

BOOK 26
February 24, 2025

BURLINGTON CITY COUNCIL REGULAR SESSION 2-24-2025

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. Monday, February 24, 2025. Mayor Luke called the meeting to order.

THE PLEDGE OF ALLEGIANCE

ROLL CALL: ☒ Stan Luke, Mayor

Council Members present:

☒ Jerilyn Curtiss (President of Council)

☒ Maxi Berryman

☒ Cara Mays

☒ Lila Van Horn

☒ Nathan Strawder

☒ 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 (Executive Administrative Assistant)

☒ Philip Wright (City Attorney)

☒ Jimmy Hugunin (Zoning/Grants Clerk)

☐ Kerri Weltha (Deputy City Clerk)

Media Present: Mark Petterson (Coffey County Republican)

VISITORS: Adam Hoch, Mark Drennan, Maverick Ohlde, Daniel Degadillo, Ben Biggs, Chris Woods, Gary Boles, Peggy Anderson, Donnie Anderson, Johnny Ingram, Wade Bowie, Eric Smith, Ryan Durst, Becky Petterson, Kellie Roney, Brittany Hawkins

RECOGNIZE MIKE RONEY, ADAM HOCH, AND DANIEL DEGADILLO

Mayor Luke, "We want to recognize all of our visitors. I know a group of you will be leaving shortly, but that's fine. That's not a problem, but at this time, I would like to take a few minutes and recognize three individuals. Mike Roney, Adam Hoch, and Mr. D (Daniel Degadillo). I know January the 7th of 2025, three individuals woke up not expecting the day to turn out the way it did. However, we're grateful, as is the Hogan family. I know, for me, it means a lot. Somebody driving down the road stops and helps, two others leave their homes, the spur of a moment, and goes out of their way to help a family that's in dire need. And on behalf of the city, I would like to provide each of the three with a letter of commendation. I will read it once, they're all exactly alike, so I don't want to read it three times unless you want to memorize it and say it for me. This is Adam Hoch's. This is February the 24th of 2025.

"On behalf of the City of Burlington, Kansas, I am proud to present you with this letter of commendation for your actions on January the 7th of 2025. We highly commend you for your extraordinary bravery while assisting in the rescue of three individuals trapped within their burning home. When faced with an incredibly dangerous situation, you did not hesitate to risk your own personal safety to assist other responders to rescue those in desperate need. Your bravery is nothing short of heroic and is a testimony to your exceptional character, and your actions will not be forgotten. Your willingness to put others first is the very best quality of human compassion and serves as an inspiration to us all. On behalf of the City of Burlington, I want to express our deepest gratitude and to extend our sincerest thanks for your extraordinary service. Thanks again for helping to bring them out alive.

"Each of you received commendation from the city. I also have two commendations here for Mike. I'm not going to read them; one is from Senator Moran in Washington, DC, and the other one is from Derek Smith Congressman in Washington, DC. Upon the recommendations of the chief of police. We met with the governing body, and it was a consensus that we would issue a meritorious service. Given this, it actually says the 19th, but today's the 24th day of February. Chief Doug Jones takes pleasure in commending police officer Mike Roney for professional achievement in the superior performance of his duties, and on Tuesday, January the 7th of 2025, a house fire was called in and three occupants were still in the home. Officer Roney, along with volunteer fireman Adam Hoch and Mr. D (Daniel Degadillo), Kansas Highway Patrol, entered the house and successfully extracted the occupants. This action represents the extreme sacrifice and heroic bravery beyond the call of duty and the selfless desire to preserve the lives of other human beings. Signed Robert S. Luke, Mayor."

Mike Roney, "I just want to thank you guys. I appreciate you two showing up and being there. Thank you." Chief Jones handed Officer Mike Roney a pin. Mayor Luke, "He wasn't sure where to pin it. So, we'll just hand it

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to him and let him decide.” Chief Jones, “It is designed to go on your class A’s.” Mike Roney, “Thank you guys.” Chief Jones, “This is a side note; we instituted the professional recognition program 2019 with the approval of the City Council. This is the first time meritorious conduct has ever been awarded to any officer in the Burlington Police Department.”

MINUTES 2/5/2025: Mayor Luke, “You have before you the draft minutes of our regular session of February 5, 2025. Are there any additions or corrections?”

City Clerk Brown, “We do need to make a motion to amend the claims ordinance 2025-02 from \$370,659.17 to \$416,495.58, and with doing that, it changes the total for the whole claims ordinance from \$484,720.81 to \$530,557.22.”

Council Member Curtiss, “I move to approve the draft minutes of February 5, 2025, as amended.” Council Member Strawder, “Second.” Motion unanimously carried, 6:0.

AGENDA:

Council Member Ernst, “I move to approve the agenda as amended.” Council Member Curtiss, “Second.” Motion unanimously carried, 6:0.

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.

Line Maintenance: Superintendent Schneider, “We are still doing some line equipment maintenance at the shop on the bad days.”

Pole Attachments: Superintendent Schneider, “It’s that time of year again; we’re counting pole attachments that the phone and the cable company have. Guys are just getting started on that.”

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.

Painting: Superintendent Schneider, “Still lots of painting going on.”

Generator Exercise: Superintendent Schneider, “We will be exercising all the generators this week on Tuesday, Wednesday, and Thursday.

Generator Metering: Superintendent Schneider, “Thursday we will be working with KPP Energy and Evergy as the metering on the new generator that was recently installed, Evergy is still not able to capture what we are generating correctly. So, we’ve got a team’s call set up with them to see what can be done and Utility Helpnet that will be on site to make any adjustments on the metering communications as needed, and that’s all I have this evening.”

QUESTIONS / COMMENTS

Attorney Wright, “How are we coming on the estimates for the make-ready work?” Superintendent Schneider, “So I did get them an estimate. I do not have the breakdown of everything because I’ve got a pile of papers that thick they sent me, so I did communicate with them, and I gave them the hard estimated number, and I’m working on the rest of it.” Attorney Wright, “Okay, do you know, do you have a time frame at all? The reason I’m asking because the other guys were asking me.” Superintendent Schneider, “Yeah, no, I understand. I am hoping if I’m not done by the end of this week, mid-next week is what I’m hoping for. Like I explained to them, being a small utility, we’re going to take care of our customers before we do anything like that, so we’re going to try and push it all in there.” Attorney Wright, “Sounds good, thank you. Appreciate it.”

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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 Leaks: Superintendent Hawkins, “We've repaired two water leaks, one yesterday over here by the car wash at 1104 N. 4th, and then we fixed one today down at 4th and Alleghany between 3rd and 4th right there. We've got those completed, we've got to go back tomorrow and do some cleanup and get it ready.”

Winter Storm: Superintendent Hawkins, “With all the snows coming in, we've been dealing with the snow and checking on heaters, lift stations, heaters in the blue water tower, been running our generators, getting them ready if we need them. Hopefully, winter's over with; that's our hope.”

Maintenance: Superintendent Hawkins, “Other than that, we've been doing general maintenance and duties within the shop and in the plant.”

WATER AND WASTEWATER: Production Update

General: Normal duties. The plant has been running really well.”

Winter - Usage: Superintendent Hawkins, “Right now, the plant usage is up. I've been talking with the water districts; they're having the same issues as we are coming out of the real cold weather with leaks and usage being up with people running their water. They're just trying to keep them from being frozen. So, we're seeing that up quite a bit. So, we're running a little overtime, running extra water for that. So, right now, the plant has been running really well. So, we're pretty pleased with that.”

WATER AND WASTEWATER: Personnel Evaluations

Superintendent Hawkins, “I've got two operators that are up for their evaluations here. So, Tyrell Udy, we did his evaluation. He did really good this year. Very pleased with him. I just recommend that we take him from \$24.01 to \$24.73. Very pleased with his performance with everything.”

Council Member Ernst, “I move to accept Tyrell Udy’s annual evaluation as presented, and to grant a pay increase to \$24.73 per hour, effective February 22, 2025.” Council Member Curtiss, “I second the motion.” Hearing no further discussion, Mayor Luke called for a vote. Motion carried, 6:0.

Superintendent Hawkins, “The next one I have is Jaden Brickell. Very pleased with him. He has excelled tremendously this year. Out of all my operators and stuff, he's really come on board. He's really learned how to run the skid loader and heavy equipment. So, we've kind of found a good fit with him in that he really enjoys that heavy equipment. He is doing really good with working at the plant as well. I am very pleased with him this year. I'm glad to see him come on really good. I'm recommending we go from \$20.64 to \$21.25 with Jaden.”

Council Member Ernst, “I move to accept Jaden Brickell’s annual evaluation as presented, and to grant a pay increase to \$21.25 per hour, effective February 22, 2025.” Council Member Van Horn, “I second the motion.” Hearing no further discussion, Mayor Luke called for a vote. Motion carried, 6:0.

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.

Street Maintenance: Superintendent Davidson, “We've been working on alleys before the snow started and patched a few potholes.”

Winter Storm: Superintendent Davidson, “During snow, we had about eight hours of overtime on this last snow. We went from 8:00 to 11:30. That was the 15th, I believe. We had to pick up downtown twice because of blowing snow. We had a couple stop signs damaged in the wind, and one was hit by our vehicle. We also helped the Parks Department clean parking lots, municipal lots, and down in Kelley Park.”

Equipment Repair: Superintendent Davidson, “We had some equipment breakdown. We are in the process of getting them fixed.”

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QUESTIONS / COMMENTS

Council Member Van Horn, "We appreciate the good job you did with the snow." Superintendent Davidson, "Thank you very much. I'll pass that along."

STREET DEPARTMENT: 2025 Street Improvements

Superintendent Davidson, "I would like to have councils' permission to go out for the 2025 Street Improvement bids. It'll be chip and seal."

Council Member Curtiss, "I move to authorize Superintendent Davidson to go out for bids for the 2025 Street Improvement Projects." Council Member Ernst, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion carried, 6:0.

POLICE DEPARTMENT: Update

General: Chief Jones, "Normal duties."

Activities/Cases: Chief Jones, "Officers and animal control did work an animal neglect that turned into an arrest; two dogs seized and arrested two adult females for narcotics possession. We're thanking Bonnie for that one. Usual domestics, usual scams, and assist other agencies, and the weather like everybody else."

Nuisance: Properties/Vehicles Update: Chief Jones, "On the nuisance side, we did address one more nuisance property in between the blizzards, and now that it's melted off again, we'll be following up with that and see where they're at with it."

POLICE DEPARTMENT: Recommendation to Hire Police Chief

Council Member Ernst "I move to approve the police committee's recommendation to promote Mike Roney to the position interim Police Chief, effective March 1, 2025, at the hourly rate of \$35.00 an hour." Council Member Van Horn, "I second the motion."

Mayor Luke, "That needs to be amended slightly. The appointment would be for March 1st, 2025, until the first meeting in May when we make annual appointments." Attorney Wright, "We got a motion on the table, so we have to do something with that."

Council Member Ernst, "I withdraw my motion." Council Member Van Horn, "I withdraw my second."

Council Member Ernst "I move to approve the police committee's recommendation to promote Mike Roney to the position interim Police Chief, effective March 1, 2025, at the hourly rate of \$35.00 an hour, until the first council meeting in May." Council Member Van Horn, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion carried, 6:0.

Council Member Curtiss, "Congratulations."

Council Member Ernst, "I make a motion to authorize to advertise for a police officer until filled." Council Member Van Horn, "I second the motion." Hearing no further discussion, Mayor Luke called for a vote. Motion carried, 6:0.

PARKS DEPARTMENT: Update

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

Trimming Trees: Council Member Ernst, "They have been trimming trees and picking up limbs from wind and snow."

305 Neosho Maintenance: Council Member Ernst, "Painting in the 305 Neosho Hair Clinic building, and that job is finished."

Ballfield Lights and Pole Replacement: Council Member Ernst, "Attended a meeting with the Rec Center for the ball field lights and poles on February the 14th; pending a further update there."

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Beautification Project: Council Member Ernst, “Sorry, but there's no flower quotes for this meeting. Kevin will have it on the March 5th meeting.”

FINANCE: Claims Ordinance & Payroll Ordinance

a. Claims Ordinance	2025-03	\$	<u>336,689.75</u>
b. Payroll Ordinance	2025-04	\$	<u>113,414.73</u>
	TOTAL	\$	<u>450,104.48</u>

CLAIMS 2025-03: *Council Member Curtiss moved to approve City of Burlington Claims Ordinance 2025-03 for the amount of \$336,689.75 for payment of city bills. Council Member Ernst gave the second.* City Clerk Brown, “The larger expenses we have tonight are Alexander Pump and Service INC \$10,490.21 21, Border State Industry \$9,779.65, Kansas Power Pool \$159,472.25, and Midwest Electric Transformers \$27,977.55.” ***Hearing no discussion, Mayor Luke instructed City Clerk Brown to poll Council for a vote. Mayor Luke declared, “Claims Ordinance 2025-03 passed, 6:0.”***

PAYROLL 2025-04: *Council Member Curtiss moved to approve City of Burlington Payroll Ordinance 2025-04 in the amount of \$113,414.73, as presented. Council Member Van Horn gave the second. Hearing no further discussion, Mayor Luke instructed City Clerk Brown to poll Council for a vote. Mayor Luke declared, “Payroll Ordinance 2025-04 passed, 6:0.”*

PLANNING & ZONING: Update

General: Zoning Clerk Hugunin, “Normal duties.”

Inventory: Zoning Clerk Hugunin, “I wasn't here a lot the week before or last week, but I've been working on the inventory, and that's kind of what I've gotten done. I didn't do any snow or ice removal.”

Nuisance: Grass/Weeds Update: None.

OTHER COMMITTEE OR COUNCIL BUSINESS

RESOLUTION 2025-01 DEVELOPERS AGREEMENT

Mayor Luke, “At this point, we have the resolution of 2025-01, the developer’s agreement.”

Council Member Van Horn, “I move to approve Resolution 2025-01, Establishing A ‘Developer’s Agreement’ Between the Developer and The City of Burlington, Kansas, For Residential Subdivision Developments and Repealing Resolution 2011-01.” Council Member Curtiss, “I second the motion.”

Council Member Strawder, “I just want to say I am not voting in favor of this. I think this is a huge mishap by us as a board. I don't know what work has gone on outside of here, outside of our public meetings and everything. It seemed like we had a good sound agreement at the end of our third special meeting, and then phone calls went out, and the agreement changed drastically. I don't know if any of you guys have done research on surrounding towns or anything. I can tell you I've called five or six towns that are comparable to Burlington, including Garnett, Iola, Chanute, Humboldt, several towns like that. None of them have a developer’s agreement. I encourage you to try to find any community, let alone just in rural areas that requires a developer for a privately financed project to have to put down a performance bond, meaning that they are having to put down money to be able to spend their money to complete a project that is completely backwards on this.

“We are also requiring them within the agreement to hire a third-party inspector. I know there's been a lot of discussion, a lot of confusion on that. I can tell you it is not normal for that to be a standard practice, especially on single-family residential. I mean, I don't know how else to say it other than I've been in this line of work for years. I know there's questions about how applicable it is. I can tell you this much. In my time at work, I've solely focused on privately financed developments. I've been parts of hundreds of projects, thousands of lots created. This agreement is a bad move for Burlington. That's all I have to say. I'm happy to talk with you guys. If you would like to know more of the reasoning why I'm saying what I'm saying or anything like that, but as of right now, I can't in good conscience vote for this. This is a step backwards.”

Mayor Luke, “Any other comments?”

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Hearing no further discussion, Mayor Luke called for a vote. Council Members Van Horn, Curtiss, Ernst, Mays, and Berryman voted 'Yea' and Council Member Strawder voted 'Nay.' Motion carried, 5:1.

LEGAL DEPARTMENT: Update

General: Attorney Wright, "Normal duties."

Chief Jones: Attorney Wright, "The only other thing is I want to thank Chief Jones. I've been working with him for 12 years in municipal court, and it's been a pleasure."

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, cereal malt beverage and trailer court licenses, and council meeting minutes.

Annual Employee Benefits Meeting: City Clerk Brown, "We held our employee benefit meeting on Wednesday, February 12, via Zoom due to all the weather. So, we just had just a few of the new people in here and had that information for everyone. It went fairly well. So that way, because all of our vendors are out of town too, we didn't want them driving in whatever kind of weather was going to be."

Water Use Report: City Clerk Brown, "I have completed and filed the state online annual water use report."

Interviews: City Clerk Brown, "I sat in on the interviews for chief of police position."

Reports: City Clerk Brown, "You do have a copy of the revenue and sales tax reports, and you also at the end of the year we always do a comparable for the last three years for the sales tax so you have that in your packet as well."

Finance Meeting: City Clerk Brown, "I would like to schedule the finance meeting for the finance committee and department heads on Thursday, February 27th at 3:00 p.m. in the back meeting room, if that works for you to discuss the CPI."

REPORT BY CITY OFFICERS:

MAYOR'S COMMENTS:

Mayor Luke, "Has everybody been receiving the updates that I sent out from the state legislature?" All of council has been. Mayor Luke "Okay, is it worth getting?" Council Member Van Horn, "Yes." Mayor Luke, "They're in what's called turnaround now. So, there won't be any new ones coming out. It will just be the action that they take, and some of them will automatically drop out because they weren't moved forward to the point where they were retained, and some are given special privileges, and they're there. I don't know how detailed the next report is going to be. I have nothing else to bring forward."

Mayor Luke declared the meeting adjourned.

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