member Curtiss, "I move to approve the draft minutes of January 18, 2023, as presented." Council Member Ernst, "Second." Motion unanimously carried, 5:0.

APPOINTMENT: None

PUBLIC COMMENTS: None

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.

Personnel Training: Superintendent Schneider, "The apprentice linemen are studying and preparing for chapter testing."

Electric Services: Superintendent Schneider, "We removed an electric service in the 1000 block of Allegheny Street for a home that was demolished. We have installed an electric service in the 1100 block of Cumberland."

CDL Training: Superintendent Schneider, "RJ Breeze has taken his written test for his CDL and has his learner's permit. He will start driving, going through the pre-trip inspections, and getting ready for his driving test. He and Cody Goracke, who is the trainer in our department, will work on that tomorrow. We will also help the other departments as needed to get through this process. Once we get through all of the state requirements, it is really going to flow pretty well. It really isn't a big issue. There is a pre-test before you take the written test for the state. The trainer will sign off on that. Then they will do their pre-trip inspections and driving here with the trainer. Once the trainer tells the state that he is ready for the driving test, he will then go down and get his permanent license. That is going to flow pretty well."

Personnel Advancement: Superintendent Schneider, "We have Bill Cole, that has completed his second-year apprenticeship and completed it with a final test score of 87%. He did really well this last year. His anniversary

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date was the 25th of January of this year. I'd like to recommend that Bill advance from second-year apprentice lineman two to apprentice lineman three."

Council Member Ernst, "I make a motion to move Bill Cole from Second Year Apprentice Lineman to Third Year Apprentice Lineman at the hourly rate of \$23.86, effective February 4, 2023." Council Member Tschantz, "I second the motion." Hearing no further discussion, President of Council Lenard called for a vote. Motion unanimously carried, 5:0.

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.

Cross Training: Superintendent Schneider, "We have been cross-training in the plant. "

Reports: Superintendent Schneider, "We are also completing plant records updated spreadsheets for the 2023 reporting season."

Generation Project: Superintendent Schneider, "The exhaust silencer stand has been constructed and is ready to be put in place along with the cooling tower. There is a holding tank in the basement, so when that generator is not running, the water naturally runs back into the basement into the holding tank. That has been built on-site to match what we had and match our capacity. That has been constructed of welded stainless steel, so we won't have any rust issues with that in the future. The piping between the cooling tower and the cooling tower holding tank is complete. I suspect here in the next week or so they will bring the cooling tower over, set the catalyst, and continue to assemble parts. They are moving forward. Also, that cooling tower tank was pressure tested to make sure that it did not leak."

Council Member Lenard, "Are we still on schedule then?" Superintendent Schneider, "I think we are. From the time the generator was placed on its foundation and secured, that puts us into mid-May for completion per the contract. I believe we will make that. I was hoping that we would be a lot closer by now, but things just take time, and I believe that they will make that deadline."

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.

Pump Station Maintenance: Superintendent Hawkins, "We went out and pulled pump station #3 to work on it. While we were in there, too, we went ahead and replaced the two battery backups that were there and got that online. Today we went out, and we had ECS come over and vac out #3 and #6 to get rid of the grit and grime and things inside of them. That was needing to be done. That is going to help us out. I am glad we got that one done."

EMP Shield: Superintendent Hawkins, "We had Paul Clarkson of EMP Shield come by and installed one of the protection devices on one of the trucks."

Lead and Copper Monitoring: Superintendent Hawkins, "I am still plugging away on the lead and copper."

AMI Meters: Superintendent Hawkins, "Lewis, you had asked me at the last meeting if the Sensus meters were made in America, and they are made here. The chips come from China, but the meters themselves are made in the United States." Council Member Lenard, "Thank you."

Lime Mixer Install: Superintendent Hawkins, "The men got the lime mixers installed with the lime silos. We got those up and running now."

Telehandler Maintenance: Superintendent Hawkins, "We ordered a hook for the telehandler and are looking into reapplying safety glass on it as well. The hook should be here in a couple of days."

Chemical Supply Issues: Superintendent Hawkins, "I got a call from our vendor on our permanganate. I guess in Iowa, the major company that owns all the permanganate burnt to the ground. Fortunately, we don't use permanganate until the temperature gets above 15 degrees Celsius. I guess they are frantically trying to build the

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new warehouse and get everything in it. They should have it up and going before long. Hopefully, by the time we are ready for it, they will be dispensing it."

Council Member Ernst, "Do we have some on hand for when we are going to need it?" Superintendent Hawkins, "What the permanganate is used for is zebra mussel control. Generally, what we do for wintertime is we take it all the way down where the tanks are nearly empty because what happens is it settles out, so we don't want a lot of sedimentation, and we don't want to waste the chemical. So, once it gets down to 15 degrees, we can shut it off and pump it down as low as we can. In the spring, we come in, and we have the vendors fill them back up. By the time spring gets here, we should have access to the permanganate again. They are thinking it should take anywhere from 90 to 100 days, is what the vendor said. So, hopefully, it will be there."

Council Member Lenard, "So do we have a backup, though?" Superintendent Hawkins, "It's the only permanganate vendor in all of the United States, is what I was told." Council Member Lenard, "This has happened with other chemicals. Is the potential that we could get some relief on treating for zebra mussels if that--?" Superintendent Hawkins, "Well, if we try something else, then we would have to permit for something else. I know Council Grove, at some time, would feed a meniscal amount of chlorine. For us to do that, we would have to go back to the state to permit that in order for us to do it. The way that it is designed is where our river intake sets; it literally sits on the suction line. Basically, you are entering it into the Neosho River, but it's only coming on when the pump is coming on. When the pump goes off, then that pump shuts off. So, yes, we could do something else. We could venture into that if you wanted to in case permanganate wasn't there."

Council Member Lenard, "So, then they have to treat that at Wolf Creek too. I'm sure they have a backup." Superintendent Hawkins, "Yes." Council Member Lenard, "We may talk later." Superintendent Hawkins, "Absolutely."

West Reactor Maintenance: Superintendent Hawkins, "One of the contactors on our west reactor has been tripping out the mixer and the motor. I didn't want to tear anything up, so I had Krayton Cox come in, and he is ordering the contactors for everything for the inside. He will get it replaced as soon as he gets the parts in."

Interviews: Superintendent Hawkins, "We are conducting interviews tomorrow. So, if the committee would like to be there, we are going to be here from nine to ten at city hall."

WATER AND WASTEWATER: Production Update

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

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: Foreman Mason, "We have been doing our regular maintenance on vehicles. We finished up the track hoe bucket that we started a couple of weeks ago."

CDL Training: Foreman Mason, "We took one of our salt boxes prepping for our CDL training tomorrow."

Waste Dirt Disposal: Foreman Mason, "We have been hauling waste dirt to the landfill."

Light Replacement: Foreman Mason, "We replaced lights on our one-ton and our skid steer with high-intensity lights for better visibility."

Snow/Ice Removal: Foreman Mason, "We used our skid steer plow to help get some of the slush off of the streets with the last snow we had."

Street Improvements: Foreman Mason, "We picked up more cold patch for our concrete potholes and cracks."

POLICE DEPARTMENT: Update

General: Chief Jones, "Normal duties. We have been staying busy; nothing too major."

Activities/ Cases: Chief Jones, "We have been working on some juvenile issues, including one that popped up at the grade school yesterday. Domestic violence incidents that we have dealt with."

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City Court: Chief Jones, “We have court a week from tomorrow.”

Theft Case: Chief Jones, “This afternoon, one of the officers worked a theft call from Hoovers. They found an empty box on a shelf where it didn’t belong. They reviewed their video and found the individual that had emptied the box and put it in their pocket, along with a couple of other things as well. Within two hours, they had her identified. My officer located her, interviewed her, and she confessed to it, went to jail, was booked in, fingerprinted, photographed, and released on an OR bond since she is local. Then we even took her back home.”

Council Member Curtiss, “Well, that’s nice.” Chief Jones, “Full-service agency. Philip will see her on the docket next month.”

QUESTIONS/COMMENTS

Nuisance: Properties/Vehicles Update: Council Member Lenard, “Is there anything on nuisance?” Chief Jones, “I do not. We have some that we have been looking at and have identified for when it warms up, but we don’t have anything actively working right now. The one you had mentioned at the last council meeting, you were actually talking about a building in the 300 block of Neosho next to the fabric store, and I was talking about the one at 519 Neosho about two blocks further west. They both have been addressed.”

PARKS DEPARTMENT: Update

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

Building Cleaning: Superintendent Boyce, “With the inclement weather, we have been doing deep cleaning in Kelley Hall and the 4-H building for the last week and a half.”

Snow and Ice Removal: Superintendent Boyce, “We did snow and ice removal last week.”

City Dam Brush and Tree Removal: Superintendent Boyce, “When the weather has been nice, we have been doing brush and tree clean up at the City Dam on the west side of the river.”

Boofest: Superintendent Boyce, “Salli contacted me about doing the Boofest on October 14th. I try to have the water shut off for the livestock buildings and the public restrooms in Kelley Park by the 15th of October. So, that will work out.”

Council Member Curtiss, “I move to approve Burlington Promotions' request to hold Boofest in Kelley Park on October 14, 2023, including reserving Kelley Hall on the 13th and 14th with fees waived, and with help from City Department.” Council Member Ernst, “I second the motion.” Hearing no further discussion, President of Council Lenard called for a vote. Motion unanimously carried, 5:0.

Coffey County Fair Association - Kelley Park Annual Lease Agreement & Schedule: Superintendent Boyce, “Then we have the fair contract. It is basically a yearly ordeal. We have already checked the books, and all of it works out.”

Council Member Tschantz, “I move to grant Coffey County Fair Association a one-year extension to the Kelley Park Annual Lease Agreement for the use of Kelley Park from July 5 through July 26, 2023, and for other scheduled events as listed by the Fair Board for 2023.” Council Member Ernst, “I second the motion.” Hearing no further discussion, President of Council Lenard called for a vote. Motion unanimously carried, 5:0.

FINANCE: Claims Ordinance & Payroll Ordinance

a. Claims Ordinance	2023-03	\$	<u>418,539.85</u>
b. Payroll Ordinance	2023-03	\$	<u>90,717.79</u>
	TOTAL	\$	509,257.64

CLAIMS 2023-03: *Council Member Curtiss moved to approve City of Burlington Claims Ordinance 2023-03 for the amount of \$418,539.85 for payment of city bills. Council Member Tschantz gave the second.* City Clerk Brown, “The larger expenses we have tonight are Armscor Cartridge Inc. \$3,107.00, Brenntag Southwest \$3,877.73, Core and Main \$47,366.04, Kansas Power Pool \$273,019.05, and U.S. Lime Company \$5,582.26.” **Hearing no additional discussion, President of Council Lenard instructed City Clerk Brown**

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to poll Council. All votes were in favor. President of Council Lenard declared, "Claims Ordinance 2023-03 passed unanimously, 5:0."

PAYROLL 2023-03: Council Member Tschantz moved to approve City of Burlington Payroll Ordinance 2023-03 in the amount of \$90,717.79, as presented. Council Member Ernst gave the second. Hearing no discussion, President of Council Lenard instructed City Clerk Brown to poll Council for a vote. All votes were in favor. President of Council Lenard declared, "Payroll Ordinance 2023-03 passed unanimously, 6:0."

PLANNING & ZONING: Update

General: Zoning Clerk Hugunin, "Normal duties."

Census Reporting: Zoning Clerk Hugunin, "I finished up the boundary and annexation census thing. Anne got a brief look at it. It is kind of not easy to do."

Permits: Zoning Clerk Hugunin, "I got the totals for building permits for 2022. This is just on houses and garages and only in the city limits; not in the extraterritorial. We are at \$1,062,000.00. So, it's about average. It's up a little bit from 2020 and 2019."

Industrial Park: Zoning Clerk Hugunin, "The last thing I have is that I gave a letter to you guys there; we have a couple that wants to purchase the remainder of the industrial park. On the map, that is going to be everything that does not have an X in it. The ones with the Xs are the four lots that we sold a few months back. Of course, on the east side, there is a long strip there which would not be part of that cell. That is a reserved area."

Council Member Ernst, "So, it is just the eight that is south of the four?" Zoning Clerk Hugunin, "No, it would be the 12 of them. You have eight, and then you have four on the west side there below the substation." Council Member Tschantz, "So the front long stretch is not for sale." Zoning Clerk Hugunin, "Exactly." Council Member Curtiss, "This is something we need to look at or postpone." Zoning Clerk Hugunin, "I don't think we want to do anything right now. I'd like to get Mark involved and probably Richard because there is a lot of stuff that has to do with roads and alleys." Council Member Curtiss, "Yes, that was a question that I had. They aren't expecting us to do something tonight, to say yea or nay?" Zoning Clerk Hugunin, "No, I don't think they are expecting anything tonight. They want something because they would like to get going and have something started within this year."

Council Member Tschantz, "You need to get Alan involved for electric too." Zoning Clerk Hugunin, "I think the roads are going to be the worse thing here to start with. The roads are going to hinge on everything." Superintendent Schneider, "Just so we are taken care of in the future, should we have any type of expansion down there?" Zoning Clerk Hugunin, "We aren't going to be getting into anything reserved for the substation." Superintendent Schneider, "Okay."

OTHER COMMITTEE OR COUNCIL BUSINESS

Kansas Municipal Energy Agency - Appoint Director #1: President of Council Lenard, "We have the KMEA appointment of Director #1."

Council Member Ernst, "I move to appoint Superintendent Alan Schneider as Burlington's Director #1 to the Kansas Municipal Energy Agency Board of Directors, to serve a two-year term from May 1, 2023, to April 30, 2025." Council Member Curtiss, "I second the motion." Hearing no further discussion, President of Council Lenard called for a vote. Motion unanimously carried, 5:0.

LEGAL DEPARTMENT: Update

General: Attorney Wright, "Normal duties."

Coffey County Cancer Support Group: Attorney Wright, "I was contacted by the Coffey County Cancer Support Group, and they want to move forward. I have been working with Anne a little bit, and I am getting that contract together. I will hopefully have a contract to present to the council at the next meeting."

CITY CLERK: Update

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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. There are no delinquent utility accounts for January to send to the setoff program.

Year End Reports: City Clerk Brown, "Kerri has completed year-end reports to the state, federal, social security, and KPERs."

Annual Water Use Report: City Clerk Brown, "I have been working on the annual water use report."

Republic Services – New Trash Rates: City Clerk Brown, "I am working on the new trash rates for 2023. I will have them ready for the next council."

Reports: City Clerk Brown, "I have the utility revenue and sales tax reports there for you. Also, the three-year comparison for the sales tax report."

HR 101 Training: City Clerk Brown, "I attended HR 101 municipal zoom training this morning."

Annual Employee Benefits Meeting: City Clerk Brown, "A reminder that our employee annual benefit is Wednesday, February 8th at Kelley Hall from nine to noon."

QUESTIONS/COMMENTS

Republic Services – New Trash Rates: Council Member Lenard, "So, since several are new on the council. Could you recap what our agreement is with waste management on our annual and how we cap that?" City Clerk Brown, "We do have an agreement with Republic Waste to look at their agreement every year. They have a CPI that they go by, and it's in October; it's for electric, sewer, and water. This year it was 4.7%, but our agreement caps them at 4%. We will look at that, and we will increase it by 4%, and then we have a \$0.52 charge that the city charges on top of that. We just do residential, but we have commercial listed out in that as well, which is increasing that same amount, except for the \$0.52 since we don't collect for that."

HR 101 Training: Council Member Lenard, "So, what was your biggest nugget from HR 101?" City Clerk Brown, "I wanted to go back through it. They did record it, so I can go back through it and listen to it. A lot of it was on how things are reported and then how you deal with those. Even retaliation of something being discussed that maybe has no merit. I wanted to go back to listen to that part because I was interrupted there, so I didn't get all of the information."

REPORT BY CITY OFFICERS:

ARPA Funds: Council Member Lenard, "What is this one here?" City Clerk Brown, "Stan wanted to talk about the ARPA Fund. That is the money that we got that we set aside. A lot of it was for infrastructure, and we had until December of 2024 to decide what we were going to do with it, and we have until the end of 2026 to have it used. He was going to discuss that a little bit because we need to be looking at and deciding where we want to use that and how we want to use that."

Council Member Curtiss, "Aren't there restrictions on it or guidelines that you have to follow?" City Clerk Brown, "There are. They had broadband, and they had a lot of other things. I think we were looking at infrastructure. We don't know for sure. We haven't set anything. Do you have any other information on that, Jimmy, that you want to add? I am not sure what Stan was going to say about it for sure, but we need to start looking at that and deciding where we want to use it." Council Member Ernst, "Do we know how much funds we have?" City Clerk Brown, "There is \$388,000.00 and some."

MAYOR'S COMMENTS

FUTURE AGENDA ITEMS:

GENERAL: City Debt - How to fund projects Expense Tracking on Projects Budget 2023	GAAP - Infrastructure Capitalization City/County Grant Funds – Discussion on Matched Funding Council Discussions on Evaluations, Succession Planning, etc.
ELECTRIC DEPARTMENT: Power Plant - Additional Generation PARKS DEPARTMENT: Events in Parks (Updates)	<i>RICE NESHAP Compliance</i>
LEGAL DEPARTMENT: Municipal Court Updates	Misc. Legal - Documents, Cases, Contracts, etc.

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PLANNING AND ZONING		Quarterly Construction Valuation Report
Work with Advantage Computers and City Departments to improve Cyber Security		Prepare Easements for any City-owned property without one
Nuisance Grass: Work with PD		Permits - Building/Zoning/etc.
FIRM Floodplain Map Changes – Updates		Burlington Corporate Boundary Updates on Map (Work with State)

POLICE DEPARTMENT	Nuisances (Work with Zoning Clerk)	Department Activities and Cases
Voice Stress Analyzer Project		

STREET DEPARTMENT:	Concrete St. Repairs/Free State Ct. Replacement/Repair	Street improvement Plan, Paving Gravel Streets, Crack Filling,
Pavement Management System/Asset Management System		Street Improvements 2023 Asphalt Project

WATER & WASTEWATER DEPARTMENT:	Sensus Water Meter Replacement	Sewer Lagoons - Analysis (KRWA/funds for dredging)
Sewer Lagoon Maintenance/	Sewer Liftstations –Flushing Rags, etc.	

President of Council Lenard declared the meeting adjourned.

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