

Minutes of a Regular Meeting of the Mayor and Council held on the 6th day of January, 2003 at 7:00 P.M.

The meeting was called to order by Mayor Donald Parker who presided.

A roll call disclosed the following present: Councilmembers Croucher, Dorr, Dubois and Fry; City Attorney Godderz, Superintendent Rickel, Police Chief Shaffer and City Clerk Holloway.

Visitors: LaVene Brenden, Emerson Hayden, Jim Strohm, Bud Masters, John Fry, Michelle Mullinix, Dean and Carolyn Strohm.

A motion was offered by Councilmember Dubois to approve the minutes of the regular meeting of December 16, 2002 and special meetings of December 23 and 30, 2002. Seconded by Councilmember Dorr and the vote was Ayes 4; nays 0.

A motion was offered by Councilmember Dorr to approve the agenda as amended. Seconded by Councilmember Fry and the vote was Ayes 4; nays 0.

Enter now, Councilmember Hovestadt and Jim Welch.

LaVene Brenden from Bartlett & West Engineers advised the Council that the City had received the \$400,000.00 CDBG from Department of Commerce & Housing contingent on securing a Letter of Conditions from Rural Development. One of those conditions will be the City becoming a member of the FEMA National Flood Insurance Program.

A motion was offered by Councilmember Fry to accept the application as prepared and adopt Resolution No. 268 as follows:

“WHEREAS, certain areas of the City of Burlingame, Kansas are subject to periodic flooding causing serious damages to properties within these areas; and

WHEREAS, relief is available in the form of Federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of this City Council to require recognition and evaluation of flood hazards in all official actions relating to land use in areas having these hazards; and

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce flood losses pursuant to K.S.A. 12-766.

NOW, THEREFORE BE IT RESOLVED, that this City Council hereby:

1. Assures the Federal Insurance Administration that it will enact as necessary, and maintain in force in those areas having flood hazards, adequate land use and control measures with effective enforcement provisions consistent with the Criteria set forth in Section 60.3 of the National Flood Insurance Program regulations; and
2. Vests Burlingame Zoning Commission with the responsibility, authority and means to:
 - a. Assist the Federal Insurance Administrator, at his/her request, in delineating the limits of the areas having special flood hazards;

- b. Provide such information as the Administrator may request concerning present uses and occupancy of the flood plain areas;
 - c. Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map, and identify flood plain areas, and cooperate with neighboring communities and the county with respect to management of adjoining flood plain areas in order to prevent aggravation of existing hazards;
 - d. When received from the Administrator, complete and submit those reports which advise the Administrator on the progress made within the community in the development and implementation of flood plain management measures; and
 - e. Upon occurrence, notify the Administrator in writing whenever the boundaries of the community have been modified by annexation or loss of authority to adopt and enforce flood plain management regulations for a particular area. Included in such notification will be a map of the community, suitable for reproduction, which clearly delineates the new corporate limits or new areas for which the community has assumed or relinquished flood plain management regulatory authority.
3. Appoints City Clerk to maintain for public inspection and to furnish upon request, for the determination of applicable flood insurance risk premium rates for certificates of flood proofing and information on the elevation (in relation to sea level) of the lowest floor (including basement) of all new or substantially improved structures; and
 4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Program.”

Seconded by Councilmember Dorr and the vote was Ayes 5; nays 0.

A motion was offered by Councilmember Croucher that the City Attorney forward the proposed Flood Program Ordinance to the Kansas Water Office for their approval before final passage by the City Council. Seconded by Councilmember Hovestadt and the vote was Ayes 5; nays 0.

A motion was offered by Councilmember Fry that the Mayor be authorized to sign the Acceptance of Condition letter dated December 30, 2002 to the Kansas Department of Commerce & Housing. Seconded by Councilmember Dubois and the vote was Ayes 5; nays 0.

Exit now, LaVene Brenden

A motion was offered by Councilmember Hovestadt to pass Ordinance No. 1984, an ordinance regulating traffic and establishing stop signs at designated intersections within the City of Burlingame, Kansas, with fine to be not less than \$10.00 nor more than \$50.00 for each violation. Seconded by Councilmember Fry and the vote was Ayes 5; nays 0.

A motion was offered by Councilmember Dubois to authorize the Mayor to sign the agreement for Fire District No. 6 to install an antenna on the water tower to be effective upon approval by the Fire District Boardmembers. Seconded by Councilmember Hovestadt and the vote was Ayes 5; nays 0.

Written applications for renewal of City Electrical and Plumbing Licenses for the year 2003 for Alan Wright dba A and H Air Conditioning and Heating, Inc. were presented; after which a motion was offered by Councilmember Hovestadt that the applications be approved and license issued. Seconded by Councilmember Dubois and the vote was Ayes 5; nays 0.

Written applications for renewal of City Electrical and Plumbing Licenses for the year 2003 for Robert L. Anderson dba B & D Services were presented; after which a motion was offered by Councilmember Dorr that the applications be approved and license issued. Seconded by Councilmember Croucher and the vote was Ayes 5; nays 0.

Written applications for renewal of City Electrical and Plumbing Licenses for the year 2003 for Robert K. Burgess dba Burgess Plumbing & Electric were presented; after which a motion was offered by Councilmember Dubois that the applications be approved and license issued. Seconded by Councilmember Dorr and the vote was Ayes 5; nays 0.

Written applications for renewal of City Electrical and Plumbing Licenses for the year 2003 for William R. Kraus dba Kraus Homebuilders were presented; after which a motion was offered by Councilmember Fry that the applications be approved and license issued. Seconded by Councilmember Dubois and the vote was Ayes 5; nays 0.

Written application for City Plumbing License for the year 2003 for Dennis E. Garrison dba Garrison HVAC was presented; after which a motion was offered by Councilmember Dubois that the application be approved and license issued. Seconded by Councilmember Croucher and the vote was Ayes 5; nays 0.

Following discussion of rock from demolition of the co-op elevator hauled on to a vacant lot owned by Bud Masters, a motion was offered by Councilmember Dubois that the site would be cleaned off as it is in violation of the City Code, Chapter IV, Article 2, Section 4-202 and Chapter VIII, Article 2, Section 8-201, subsection b. Seconded by Councilmember Dorr and the motion carried with Councilmembers Dubois, Dorr, Croucher and Fry voting Aye; Councilmember Hovestadt voting Nay. Mayor Parker vetoed the motion.

A motion was offered by Councilmember Dubois to override the Mayor's veto and have the motion stand as carried. Seconded by Councilmember Dorr and the motion carried with Councilmembers Dubois, Dorr, Croucher and Fry voting Aye; Councilmember Hovestadt voting Nay.

Exit now, Jim Strohm, Jim Welch, John Fry, Dean and Carolyn Strohm.

A motion was offered by Councilmember Dubois to go into Executive Session at 8:00 P.M. for a period of 15 minutes to discuss non-elected personnel. Seconded by Councilmember Dorr and the vote was Ayes 5; nays 0. City Attorney and Police Chief Shaffer attended the Session. Council returned to regular meeting at 8:15 P.M.

Reports were heard from department heads, Council and Mayor. At this time, a motion was offered by Councilmember Dubois that a transmission be replaced in the 1992 Blue Chevrolet truck at a cost of \$1,394.00. Seconded by Councilmember Dorr and the vote was Ayes 5; nays 0.

A motion to adjourn was offered by Councilmember Dorr. Seconded by Councilmember Dubois and the vote was Ayes 5; nays 0.

Cheryl Holloway, City Clerk