

BOOK 26
May 17, 2023

“A later incident, I was out with a friend on his property working for his mother. Officer Devin Haines, although he is no longer with us, drove onto the property, we had an interaction, and he got in my face and asked if I wanted to go. Nothing was done about it. I also had an interaction – well, I didn't, but my father had an interaction with Officer Devin Haines; although he is no longer with us, many of you have actually seen that video, I'm assuming, and he physically battered and assaulted my father. Nothing was done. No charges were ever brought against that officer. But, by God, if I were to assault one of your officers like that, I'd be in handcuffs, tased, or probably shot. Nothing was done about it.

“I'm tired, guys. I am tired of just dealing with it. Officer Black, one time I expressed my First Amendment right and gave him the finger. He initiated a traffic stop on me while I was at the stop light at 4th and Neosho and stated that it was careless driving because I looked away from the road. That was his reason for justifying the stop. That was a violation of my First and Fourth Amendments rights. I believe it was. Nothing has been done. The Chief is not their boss; he is their friend. He does nothing. There is no discipline for any of the officers for their actions. Multiple policy violations have been found now that I have read the policy of the Police Department. I attempted to serve him with a pocket constitution on a public easement there by the Police Station. He threatened me with trespass if I didn't leave. However, I was on a public easement, and I can stand there all night if I want to. He also was not wearing his ballistic vest, which under the police department policy requires that they are to wear their vest, and their body worn camera, which he did not have on.

“So, I appreciate you guys for your time. I feel like if one of you brings it to a vote if you guys don't agree with it, then that's fine. But that's what our American democracy is for, right? So we can vote on things. I appreciate you guys' time.” Mayor Luke, “Thank you, Brandon.”

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.

Line Locates: Superintendent Schneider, “The men have been doing lots and lots of line locates.”

Personnel – Training: Superintendent Schneider, “The apprentice linemen have been preparing and testing in the apprenticeship program. The men are doing very well, not only in their books but out in the field learning as well.”

Substation Maintenance: Superintendent Schneider, “We have been cleaning bird's nests out of the substations before they become an issue and cause an outage.”

Water Department Assistance: Superintendent Schneider, “We helped Danny last week locate a sewer line on a property south of town. I believe, if I'm speaking correctly, that was so he could make sure easements were correct. I think that was the reasoning.”

Pole Replacement: Superintendent Schneider, “We replaced one 30-foot pole at the intersection of 12th and St. Lawrence. It was a street light pole and it was at the end of its service life. It was in very bad shape.”

Animal Shelter – Light Replacement: Superintendent Schneider, “We helped Bonnie Foster at the Animal Shelter by fixing a light that wasn't working.”

Service Repair: Superintendent Schneider, “Today, probably about 10:30 this morning, I got a phone call from one of the local electricians. Central National Bank had partial power. We went to investigate that. It had a blown fuse door on the primary 7200 side. We were hoping that it was a simple thing from the storm. We were hoping it was lightning; it wasn't. It was one of our 7200-volt conductors inside the conduit going down the pole. We were able to remove that small section of conduit. We put it in a splice. It's actually a splice made for a buried termination, and we were able to get them back in service within a couple of hours. Then we will plan a day, probably early fall, when it starts to cool down a little bit when they can be off for a day; we are going to have to replace all three conductors going to a pad mount over there by the drive-up window. We got that taken care of.”

ELECTRIC DEPARTMENT: PRODUCTION Update

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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 have been completing in-house plant reports."

Personnel Training: Superintendent Schneider, "I have been working with Denny on completing some of the reports that he is learning."

Generation Project: Superintendent Schneider, "The men have still been working. They are taking the week off. One of them has been here for two months straight, working Saturdays and Sundays. At some point, I'd like to visit with the electric committee. I believe you have seen my weekly update. I'd like to discuss that a little bit and see if we can get something arranged for us to sit down with Larry Wheeler and have a conversation."

QUESTIONS/COMMENTS

Council Member Berryman, "Was there a power outage this morning? I woke up, and my lights were all blinking." Superintendent Schneider, "Possibly. What time was that?" Council Member Berryman, "I noticed it about 3:30 or 4:00. Then I was at Crow Moddie today, and when I went in there, they said their computers had been down." Superintendent Schneider, "Okay, there is a very good chance that when we went to Central National Bank this morning, when that line went to ground, if it hit hard enough, it could have caused a flicker on the other circuits. You're not on that circuit, but if it hit hard enough, it could have caused a small flash. No, we didn't have any outages." Council Member Berryman, "Okay, thank you."

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.

Line Locates: Superintendent Hawkins, "We have had many locates, as Alan said. We are doing a lot for Atmos and the other contractors."

Backwash Holding Basin: Superintendent Hawkins, "We worked on a motor down at the backwash holding basin. We ended up pulling it out to take it up to Douglas Pumping, where we normally go to get the windings redone. We are going to get it redone and rebuilt."

County New Parking Lot – 6th and Neosho – Jail Project: Superintendent Hawkins, "We met with the county contractors out there for the project as well. Today we went out there. They needed help with us lowering a water line for a meter service. So, we spent all day out there lowering that deeper than what it needed to be. We got that done today."

Pool: Superintendent Hawkins, "We have been putting a lot of extra time in for the swimming pool. Scot Jeffers called me and wanted to know if he could go ahead and fill up the swimming pool, so I spent a little extra time helping him in the evening and mornings and on the weekends. We got the pool done, and that is completed."

Easement Location / Thank You's: Superintendent Hawkins, "Again, like Alan said, I'd like to thank him and Cody for coming out there to help me trace and find where the sewer line crossed the property down there so we can obtain the easement that's there."

WATER AND WASTEWATER: Production Update

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

QUESTIONS/COMMENTS

County New Parking Lot – 6th and Neosho – Jail Project: Council Member Lenard, "So, on some of our support that we are lending the county. Do we get much of a heads-up? Is that scheduled or kind of ad hoc?" Superintendent Hawkins, "It was kind of bombed on us today. It is what it is. We just hurried up and got it out of the way. We have one more meter that we have to do, but it is up across from the courthouse. It won't be as intense as the one today. We are trying to stay ahead of that; that way, we don't delay them and their process of things. As far as our part, we know we have a couple more things to do, but other than that, hopefully, it will go well. We have just been trying to work with them and help them."

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New Employee: Council Member Van Horn, "And the new employee? How is that going?" Superintendent Hawkins, "Oh, he is doing great. Tim is doing very well. He is coming along really well at the plant. He is spending every waking moment at the plant, and I am very pleased with what he has done so far. Tim's electrical knowledge has been huge for us as well. He helped us unwire the stuff that needed to be done and rewired. I am very pleased."

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.

Spraying Weeds: Superintendent Davidson, "We have been spraying for bind weeds. We have been doing normal spraying of Roundup."

Storm Clean Up: Superintendent Davidson, "We had a few limbs down from the May 10th wind storm that came through."

Culvert Maintenance: Superintendent Davidson, "We installed a new drive culvert. We have a street culvert that we need to replace."

Ditch Maintenance: Superintendent Davidson, "We have been doing a lot of ditch cleaning and hauling waste to the landfill."

POLICE DEPARTMENT: Update

General: Chief Jones, "Normal duties."

Activities/ Cases: Chief Jones, "We worked an injury accident next door in the entrance of Family Dollar/ Dollar Tree. We picked up yet another juvenile sexploitation case; exchanges of photographs between a local teenager and a 22-year-old in Texas. We are working with Texas on that one. Working domestics, arrests on domestics, doing civil standbys, and working verbal disputes. There are still fraud and scam calls."

City Court: Chief Jones, "City Court was last week. It actually went quite rapidly."

Nuisance: Properties/Vehicles Update: Chief Jones, "We got all of the in-town people served personal service on their formal letters. We have had several of them contact us, come in to see me, or call me on the phone, and they are working on it and making progress. We will give them some time and see how they do."

POLICE DEPARTMENT: PERSONNEL – Recommendation to Hire

Chief Jones, "We have an applicant that has gone through all of the steps of the hiring process, including a formal interview with two members of the police committee. My recommendation is to make an offer of employment to Victor Burr at the entry level of \$20.25." Council Member Curtiss, "Effective?" Chief Jones, "It will depend in part on his current employer. If this goes through and I call him tonight, and he tells his employer tomorrow, he may be coming to work tomorrow, it may be two weeks."

Council Member Curtiss, "I move to extend an offer of employment as a Police Officer to Victor Burr at the starting hourly salary of \$20.25." Council Member Van Horn, "I second the motion." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

Mayor Luke, "Just let Anne know when he is going to start." Chief Jones, "Yes, she already has the paperwork on his application. As soon as he actually starts, I'll bring him down to talk to Kerri and get all that paperwork done here."

PARKS DEPARTMENT: Update

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

Kelley Hall – Clean Up: Superintendent Boyce, "We did have a little extra trash clean up in Kelley Park. We have had a lot of schools over the last week and a half there. So, emptying the trash cans and stuff more than normal."

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Mowing: Superintendent Boyce, "Mowing and spraying weeds. Mowing has been taking most of our time."

Beautification Project: Superintendent Boyce, "Last Wednesday, May 10th, we did get the flowers planted. I'd like to thank the ladies from the Burlington Jaynes. We had John, and Dorinda stay late that day to help. We got it all done in a very timely manner."

Fire Extinguisher: Superintendent Boyce, "Yesterday, we had our annual fire extinguisher inspection throughout the city."

QUESTIONS/COMMENTS

Fire Extinguisher: Mayor Luke, "Did we have any expired extinguishers, or were they all set?" Superintendent Boyce, "There were a couple throughout the city."

Beautification Project: Council Member Van Horn, "I noticed the pots today, and they are looking nice." Council Member Curtiss, "And your hanging baskets also look great." Superintendent Boyce, "Thank you. They didn't need much water this week."

FINANCE: Claims Ordinance & Payroll Ordinance

a. Claims Ordinance	2023-10	\$	<u>232,140.71</u>
b. Payroll Ordinance	2023-10	\$	<u>97,471.77</u>
	TOTAL	\$	329,612.48

CLAIMS 2023-10: *Council Member Tschantz moved to approve City of Burlington Claims Ordinance 2023-10 for the amount of \$232,140.71 for payment of city bills. Council Member Ernst gave the second.* Deputy City Clerk Weltha, "The larger expenses we have tonight are Kansas Power Pool \$137,334.36 and Brenntag Southwest \$8,683.40." **Hearing no discussion, Mayor Luke instructed Deputy City Clerk Weltha to poll Council for a vote. All votes were in favor. Mayor Luke declared, "Payroll Ordinance 2023-10 passed unanimously, 6:0."**

PAYROLL 2023-10: *Council Member Lenard moved to approve City of Burlington Payroll Ordinance 2023-10 in the amount of \$97,471.77, as presented. Council Member Curtiss gave the second. Hearing no discussion, Mayor Luke instructed Deputy City Clerk Weltha to poll Council for a vote. All votes were in favor. Mayor Luke declared, "Payroll Ordinance 2023-10 passed unanimously, 6:0."*

PLANNING & ZONING: Update

General: Zoning Clerk Hugunin, "Normal duties."

Housing Authority - Projects: Zoning Clerk Hugunin, "In the last few days, we had a meeting here with Ronda Gilbert, Mike Skillman, and Lewis Lenard for the Housing Authority on future projects that they are thinking about doing. They will be coming to the council to give you guys more information on what they are proposing and what they want to do."

Permits: Zoning Clerk Hugunin, "I have been busy with a lot of calls about different projects; fences, garages, all kinds of stuff."

Nuisance: Grass/Weeds Update: Zoning Clerk Hugunin, "I sent out 14 letters as of today for people to mow their yards. Two of them were certified ten-day letters."

OTHER COMMITTEE OR COUNCIL BUSINESS

LEGAL DEPARTMENT: Update

General: Assistant Attorney Holmquist, "I spoke with Philip a couple of hours ago and he has nothing outside of normal duties."

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.

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Audit 2022: Deputy City Clerk Weltha, “The auditors will be here tomorrow, May 18th. As in the past, we will continue to submit additional information as needed.”

Personnel Policy Handbook Update: Deputy City Clerk Weltha, “The May 10th special meeting on personnel policy was postponed. A new special meeting via Zoom has been set for May 24th at 6:00 p.m.”

Annual League Conference: Deputy City Clerk Weltha, “The city attorney fall CLE is October 6th, with the Annual League Conference scheduled from October 7th through the 9th in Wichita this year. As you have a copy of the agenda, registration does not open until July 1st. Let Anne know if you'd like to attend.”

City Hall Closed: Deputy City Clerk Weltha, “City Hall will be closed Monday, May 29th, for Memorial Day.”

REPORT BY CITY OFFICERS:

MAYOR’S COMMENTS

Election: Mayor Luke, "We do have a full ballot for the upcoming election for all current positions. For a change, it will be interesting. There is only one that might have four people that have applied, and that will have to go through the August election to get down to two for the November final election." Council Member Tschantz, "He told me this afternoon there are only three so far." Mayor Luke, "There are three so far but there might be a fourth. The rest of everything else so far is scheduled for November, and one we will see.”

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 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