

MINUTES OF DECEMBER 3, 2007

The council of the city of Burlingame, Kansas met in regular session in the council chamber at city hall at 7:00 p.m., December 3, 2007.

Presiding: Mayor Dorr
Present: Councilmembers: Bloomquist, Strohm, DeMars.
Absent: Councilmember Fry, Swander.
Present also: City Administrator Hutfles, City Attorney Godderz, Assist. City Clerk Patti Gilbert.

Citizens Present: Kathy Kessinger, Roberta Bailey, Don Bailey, Emerson Hayden, Adam Carrier, Dannie Smiley, Gerry Grandstaff, Brandi Summers, Anthony Richman.

Approval of Agenda by Bloomquist and second by DeMars. Ayes 3/ Nays 0

Citizen's Comments: Kathy Kessinger began addressing the council by stating she was the unelected spokesperson for people. Some of her questions are her own and some aren't. She directed her first question to City Administrator Hutfles asking who had directed him to tell a city employee he couldn't plug in his scooter to recharge while he was at work. City Administrator Hutfles responded with it was his administrative directive. Her next question was also directed to City Administrator Hutfles as to how many keys are to the gas tank; Mr. Hutfles response was 4 keys. He went on to explain about the city's key check out sheet and how it is implemented with the employees. Ms. Kessinger's next question to Mr. Hutfles was what name of the firm that had done the audit and their location. City Administrator responded with Wendling, Noe, Nelson and Johnson in Topeka. Ms. Kessinger wanted to know when the results from the audit be known and Mr. Hutfles referred the question to City Attorney Godderz for an answer. Mr. Godderz stated he didn't know and that the results might not be made public. Ms. Kessinger stated the taxpayers paid for the audit. City Attorney Godderz restated that the results of the audit may or not be made public, as he still hasn't seen the results. The next question from Ms. Kessinger was as to the amount of the audit charged by the Auditors. City Administrator Hutfles responded that the auditing company hasn't billed the City as of yet. Ms. Kessinger then asked Police Chief Shaffer what the criteria was on reporting of incidents within city limits. Chief Shaffer replied the police don't do incident reports unless a crime has taken place. Roberta Bailey was the next citizen to address the council about the sound system for the council room. First Asst. City Clerk

Gilbert responded to the question that a company by the name of Hisonics in Houston has been contacted to give a price on the equipment to wire the meeting room. City Administrator Hutfles also contributed with having another conversation with Smith Audio-Visual on revising the bid down to around \$2700 or less. Mrs. Bailey wanted to know if it would still follow the guidelines of the ADA requirements.

Minutes of the regular meeting of November 19, 2007 were read and approved with the addition of Traci Shaffer in Citizens Present, Dannie Smiley instead of Danny Smiley and with the votes on non-elected personnel executive session being corrected from 5 to 4 with Councilmember Bloomquist as the only nay vote by Bloomquist and seconded by DeMars. Ayes 3/ Nays 0

Council reviewed the Claim Ordinances 2114 and 2114A with DeMars having a question on small grader having the engine rebuilt. City Administrator responded that it had been a budgeted repair. Councilmember DeMars then asked on the added expenditure of H&H Clearing for employee health insurance. Assist. City Clerk Gilbert replied that when an employee with benefits logs no hours for one month the payroll program doesn't know to pay the city's share of healthcare expense. Councilmember DeMars asked about the tire purchase on the Uniloader, if it was a routine purchase or a problem. City Administrator Hutfles stated the tires were worn. Motion to accept by DeMars and second by Strohm. Ayes 3/ Nays 0

Motion to authorize the City Administrator to be a signatory on the Corporate Authorization Resolution by DeMars with a second by Strohm. Ayes 3/ Nays 0

Discussion for reimbursement of funds to Dannie Smiley started with City Administrator Hutfles reporting on his conversation with Mr. Cronister with Cronister Construction. Mr. Cronister has offered to pay \$300.00 for the resurveying of the property. Mr. Cronister stated his company could have done the work for less than the \$300.00. City Attorney Godderz asked the Council what their alternatives were. After discussing with Mr. Smiley of why the whole lot needed to be resurveyed, Mr. Smiley stated if the pins were in place it would have only been a cost of \$100.00. The City Attorney gave the options of denying the payment, paying in full, or paying in full with taking recourse against Cronister. Motion was made by DeMars to pay the full amount and collecting the \$300.00 from Cronister, second by Bloomquist. Ayes 3/ Nays 0

The issue of the temporary electrical service for Dannie Smiley was addressed next. City Administrator Hutfles stated he couldn't find policy or code that requires any connection fee. The city does have utility service connection for service to be upgraded or relocated stating the resident is responsible for that cost. Mr. Hutfles stated we have charged customers for that, but Mr. Smiley is wanting a new connection going to his new

house. City Administrator asked the council is that considered a utility upgrade, or is it new service. Councilmember DeMars wanted to know if we charge for temporary service if they are building a new house. City Administrator stated that if the city doesn't charge for new service on a new structure then Mr. Smiley should be reimbursed.

Councilmember Bloomquist stated he felt Mr. Smiley shouldn't have been charged to start with. Councilmember Strohm asked if the refund could be given as a credit on the utility bill. Mr. Hutfles said that since the money was posted to the general fund, it would need to be refunded in a check. Motion to refund Mr. Smiley \$185.00 by Bloomquist and second by DeMars. Ayes 3/ Nays 0

Motion to authorize Cereal Malt Licenses for Casey's General Store and Santa Fe Café after City Administrator Hutfles stated staff had no issues with the applicants was made by DeMars and second by Strohm. Ayes 3/ Nays 0

Motion to move into executive session for 10 minutes with City Administrator and City Attorney in attendance for attorney-client privileges given by DeMars and second by Strohm. Ayes 2/ Nays 1 Bloomquist

Council entered into executive session at 7:25 and returned 7:35.
Mayor Dorr stated no action taken in executive session.

Motion to enter into executive session for non-elected personnel for the period of 15 minutes with City Administrator and City Attorney present by DeMars and second by Bloomquist. Ayes 3/ Nays 0

Council entered into executive session at 7:38 and returned at 7:53 to open session.

Motion by DeMars for all fulltime employees to receive a \$100.00 bonus for Christmas and part-time employees to get \$50.00 with a second by Strohm. Ayes 3/ Nays 0

Motion by Strohm to give Officer Hayden a \$50.00 gift certificate for Christmas with a second from DeMars. Ayes 3/ Nays 0

Reports:

City Administrator Hutfles reported the utility bills should be going out tomorrow. The auditor Stephen Connelly will be here next council meeting to give the report on the 2006 audit. Mr. Hutfles thanked everyone that helped with the Country Christmas and felt it was an overall success.

Councilmember DeMars inquired about the readiness of our salt and sand, with City Administrator assuring her staff was ready. DeMars also stated she would like someone to check into the empty businesses downtown and find out what plans the owners might have for them. Also what kind of business prospects we might bring to town. She also pointed out the Christmas tree issue, with giving thanks to the people who worked with what they had. She also asked that the council look at the possibility of next year so the situation that happened this year wouldn't be repeated. Councilmember Bloomquist stated he felt they did a good job with what they had to work with.

Councilmember Bloomquist restated staff did a good job with the tree and another statement was how nice the termite building looked (The Bug Guys).

Mayor Dorr thanked everyone for coming, also stating she liked the new format on the minutes.

Motion to adjourn made by Bloomquist and second by DeMars. Ayes 3/ Nays 0



Assistant City Clerk