

Minutes of a Regular Meeting of the Mayor and Council held on the 16th day of June, 2003 at 7:00 P.M.

The meeting was called to order by Mayor Ray Hovestadt who presided.

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

Visitors: Emerson Hayden, Ken Madsen, Ken and Joe Greene, Bruce and Mary Deters

A motion was offered by Councilmember Dubois to approve the minutes of the regular meeting of June 2, 2003. Seconded by Councilmember Fry and the vote was Ayes 4; nays 0.

Claims Ordinance No. 2001, an ordinance making appropriation for the payment of certain claims was introduced, said claims being in the amounts as follows: General \$831.32; Police \$838.50; Animal Control \$180.25; Street \$1,229.55; Park \$2,921.83; Pool \$1,993.79; Employee Benefits \$1,535.36; Special Highway \$373.55; Capital Improvement \$242.65; Electric \$22,743.30; Water \$13,397.97; Gas \$2,752.49; Sewer \$1,400.35; Solid Waste \$2,229.84. A motion was offered by Councilmember Fry to approve Ordinance No. 2001. Seconded by Councilmember Croucher and the vote was Ayes 4; nays 0.

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

Trash Service and equipment bids were received from Aard's-RSP Trash Disposal, Deffenbaugh Industries, Exodus Disposal, Osage Waste Management Inc. and Waste Management of Topeka. The City requested bid amounts for once and twice a week service for residential, commercial with dumpster and commercial without dumpster. Following discussion, a motion was offered by Councilmember Sanders that a decision be tabled until budget information could be presented. Seconded by Councilmember Fry and the vote was Ayes 4; nays 0.

Exit now, Ken Madsen, Bruce and Mary Deters, Ken and Joe Greene

A motion was offered by Councilmember Fry to adopt Ordinance No. 2002, an ordinance extending the expiration date of the cable television franchise agreement authorizing the operation of a cable television system, for a period of 3 months. Seconded by Councilmember Dubois and the vote was Ayes 4; nays 0.

A motion was offered by Councilmember Croucher to adopt Resolution No. 278 as follows:

“WHEREAS, the governing body of Burlingame, Kansas, recognizes that there may exist within the corporate limits of the city structures which are unfit for human use or habitation because of dilapidation, defects or other conditions which render such structures unsafe, unsanitary or otherwise inimical to the general welfare of the city, or conditions which provide a general blight upon the neighborhood or surrounding properties; and

WHEREAS, the governing body has determined that it would be in the interest of the City to offer financial assistance to the property owner for the demolition and removal of structures meeting any or all of the conditions cited above.

NOW, THEREFORE, BE IT RESOLVED that it shall be the policy of the City of Burlingame, Kansas, to offer a payment for reimbursement to any property owner demolishing and removing a dilapidated and/or unsafe structure. Payment amount shall be determined on a 50/50 cost share basis up to a maximum of \$750.00. "Structure" for purposes of this resolution shall mean any building situated on a foundation or attached to the premises and excluding any portable building or buildings.

BE IT FURTHER RESOLVED that the procedures and requirements for obtaining such financial assistance shall be as follows: (1) Property owner shall notify the City in writing of the request to participate in the demolition assistance program; (2) An agreement form shall be prepared identifying the structure to be demolished and the time frame in which the demolition shall occur; (3) Should the property owner fail to meet the conditions of the demolition assistance program agreement, the property shall become ineligible for assistance under this program. Reasonable accommodation shall be used as the purpose is to remove dangerous structures; (4) Property owner shall make arrangements to have the structure properly inspected to meet all federal and state guidelines including but not limited to: asbestos, clean air and hazardous waste disposal; (5) The demolition of the structure shall be done in a safe and environmentally acceptable manner and the property owner shall provide receipts to the City upon completion of the demolition of all expenses incurred with the demolition; (6) Property owner shall comply with the Ordinance No. 1990, city demolition ordinance, and shall insure that all demolition materials is removed from the site; basements and/or other excavations are filled in; and, the site is left in a safe condition; (7) Property owner shall submit a copy of the billing for the demolition to the City Clerk as notification for final inspection and request for assistance reimbursement; (8) Should the City, at any time, begin proceedings on a property for violation of any City Code provisions, then the property is automatically removed from the eligibility list for the demolition assistance program."

Seconded by Councilmember Fry and the vote was Ayes 4; nays 0.

A motion was offered by Councilmember Dubois authorizing the Mayor to sign the Affidavit regarding the Kansas Ad Valorem Tax Refund with the inclusion in Item 4 "and based on records on file at City Hall," to be forwarded to Polsinelli, Shalton & Welte representing the City in filing a tax refund claim before the Kansas Corporation Commission. Seconded by Councilmember Croucher and the vote was Ayes 4; nays 0.

After reviewing pictures of damages to the demo Kamatsu backhoe from Berry Tractor and Equipment, a motion was offered by Councilmember Dubois that the City should have been notified immediately and not just sent a bill for repairs after the equipment sat on their lot for a week to 10 days and request a credit memo be sent to clear the account. Seconded by Councilmember Croucher and the vote was Ayes 4; nays 0.

A motion was offered by Councilmember Fry that a Special Meeting be held Monday, June 23, 2003 at 6:30 P.M. with the engineer, grant consultant and rural development representatives regarding the water improvement project. Seconded by Councilmember Sanders and the vote was Ayes 4; nays 0.

Reports were heard from department heads, Council and Mayor. At this time, a motion was offered by Councilmember Fry that the City will pay 50% for full time employees and 100% for part time employees of the cost for physicals in preparation to getting their CDL license. Seconded by Councilmember Dubois and the vote was Ayes 4; nays 0.

A motion to adjourn was offered by Councilmember Croucher. Seconded by Councilmember Dubois and the vote was Ayes 4; nays 0.

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Cheryl Holloway, City Clerk