

BOOK 26
August 16, 2023

BURLINGTON CITY COUNCIL REGULAR SESSION 8-16-2023

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, August 16, 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 checked="" type="checkbox"/> Thomas P. Tschantz	<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 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 checked="" type="checkbox"/> Mary Mader (Administrative Assistant)
<input checked="" type="checkbox"/> Philip Wright (City Attorney)	<input checked="" type="checkbox"/> Jimmy Hugunin (Zoning/Grants Clerk)
<input checked="" type="checkbox"/> Greg Holmquist (Assistant City Attorney)	<input type="checkbox"/> Kerri Weltha (Deputy City Clerk)

Media Present: Chris Faimon (Coffey County Republican)

VISITORS: Susan Galemore, Chris Henderson, John Vera, Ashley Rogers, Jimmy Shinn, RJ Maldonado, Paul Abendroth, Bud Reed, Chuck Morrison

AGENDA:

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

MINUTES 8/2/2023: Mayor Luke, "You have before you the draft minutes of our regular session of August 2, 2023. Are there any additions or corrections?"

Council Member Curtiss, "I move to approve the draft minutes of August 2, 2023, as presented." Council Member Ernst, "Second." Motion unanimously carried, 6:0.

APPOINTMENT: Susan Galemore, Chris Henderson, John Vera – NRC Presentation

A PowerPoint presentation was shown. Chris Henderson, "I know everyone's time is precious. We are going to go over what me and John do on a daily basis and give you where Wolf Creek is at on the reactor oversight process. Then, we will open up for questions. So, I am Chris Henderson. I am the senior resident at Wolf Creek. I am actually a Kansas State grad." Mayor Luke, "That's good." Chris Henderson, "I have now been a resident inspector for 12 years, six as a senior and then five as a resident inspector up at Cooper previously." John Vera, "I am John Vera. I am the resident inspector. I have been here for almost four years. I have been with the Nuclear Regulatory Commission for 15-plus years. I'm sorry, I am not from Kansas State."

Chris Henderson, "We will just go over really quick what we are going to cover. The mission, overall trajectory, and our reactor over-site process, we will give you an assessment of plant performance, and then we will open up for questions. Basically, our mission is to ensure that Wolf Creek operates for the health and safety of the public. The definition of our mission is up there, but it comes down to we make sure Wolf Creek operates the plant in a manner that adequately protects the health and public safety. That is really our mission statement there. We regulate reactors, materials, waste, and nuclear security. From the time they mine the uranium all the way down to when they put it in storage out here for Wolf Creek. We don't regulate anything dealing with the military reactor or space vehicles. That's done by other federal agencies. We don't own or operate a plant. All we do is regulate them. Some of the radioactive materials are naturally occurring, like radon—X-ray material used in particle acceleration that is regulated by states and other federal agencies.

"We came about in 1974 with the Energy Reorganization Act. At the time, it was the Atomic Energy Commission, so they were doing the regulation of it and publicly for nuclear power. A lot of people were like maybe that's not such a great idea. So, we came out of the Reorganization Act in 1974. Then, we are broken up

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as an independent agency where we have five commissioners; they are appointed by the president, confirmed by the Senate, and staggered in five-year terms. There cannot be more than three commissioners from the same party on the commission, and the president selects who our chairperson is. We are roughly closer to about 3,000 people working in four different regions. Our headquarters is in the DC area. We are geographically spread out. We have a training center that everyone goes through for training to become a resident inspector. This is just showing where all of our sites are at. Wolf Creek is the lone power utility in Kansas.

“Our day-to-day activities, John and myself both show up on the site; we walk down the plant, we have meetings with the staff, we do our baseline inspections, anything that we think that could be an issue we discuss with the site and then at every quarter we publish our inspection reports. We are on-site every day. We are also VIN response, so if something goes on at the site, they are the first ones we call, and then we are basically eyes and ears for the station. So, the reactor oversight big picture is how we VIN everything and look at from a risk significance of the issue it’s been identified or occurs at the station, then we break it down to initiating events, which is basically like reactor trips, that type of thing. Mitigating systems: the systems are supposed to prevent and mitigate the design accident barrier, so we go through all those cornerstones up there. So, big picture-wise, this is our response column. Right now, Wolf Creek is column one because all of their inspection findings they have had in the last year in 2022 in their performance indicators were all green. So, they get licensee response, so basically, we do baseline inspections. As the issues have higher significance, the more oversight and more engagement we have with the station. We just go from each step, and there’s more intense inspections and other things of that sort.

"Ultimately, John and I are here for emergency response. We are the first person to respond to the site if an event occurs. We are the eyes and ears of the agency. We will be the first responders. We will have our calls with the regional office and headquarters, and then we will get more help as issues arise at the plant. I’ll open it up for any questions.” John Vera, “I’ll suggest one clarification, though. Chris mentioned any issue that is green, that means a very low significance. If all of the plant issues that we find have very low safety significance and are below that green threshold, then that means they are in column one IBC response, which is the safest level that we have. That is where Wolf Creek is." Council Member Curtiss, "Good, thank you."

Council Member Lenard, “Is there any relationship to your scale to INPO ratings and other things, or are they independent?” Chris Henderson, “They are completely independent. We regulate to make sure that they safely operate it, but INPO goes more to the excellence scale. We have a memorandum agreement between INPO and ourselves, so when INPO is on-site, they are looking at something, and unless me and John absolutely need to, we stay away from INPO. That’s a whole different thing; that’s the utilities doing their own type of oversight process. They do share information with us, and we share with them, but we are pretty much two separate entities at the site. Now INPO will have more oversight also of the station at the same time as they go up in their scale.”

Susan Galemore, "I do have an annual assessment letter from the 2022 event, and then we have some NRC publications, a list of them, in case you guys are interested in more information on the NRC. I will just set them back on the back counter here, and anybody can take them at will if you are interested in them." Mayor Luke, "That’s fine." Susan Galemore, "Thank you." Chris Henderson, "Thanks for your time, everyone." Council Member Curtiss, "Thank you."

APPOINTMENT: Bud Reed, Chuck Morrison – Atmos Energy

Bud Reed, “I’m Bud Reed. I am the acting FCC building construction coordinator for Atmos Energy. We have that project going on. This is Chuck Morrison, my supervisor. We are here tonight to give you an update on the project that has gone on so far. If you aren’t aware of it, we started up at Garrettson by the hospital, and we are currently working all the way south to Kelley Park. It has been split into three phases. Currently, we have just started what we call phase three. We are almost done getting all of that pipe replaced. In phase one, we replaced 2,380 feet of four-inch pipe. What we are doing while we are here doing this replacement job is – there is old steel in the area, bare steel pipe, that there were no leaks on it. There have been leaks that have been repaired, but just a preliminary precaution. “Chuck Morrison, “It was a low-pressure system that needed to be upgraded. With all the generators going in, we weren’t able to fulfill their needs if they set generators in on a low-pressure system. So, part of that is getting that pressure upgraded to the town pressure, which is an average of 30 pounds for

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everybody else in town. So, we are going from six ounces this side of town and getting them back up to what everybody else is on the west side of town.”

Bud Reed, "So, yeah, phase one replaced with four-inch poly. Then 2,600 feet of two-inch poly, and in that, we replaced 64 services. So, when we are replacing services, there are some that are setting all the way at the alley or at the curb and stuff like that. So, as we are coming across replacing them, we are moving them to the house so we are eliminating the risk of the trash truck hitting it in the alley and cars hitting it on the curb. We are covering the costs for the homeowners that need what we deem as a legal entry plumbed out. We have a plumber go in, and we are covering that cost, so it is no cost to the customer throughout the whole project.

“On phase two it’s the same thing. We replaced 312 feet of four-inch, 5,200, for a rough estimate, of two-inch poly, is what we installed there with 84 services. Phase two was downtown, so there was quite a bit of multiple meter loops and stuff like that in the business areas. They are still currently working on phase two, trying to get meters flipped and everything like that. We are hoping within the next couple of weeks, we will be able to complete phase two. Phase three proposed is 4,700 feet of two-inch poly main are going to be installed with an estimated 34 services in that.”

Chuck Morrison, “By the time we get done with this project, there will be no bare steel on the east side of 4th Street. Everything will be upgraded; all new cast piping from our main to the homes." Mayor Luke, "Now, is it already poly on the west side?" Chuck Morrison, "It's cut up over there. There is some poly and some bare steel left. It is not in any kind of shape as what it was over here. For the past 10-15 years, we have just had little leaks show up every year, and it hit our risk factor. We leak survey these lines every year. What was it two years ago, Bud, they found 15 little leaks on a mainline? So, we repaired them at the time they found them, but it was just a risk factor. We run a model every year, and if we have so many leaks on a section of pipe, then we will go in and replace it with a brand-new pipe. That is kind of how we roll with pipe replacement. It is all due to a risk factor study, and a lot of things go into that; that is way over our heads. We were lucky enough to get them to give us the money to get this all taken care of."

Council Member Ernst, “What’s your goal on when the project will be finished?” Bud Reed, “Phase three is predicted to be finished the week of November 6th is our proposal. As these guys continue working just because they are on phase three as things come up on phase one and phase two, we still pull them back to clean up and put more gravel in the alleys, help the customers.” Chuck Morrison, “We are sure we are going to have some customers; you know how ditches settle and potholes and things we did in phase one, it’s going to show up with the rain and everything. We are addressing them as they come in and going back in. Even the very first one we started with – when was it?” Bud Reed, “February 17th is when we started.” Chuck Morrison, "We are trying to leave everybody as good if not better than what it was when we started.”

Mayor Luke, “I received a call today from Across the Borders, and there had been asphalt across his alley, and he was wondering if that was going to be new asphalt put in. He uses that to keep the dirt and mud and stuff from coming in from the people that come from the parking lot to his building.” Bud Reed, “Yes, we have communicated with him. Like I said, we are still in phase three. Mears is the contractor that we have working for us and they have their own concrete asphalt crew that comes in, so once they are completely done with phase three, they will assess what areas need to be done. I have personally been in contact with the owner of Across the Borders and let him know that it is going to happen.” Mayor Luke, “Okay, good, because I didn’t want him calling me again.”

Bud Reed, “Right, and I know Anne has my number, but I will leave some of my business cards out there on the table. If customers do complain, just give me a holler, and we will get with those contractors, and we will get it taken care of.” Chuck Morrison, “And any city sidewalk that they may have damaged setting a drill or a backhoe on the sidewalk, let us know; we will come back, cut that out, and have them replace that. We basically are almost done. We had a project in Yates Center, and this is our second year. But the whole town down there reached that risk factor, so we replaced the whole town. This is a different crew than we had down there, but it went off really well. We don’t expect anything different up here.”

Superintendent Davidson, “They have been doing an excellent job on the alleys and putting them back.” Chuck Morrison, “Good deal, that is what we like to hear.” Superintendent Davidson, “I haven’t heard any complaints on our side other than -- about the biggest problem we have had is with the trash company, but that all

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worked out." Chuck Morrison, "And that's understandable. They have a job to do, and we are blocking their alley and trying to get our stuff in. Coordination." Superintendent Davidson, "You guys have done a really good job with us." Bud Reed, "And with the trash truck ever since that first phase whole ordeal we started – came up with a little card because we have tagged all the doors that we are going to be working on. We tagged them and let them know that we were in the alley, and if you see the fence and stuff set up in the alley, put your trash in the front. From what I'm aware of, the Mears group has done a pretty good job of helping customers get it moved to the street if need be. If anything like that arises, don't be afraid to call, and we will get it taken care of."

Mayor Luke, "Okay, any other comments? Well, we appreciate you making the community safe." Chuck Morrison, "That's what it's all about." Bud Reed, "Thank you."

APPOINTMENT: Monica Mader – Coffey County Library – Burlington Branch

Monica Mader was not able to make the meeting but submitted a letter to be read on her behalf.

The Burlington Branch of Coffey County Library is committed to serving the children of Burlington and helping ease the financial burden of families in our community by offering a summer lunch program. Our library works not only to prevent summer slide with reading and STEAM programs but also to fill the food security gap once school is out. The families we serve might not be homeless, but the meals we provide help them have enough resources so they can continue to pay rent and utilities, buy school supplies, medicine, and more. We want our community to focus on thriving, not just surviving.

In 2022, we served three days per week for ten weeks with an average of 14 kids per day. In 2023, we served sack lunches five days per week for 11 weeks for any child 18 years and under. We do not have any restrictions, so we can offer meals without labeling or shaming families. We averaged 59 lunches per day. The cost for the summer was \$11,069.42, with food and packaging. Most of that cost was covered by donations from our amazing community, without whom we could not have managed this program.

We have already started budgeting and planning for our 2024 program. We realize we can't ask the people of our community to fund this program every year. We have started grant writing and asking for corporate donations. We have already secured \$2,000. We are asking the city council to consider a donation to the program and/or writing a letter of support to help us in our grant writing and funding efforts. Thank you for your time tonight.

Mayor Luke, "What are your thoughts?" Council Member Lenard, "Do they write their own grants, or do they go through the county?" Administrative Assistant Mader, "They write their own." Council Member Ernst, "Is this something that we have funds to donate?" City Clerk Brown, "We have a little bit, yes." Mayor Luke, "We can also supply a letter of support. We have done this before." Council Member Lenard, "We've done it with Pam Scott and a number of others." Council Member Curtiss, "I am definitely in favor of the letter." Mayor Luke, "We have support letters for COF and Transportation." Council Member Curtiss, "But we do have funds for this?" City Clerk Brown, "Yes." Mayor Luke, "Well, depending on how much funding you decide on." Council Member Curtiss, "Well..." City Clerk Brown, "I think so far this year all we have donated to is the Cancer Support Group." Council Member Curtiss, "What do you think? \$300?" Council Member Ernst, "I think at least \$500." Council Member Curtiss, "\$500? Okay." Council Member Ernst, "\$500 and a letter of support." Mayor Luke, "The letter is easy." Council Member Ernst, "Right."

Council Member Curtiss, "I move to approve the donation of \$500 to Coffey County Library – Burlington Branch for their Summer Lunch Program 2024 and to write a letter of support." Council Member Ernst, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

PUBLIC COMMENTS:

Ashley Rogers, "My name is Ashley Rogers. I recently opened Zen Den in downtown Burlington. I have been hosting meetings for local business owners to come together to see what we can't do to support each other and also potentially bring some life into downtown Burlington for the few retail stores that are there. We have been working on planning an event, and we are hoping to get your approval for it. Basically, we are asking to utilize the municipal parking lot behind the Zen Den, quilt store, and all that's there. I have Flint Hill Catering, who would like to come down and set up a food truck.

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“I also have Happy Basset, who is interested in coming down and setting up a beer tent. I have a band as well. RJ, here with Good Finds, just started hosting movie nights for kids. So, during that event, which would be hopefully 4:00 p.m. to 8:00 p.m., she will show a movie so parents can bring their kids; they will be well accounted for and entertained. They can come down and just enjoy some good times. We are also advertising it as a cruise night so car enthusiasts, or whoever can showcase their cars, and while doing so, we will be promoting Jay’s car show that he is working on on the 30th as well.”

Mayor Luke, “Any particular time?” Ashely Rogers, “September 9th is when we are hoping to do this. It’s Saturday from 4:00 p.m. to 8:00 p.m. We had means to get in here a lot sooner than now, but life happens, so here we are now. We even – the library thing would be something – basically, most of the proceeds that we would make would actually go back into the community. We are looking at working with Burlington Promotions as well to maybe see how we can partner with future events to just work together, build a community, and get some life and fun things to do so we aren’t going out of town.”

Council Member Curtiss, "You said a food truck and a beer --?" Ashley Rogers, "A beer tent, yes, ma'am." City Clerk Brown, "Have you checked with ABC on what you want to -." Ashley Rogers, "It's a brewery located out of Topeka. They are fully licensed. They do events all over. Our thoughts of having it in the municipal parking lot is that we can keep it contained. We will have music. There will be designated drivers on standby if need be. We can also block it off so people aren't just going to be wandering the streets. At Zen Den, I will be hosting for people who don't drink; it's not for everybody. I cater towards natural health, so I will have herbal elixirs. They can taste test and have snacks as well. Just have an experience for people. We would like to do things in the future and have this ongoing thing.”

City Clerk Brown, “You still might need to check with ABC and make sure that location and whatever else because they may regulate some of that.” Ashley Rogers, “Yes, not a problem.” City Clerk Brown, “Check with them just to be sure.” Ashley Rogers, “Yes, ma’am.” Mayor Luke, “The Fair Board had to do that when it was at the Fair a year ago.” Council Member Lenard, “And then we had to ensure that the area was fenced off and insurance – so there can be some other implications there.” Ashley Rogers, “We are willing to do whatever we have to do to do this. I have spoken with the food truck, and they are going to be working with the beer tent to do pairings. Trying to keep a local band. If it does get approved, we will be reaching out to vendors as much as possible to get local people to come in and set up and utilize the event.”

Jimmy Shinn, “We are hoping this will be the first of many to come if it does get approved. It is just something to have people come into town for the evening; just have something fun to do rather than going out of town and spending money elsewhere; just keeping and bringing more business into town.” Ashley Rogers, “Hopefully, it will eventually grow as well as downtown with everything that’s coming in. Why not have locals get this started before other people come in and take it.” Council Member Ernst, “This is by the fire station?” Council Member Curtiss, “No, and there is no problem going behind there, is there?” Mayor Luke, “Where the old city hall is and behind EB Sports, back behind there.” Council Member Ernst, "Oh, okay." Ashley Rogers, "I spoke with someone who said there used to be a cruise night pretty often. There are a lot of car enthusiasts here, so why not give them a chance to kind of show off.” Council Member Van Horn, “So, what would you need from the city besides permission?”

Ashley Rogers, “Just your approval and potentially a few picnic tables and trash bins. We had the thought that since it is along that creek, potentially put some of that fencing up, the orange fencing, so that eliminates the liability of someone going off. We will have volunteers to kind of be on standby for security purposes, just staffing to help direct things. We also would like to on the side of USD #244, where all of those parking spots are to block them off for handicap, so if people need to get in, they don’t have to travel very far. My question would be as far as parking goes. We thought about the idea of Kelley Park potentially and then having if the country club is open to it having a golf cart shuttle type thing. We just didn’t know what we could and couldn’t do.”

Council Member Lenard, “I think what we have done in the past is we had a map, and then they indicated where the beer garden would be and what the security is and then insurance, making sure you have insurance on it.” Mayor Luke, “The insurance would need to cover the city.” City Clerk Brown, “Because it’s a special event.” Mayor Luke, “And the brewery that’s doing it may be familiar with doing that. I don’t know.” Jimmy Shinn, “Just standard liability insurance for the event?” Mayor Luke, “They will know what they have to do if they have done

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it before, but it will have to be done here too and a copy given to us so we are fully covered.” Ashley Rogers, “Yes, sir.”

Council Member Ernst, “This is September the 9th from 4:00 p.m. – 8:00 p.m.?” Ashley Rogers, “Yes.” Council Member Curtiss, “Right around the corner.” Ashley Rogers, “Yes, it is.” Council Member Curtiss, “That’s a lot to get done.” Ashley Rogers, “We have been working on it for five months. It just so happens that we haven’t been able to make it here and work out all of the details.” Council Member Curtiss, “You’ll have to let them know as soon as you have all of that finalized with the brewery and the insurance and get that here to city hall.” Ashley Rogers, “Okay, not a problem.” City Clerk Brown, “I hope that doesn’t throw a kink in your plans.” Ashley Rogers, “That’s life; we will keep it moving and figure it out.” Mayor Luke, “If ABC is an issue, they can do everything else and then next year--.” Ashley Rogers, “Yes.”

Jimmy Shinn, “Our backup plan was if it doesn’t necessarily work out for this year, we have all the information that we need for next year to get this going full swing, and we will have several months, and we can work everything out in that time frame. Like she said, unfortunately, we hadn’t had a total collaboration in getting everything finalized, and we are still working on a couple of things. We are going to add to the event next year. This year, we are keeping it simple, just a simple cruise night. Like she said, we are promoting the car show at the end of September on the 30th.” Ashley Rogers, “And ultimately, I would like to potentially do a first Friday art walk type thing along with and/or the cruise night just to have something to do for people in town if we can pull it off.”

Jimmy Shinn, “Trying to get more activities in town for the younger generation along with the older generation and intermingle together and just try to create more excitement in town rather than everyone deciding to all the time go out of town. Try to bring some life back to town.” Council Member Curtiss, “I like that.” Council Member Ernst, “So, do we need to make a motion?” Mayor Luke, “The only – if Kevin needs to supply trash and tables, you need to meet with Kevin on that.” Ashley Rogers, “Yes, sir, not a problem.” Mayor Luke, “If you are going to from the back of (USD) #244 from the back of the bridge, if you need to block that off so that no transportation can pull in other than your trucks, Mark would be the one to talk with on that. They wouldn’t need any type of electric hook-up or anything?”

Ashley Rogers, “As far as I’m working on getting a band that practices right there to potentially play. I am waiting on a response for that; they have to check with their wives.” Council Member Curtiss, “Smart men.” Ashley Rogers, “I’m hoping potentially we have a gooseneck trailer for them to set up on, so we are hoping that we can just maybe extend it out of where they are already located. As far as the rest goes, we are kind of at a standstill until we get their response. If not, we have a backup plan. There is a gentleman out of New Strawn that has a car audio store, so he has offered as well to set up some of his equipment and showcase it. Then we would have a DJ for that entertainment. We’ve got lots of ideas.” Mayor Luke, “You’ve got a lot to put together in the next few days.” Ashley Rogers, “Yes, we do. I like a challenge, though.” Mayor Luke, “You have one.”

Attorney Wright, “If they are going to use the parking lot, that’s city property, right? It would probably be good to have a motion for them to use....” Mayor Luke, “Behind the stores.” Attorney Wright, “Behind the stores on September 9th from 4:00 to 8:00 p.m.” Council Member Lenard, “And I am okay with everything that they said. I think, with the exception of the beer garden is where we are going to hit the snag. So, it would be contingent on getting those approvals and the insurance. I think that is what we did on the Fair Board that it was contingent on getting that-- that way, they could continue with the planning.” Jimmy Shinn, “I think they would have with them some liability.” Ashley Rogers, “I would say they have most of it, but I don’t want to say yes or no.” Council Member Lenard, “Like wristbands and ID checks, they know what they have to do.”

Council Member Lenard, “I move to approve the use of the municipal parking lot behind the businesses on the south side of Neosho Street between 3rd and 4th street on September 9th from 4:00 p.m. – 8:00 p.m. for the B-Town Bash 2023; with the contingency for the beer garden being that all security, licenses, insurance, etc. are provided.” Council Member Curtiss, “I second the motion.” Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0.

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.

Tree Trimming: Superintendent Schneider, “We are still doing tree trimming.”

Callouts: Superintendent Schneider, “I'd like to touch on a couple of callouts that we worked. Sunday, the 6th of August, we worked a call out due to the winds causing tree limbs to come down and knocked down one service wire to an individual's home. The second call out for that day was a large walnut tree that completely uprooted and tipped over. That was to an abandoned structure, so we did remove our equipment. They didn't have electric service for several years now. We worked one more instance Monday morning during regular hours. We got a phone call about a street wire that was down due to another tree. We were able to get that back up and that street light back in service fairly quickly. Sunday evening, when the weather came through with all the high winds, we did not have any issues on our system. The lights did flicker a little bit as it did happen further south of us as well, but no outages there.”

County New Parking Lot – 6th and Neosho – Jail Project: Superintendent Schneider, “I have been in contact and visiting with the courthouse engineers and the architecture firm. We have been testing the electrical load. We believe it is going to be a 1200-amp electrical 480-volt service, but we are waiting for 100% confirmation on that. We didn't want to say yes, this is for sure what it is until they complete their engineering. We will be able to take care of them fine. I don't believe we will have any delays on our side.”

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 doing reports.”

Generators Capability Testing: Superintendent Schneider, “Next Thursday, we will be completing our annual KPP energy capacity testing.”

Generation Project/Thank you's: Superintendent Schneider, “On the generation project, they are making progress. The cooling tower and all of the piping, is completely fully connected to the system now. They are still working on assembling parts. We are waiting on the engineering firm to come in on the control cables. Larry is still really confident, I don't want to jinx this, but in mid-September, we should be able to start that up. They have a lot of work to do, but that is the story that I was told today is that they think they can make that date.”

I would like to thank Tyrell and Jaden in the Water Department. They came out and helped us clean out sewer lines and also helped locate our sewer lines. What has to happen is the overflow of the cooling system for the new generator – they are all treated with a chemical. The chemical that we need to put in for the heating exchangers is a different chemical, and it cannot be put into the environment; it is not environmentally friendly. So, the state has considered it greywater. We will make a sewer tap here, hopefully on the 29th of August, with the help of some other departments. We will get that ready to go and be ahead of that as well.”

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 Leak: Superintendent Hawkins, “We went up to the courthouse where we had the water leak there last week, and we put in new dirt and leveled that up to make it look a little nicer for them.”

Chlorine Burnout: Superintendent Hawkins, “You might have already noticed we have been doing a lot of flushing; it's that time when we run a chlorine burnout. We get a lot of the water tastes like swimming pools, and sure, it does, but it does good. It helps remove nitrification from the lines, and it helps the other entities in the county. Gridley, New Strawn, LeRoy, and all the rural water districts go out and do a major flush. Generally speaking, what we do is start our chlorine burnout and try to kill two birds with one stone. It gives us a chance to exercise every fire hydrant in town. So, you have probably seen us out even on the weekends; we try our best to

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get them all flushed in town first, and then that gives a good chlorine residual for the surrounding towns and rural water costumers.

“We have been spending a tremendous amount of time with that. We spent nearly eight days, including the weekends, just flushing and flushing. We flushed a little over one million gallons on the ground; that is normal for that. We had a few small service leaks, nothing really major, on some lines. So, the plant is back to combined chlorine. It is over with. I am hoping in the next couple of days everybody will start seeing a subsidy in the chlorine smell and taste.”

WATER AND WASTEWATER: Production Update

General: Superintendent Hawkins, “The plant is running fine and averaging 700,000 gallons a day.”

Equipment Maintenance: Superintendent Hawkins, “I have been working with RW Vaught and Jim Morris; they are supposed to be coming out. The word I'm hearing is next week; we will get our new flow meters installed at the water treatment plant. So, I am trying to keep them on schedule with that because they have some SCADA things to work with us on that. Once we get that done, we will have KDHE have the application processed, which I am working on right now for the raw water. That’s what we use for when we do our water rights to keep track of it, and then when we change meters out, it lets them know that those meters have been replaced.”

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.

School Speed Limit Signs: Superintendent Davidson, “We removed the time zones around the lower elementary.”

Graceland Cemetery Tree Maintenance: Superintendent Davidson, “We had some pines trees down at Graceland Cemetery. We cleaned them up and dug out the stumps.”

Culvert Maintenance: Superintendent Davidson, “We repaired alley culverts damaged by the gas company.”

Sign Replacement: Superintendent Davidson, “We have replaced some signs that have faded.”

Tree Trimming: Superintendent Davidson, “We have done some tree trimming.”

Shoulder Maintenance: Superintendent Davidson, “We bladed shoulders on gravel roads.”

Tree Clean Up: Superintendent Davidson, “Sunday, we had a tree fall on Potomac Street between 4th and 5th, which happened to be at Joe Iseman's property. It fell across the road. Thank you to Alan for letting us borrow the bucket truck. We were able to get most of the trees cut up. We went back Monday and took down some more trees that he was pretty vocal about. For right now, I think we have him somewhat satisfied. We did have to do a street closure. I apologize for not getting in touch with the council to do that.”

County New Parking Lot – 6th and Neosho – Jail Project: Superintendent Davidson, “Then today we had a meeting with Craig Marshall, Tom Hugunin, Wade Bowie, Richard Mason, Jimmy Hugunin, and myself. We took them down to 6th and Hudson, and I explained to them what they tried to explain to the council last meeting. I believe I got my point across to them, and what they wanted to do was not going to work. I have photographs Sunday of the water coming down 6th Street bypassing their inlet that they put in on the new drainage. It was going around and coming over the top of their concrete inlet. So, I emailed the photographs to Tom Hugunin. Apparently, they have contacted Killough Construction. I have seen that there is a piece of equipment up there. Hopefully, that will be resurrected in the next couple of days.”

“Tom also brought up that he is going to try to get a crosswalk just east of the lumber yard. When they put in the new parking, we had talked about putting a crosswalk there. The engineering firm, for some reason, didn't do it. If that is put in, he wants to do that within the timeline of the jail. I told him we would probably look into putting some solar crosswalks there for the new parking lot going across to the house. Just letting you know that could be a possibility. We will be looking at that probably next year.”

POLICE DEPARTMENT: Update

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General: Council Member Curtiss, "They had a very busy weekend."

Activities/ Cases: Council Member Curtiss, "They worked a runaway case all day Friday from 5:00 in the morning to 7:30 p.m. when she was found. She was checked out by the EMS, did a JV intake, and she was released to her parents. They worked a rape case that occurred about 3:00 a.m. Friday morning, by Saturday evening, they had executed the search warrant, collected evidence, and an arrest was made. Both involved were juveniles. They assisted the highway patrol officer just south of New Strawn for a traffic stop drug search. Sergeant Stuart worked that case all day Saturday. Also, a domestic between a couple in the country. He got mad, grabbed his gun, went across the street, and fired it into the ground."

There was an unattended death, arrests of adult males on city warrants, and an adult female arrested on city warrant in Iola, and she bonded out. Other calls included EMS assists, assist citizen calls, road hazard calls from the high wind, suspicious activity calls, harassment calls, assisted other agencies, 911 open line calls, work nuisance properties, recovered an abandoned bicycle at the library, which was there for six weeks, welfare checks, civil standbys, assault report, JV activity calls, child forensic interviews, elder abuse call, community service working at the range Monday and Tuesday, and animal calls."

PARKS DEPARTMENT: Update

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

Mowing: Superintendent Boyce, "We have been mowing and spraying weeds."

Watering: Superintendent Boyce, "We have been watering flowers and trees."

Storm Clean-up: Superintendent Boyce, "We have been cleaning up tree limbs in the parks after the storms."

QUESTIONS/COMMENTS

Mosquito Fogging/Spraying: Council Member Tschantz, "Have we been spraying for mosquitos?" Superintendent Boyce, "We got one fogging in. Off the top of my head, I can't tell you when that was. It was the week of the beginning of the fair. The wind speed has to be above one and below 10. We have been having trouble getting wind speed." Council Member Ernst, "Are there more planned?" Superintendent Boyce, "We will do it every week." Council Member Ernst, "If the wind is right." Superintendent Boyce, "Weather permitting."

FINANCE: Claims Ordinance & Payroll Ordinance

a. Claims Ordinance	2023-16	\$	<u>908,594.28</u>
b. Payroll Ordinance	2023-17	\$	<u>101,265.83</u>
	TOTAL	\$	1,009,860.11

CLAIMS 2023-16: Council Member Tschantz moved to approve City of Burlington Claims Ordinance 2023-16 for the amount of \$908,594.28 for payment of city bills. Council Member Lenard gave the second. City Clerk Brown, "The larger expenses we have tonight are Brenntag Southwest \$5,906.95, Kansas Power Pool \$230,828.44, Midwest Electric Transformer \$13,999.43, and Kansas State Treasurer \$532,772.50." 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 2023-16 passed unanimously, 6:0."

PAYROLL 2023-17: Council Member Curtiss moved to approve City of Burlington Payroll Ordinance 2023-17 in the amount of \$101,265.83, as presented. Council Member Lenard 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 2023-17 passed unanimously, 6:0."

PLANNING & ZONING: Update

General: Zoning Clerk Hugunin, "Normal duties."

Nuisance: Grass/Weeds Update: Zoning Clerk Hugunin, "I am still staying busy with nuisance grass and weeds. I have a couple of letters going out tomorrow, and a couple already went out this week."

Brush Clean-Up Week: Zoning Clerk Hugunin, "I have been working on making up some draft flyers for the proposed brush clean up."

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Permits: Zoning Clerk Hugunin, "I have been busy with permits."

County New Parking Lot – 6th and Neosho – Jail Project: Zoning Clerk Hugunin, "As Mark said, we had a meeting with Craig Marshall and all of them at the school. We met on 6th Street, right there at 6th and Niagara. There was some miscommunication or misunderstanding. The school board was under the impression that they owned that parking that is just right across from the church. They don't; that is city-owned. As far as we can remember, probably back in the 1990s, that was probably a county project to get more parking for the courthouse. The school board had put up signs saying USD #244 parking only. That's not going to fly on public parking. I think we got all of that taken care of. There is some other stuff I think could pop up. When I was at a meeting the first time with all the parking with the jail project, I told them to get a survey. They didn't get a survey, so there are going to be some discrepancies on the property line. They said they were going to be good with it. I told them it is required before I will do a building permit that they get a survey. That way, they can make sure that everyone is going to be happy and nothing is going to be on anybody."

That also brought up some questions that Mary has been helping by looking that stuff up. Well, Mary has been doing most of the looking up. But Floral Park, Craig Marshall might be in at some point in the future, and I am just going to make you aware of this. They are looking at doing some stuff different there at the park. You guys, as the governing body, have to decide on whether they can do it or not. I have been reading a little bit about it. They are looking at doing some parking. I don't think the way it is written that you can have parking in Floral Park. It is described in there as being a park-like atmosphere with so much green space and open to the public. I am going to get with Craig on that tomorrow also."

Mayor Luke, "They have been looking at that for some time." Zoning Clerk Hugunin, "I knew there was something with it. Mark and I had talked about it a little bit while we were there with them, and I said I would research it. That's what I had found."

QUESTIONS/COMMENTS

Brush Clean Up Week: Mayor Luke, "Not necessarily for you but for the governing body, looking at the early brush pick up, is there any issue with doing it Monday, September the 4th, instead of doing it back in October? Get some of the brush out of here from the storms." Council Member Lenard, "On a holiday?" Mayor Luke said, "We would be closed Monday the 4th, but that week, so Tuesday. All of the departments-- Mark has the equipment available. I've talked with Danny, and the 5th would work the best for him because there are other projects that are coming in shortly after, and it would give them a chance to get meter readings done for the month. Also, Alan was fine with that week, too. Everything is covered there. We will put this out on our website, Facebook, and post it around." Council Member Curtiss, "Will it go in the newspaper?" Mayor Luke, "It can. Normally, we do." Council Member Curtiss, "Okay."

Mayor Luke, "We will make sure that we notify the public that it is taking place of the brush pick up that we normally do in October." Council Member Curtiss, "Later in the fall." Mayor Luke, "Yes, and hopefully, we will be able to keep brush and trash separated. If not, it will be left." Council Member Curtiss, "It needs to be in big letters, no trash." Zoning Clerk Hugunin, "Good luck." Mayor Luke, "Big letters. Okay, any issues with going forward with this?" Council Member Lenard, "But this is – are we moving it up because of the commingling or because of the recent storms?" Mayor Luke, "Recent storms." Council Member Lenard, "Okay." Mayor Luke, "Because there is a lot laying out there. Some of it's being set out to the street, some is being packed in the back, some of it is just being let laid, so this way we can get it done and out of the road." Council Member Lenard, "I wish we had the ability that if we did have a storm, something major, in between council, and I'm sure the guys would take care of stuff." Mayor Luke, "We can look into establishing a team for when we have a big storm come through, we can immediately go out. We will proceed with it this way then." Zoning Clerk Hugunin, "I will change the four to a five."

OTHER COMMITTEE OR COUNCIL BUSINESS

ORDINANCE 896 for UPOCs (Uniform Public Offense Code) & ORDINANCE 897 for STOs (Standard Traffic Ordinances)

City Clerk Brown, "Chief Jones said that he looked through these, and there were no major changes, and he would like to go ahead and approve these."

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Council Member Tschantz, “I move to adopt Ordinance 896, Uniform Public Offense Code for Kansas Cities, 2023 Edition.” Council Member Lenard, “I second the motion.” Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0

Council Member Lenard, “I move to adopt Ordinance 897, Standard Traffic Ordinances for Kansas Cities, 2023 Edition.” Council Member Van Horn, “I second the motion.”

Council Member Curtiss, “I want to know what it means on 114.1 – 114.5 about all of the all-terrain and all of those it says are not adopted and are replaced by Burlington City ordinance #802. What does that mean?” Attorney Wright, “The STOs prohibit those vehicles on the streets, but the City of Burlington allowed it.” Council Member Curtiss, “So, this ordinance that I have 802 is still in effect?” Attorney Wright, “Yes.” Council Member Curtiss, “Okay, that’s what I needed to know.” Attorney Wright, “That’s how we carve that out and not eliminate Ordinance 802.” Council Member Curtiss, “So, they should be tagging golf carts.” Mayor Luke, “Yes.” Council Member Curtiss, “I have a big problem with that too. There are lots of them that are not tagged that are driving around our city streets. I don’t feel like it’s right. They need to be insured and tagged.” Superintendent Boyce, “Some are being operated by kids.” Council Member Curtiss, “Somewhere there is going to be somebody hurt as a result of this. I have addressed it a couple of times, and nothing seems to be getting done. Anyway, I just wanted to make sure that by adopting this, it did not take this away.” Council member Tschantz, “I have also seen four-wheelers that are not tagged.” Council Member Curtiss, “There are a lot of them that go down our street.” Superintendent Boyce, “I understand on the four-wheelers they cannot get the tag, but they can be used if they are being used for work service.” Council Member Tschantz, “Going to the grocery store is not for work service.” Council Member Curtiss, “They cannot be used on the city streets?” Superintendent Boyce, “Only if they are being used for work. If you are blading snow, spraying weeds, --.” Mayor Luke, “Checking meters.” Council Member Tschantz, “I followed one all the way down 3rd Street to the grocery store, and it didn’t have a tag. Now that’s not work.” Superintendent Boyce, “No.” Mayor Luke, “They are supposed to have one.” Council Member Curtiss, “Okay, thank you.”

Hearing no further discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0

LEGAL DEPARTMENT: Update

General: Attorney Wright, “Normal duties.”

Claim: Attorney Wright, “I have spent quite a bit of time working on a potential claim with the city.”

Water Rate Ordinance: Attorney Wright, “I have also begun drafting, about 80%, of the water ordinance. I’ve worked quite a bit with Anne. I am asking for a little bit of direction here, I guess. We are drafting the ordinance, trying to, so that it includes provisions where the city readdresses the water rate table every year, probably in May sometime, and go ahead and approve at the at time new water rates and water rate table so we don't have to do ordinances all the time. It also forces the city to readdress this every year so we don't end up several years down the road and not have done anything with it and have an increase that upsets everybody. Good to go? Everybody like that idea?”

Council Member Lenard, “Well, we did previously approve that we were going to stay at the 1.168 margin every year. We didn’t decide when we were going to do it. I think philosophically....” Attorney Wright, “Well, this will just open it up, so it forces the city every year to take a look at it. It is really complicated just because of one of the water district contracts requires a notice, and then we can’t raise anybody’s rates by contract and by ordinance more than anybody else proportionately. So, Anne is going to have to calendar this prior to that main meeting 90 days out, so we are looking at January or so if it's looking like we are going to have to raise rates to go ahead and send that notice to the district every year that the rate is going up. I don’t think the notice requires a specific amount; it just says by contract if it’s going to go up, we have to notify them in writing. That is where that is at. I apologize for not having it tonight. We have been getting tied up a little bit more than I anticipated this week. I am going to try to circulate that well in advance so if there are any questions about it or concerns, they can be addressed. That’s my goal, and it doesn’t take effect until November, so we have a little bit of time to get this hashed out and make it look right the first time.”

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.

2024 Budget: City Clerk Brown, “Mary put the budget booklets together and has passed them out.”

John Redmond Tabletop Exercise: City Clerk Brown, “A reminder about the tabletop exercise for John Redmond Lake on August 23rd from 9:00 a.m. to 12:00 p.m. at the New Strawn Community Center. If you would like to go, just let me know so I can give Amber a heads up of how many might be attending.”

Closed: City Clerk Brown, “City Hall will be closed on August 23rd which is next Wednesday. We have been subpoenaed for District Court from 12:00 p.m. to 5:00 p.m. Then we will be closed September 4th for Labor Day.”

REPORT BY CITY OFFICERS:

MAYOR’S COMMENTS

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	<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