

MINUTES OF July 07, 2008

The council of the City of Burlingame, Kansas met in regular session in the council chamber at city hall at 7:00 p.m., July 07, 2008.

Presiding: Mayor Dorr

Present: Council members: Bloomquist, Strohm, Swander, DeMars

Absent: Council member Fry

Present also: City Administrator Hutfles, City Attorney Godderz, City Clerk Patti Gilbert, Police Chief Jon Shaffer, Utility Foreman Gerry Grandstaff, Power Plant Superintendent Gerald Britschge, Donna Crawford with Governmental Assistance Service.

Approval of the agenda was given after Mayor Dorr requested item #9 down below item 13 since Donna Crawford is at the meeting and won't have to sit through the whole meeting by Bloomquist with a second from DeMars. Ayes 4/ Nays 0

No citizens comments.

Approval of the minutes for the regular meeting of June 16th, and the special meeting on June 30th after Mrs. DeMars clarified she stated she had adopted a dog also and would like the minutes to reflect the change. Motion by DeMars with change and second motion made by Swander. Ayes 4/ Nays 0

Discussion on Claims Ordinance 2132, 2132a and 2132 WP started with Mayor Dorr asking Mr. Grandstaff what the problem was with the mower deck. He reported to her one of the water lids had been hit with the mower breaking the deck, clarifying it was the small mower. Chief Shaffer stated the tattoos were for handouts to the children. Mayor Dorr asked on the gas survey if everything came out all right, Administrator Hutfles stated the report is included in their council packets and everything was fine. Mayor Dorr asked who the uniform pants charge was for, with the Police Chief stating it was for his department. Mayor Dorr asked that the pop charges are separate between the pool and the pop machine at the ball fields, staff assured her it was. Motion to accept the Claims Ordinances was made by DeMars and second by Bloomquist. Ayes 4/ Nays 0

City Administrator started the Fast Subdivision item by informing the council he had spoken with Realtor Tom Lane, and he stated he would come to the meeting and "drag" Greg Fast. Mr. Hutfles stated he has even spoken with

Mr. Fast. Mayor Dorr suggested the item would be looked at later in the meeting just in case the parties are running late.

Ordinance 2131 was next on the table with Ms. DeMars asking the Administrator now the plan is to move everything up and we are going to know the price before we get bonds. Mr. Hutfles reported the ordinance is similar to the CDBG block grant except it is for the USDA/Rural Development side. We open the bids on July 18th and does not commit the city to anything, adding the Council still needs to accept or approve the bid. The City still has the authority to delete/add off the spec list. Ms. Dorr questioned if Bartlett and West have given any final cost numbers, Mr. Hutfles replied they haven't gotten the numbers but should have them tomorrow. The Mayor stated the numbers in the ordinance are not really the numbers we are going with, Mr. Hutfles stated the numbers could be changed perhaps if there are higher cost involved. Informing the Council they could always come back and amend it. Mayor Dorr asked Donna Crawford if she would like to add anything to this. Ms. Crawford starting by stating the City Administrator and Clerk have been doing a great job keeping her updated, explaining the loss of the first grant for Phase II was due to not getting into bidding on time and steps were being taken so that does not happen again. After updating the Council on the shortened time frame for bids and the process, she assured the Council they are not locked into the amount. Mr. Hutfles added that once Rural Development get the actual costs they then will be able to calculate the cost of the debt service, adding if the cost goes over the threshold they have the availability to look at other grant monies. Mayor Dorr shared her concern on the bonds, if they will be done with revenue from the residents and there isn't enough to cover the payments will it then come out of taxes, and if it is are we not going to have to do this differently? Sharing that Mayor Dorr didn't want to see the utilities go so high that people won't want to live here, also making the note that Osage City is raising the rates on the water that is purchased from them. Donna Crawford assured Mayor Dorr her concerns are valid, with other cities in the same situation being the same. Ms. Crawford stated other cities are having bids come in quite a bit lower than anticipated, so they would know more when the bids are opened. Mayor Dorr asked the Council if anyone had other questions, and if not a motion to accept Ordinance 2131. Mr. Swander made the motion to accept the Ordinance as stated with a second by Ms. DeMars. Ayes 4/ Nays 0

Bond Counsel Agreement asking the Mayor to enter into an agreement with Nichols and Wolfe to act as the City's Bond Counsel for Phase II. Mr. Hutfles stated their charge will be 1% of the bond plus any incidental costs such as postage. The cost is build into the Water Project expenses. Motion to accept

Nichols and Wolfe to handle the Bonds for Water Project II was by Swander with a second by Bloomquist. Ayes 4/ Nays 0

Mr. Hutfles shared an agreement from Westar on the sale of wholesale electric energy, noting Westar has had equipment problems resulting in the need to purchase outside generated power. Westar will pay the city for the cost for fuel, oil, natural gas and will only request when needed between the hours of 1pm to 8pm. Mr. Bloomquist asked Mr. Britschge if he was confident his employees could run 4 engines at a time, and the reply was yes. City Clerk Gilbert asked Mr. Britschge if the phones during the day could be forwarded to City Hall instead of the answering service, with Mr. Britschge pointing out after 5 pm they will have to go to the answering service. Mr. Bloomquist made a motion to sign the agreement with Westar with Ms. DeMars giving the second. Ayes 4/ Nays 0

Santa Fe Park fence was put on the agenda at the request of the Mayor as part of the fence is on Dacotah side and it makes it seem more closed off. Mrs. Strohm asked where the name of Santa Fe Park came from. Chief Shaffer stated the name had been used as a reference name, Ms. DeMars shared she would like to see the fence on Santa Fe Ave side stay in case children are playing at the park. Mrs. Strohm felt that if the fence were taken down it would be an invitation for vehicles to enter. Mrs. Strohm suggested taking a section of the fence out and placing a picnic table there for use. Much discussion over the accessibility and the actual use of the park with Mrs. Strohm agreeing with Ms. DeMars that we are crunching numbers and putting something in there such as a picnic table we already have would be better. Mrs. Strohm made the motion to take out one section of the northeast corner of the fence, erect a sign and put a picnic table in the park. The motion died due to the lack of a second. More discussion continued over what use the park would be for. Mr. Hutfles stated staff was and will be looking at financing options. The discussion ended until more information is available.

2009 Departmental Expenditures was the next item with Mayor Dorr asking Mr. Hutfles to explain why Police, Parks and Street Departments are still in general government. Mr. Hutfles said those funds are funded by the general fund where they are not revenue generating departments. Mr. Swander wanted to know why the street fund states zero, Mr. Hutfles said because it now comes out of special highway fund. Mr. Swander stated he wanted to see the money in the street department, with Mr. Hutfles stating it is the monies from the state on taxes. Mr. Swander said he wanted to see more in the street overtime line item as the guys are out there in the winter more hours than other times. Mr. Swander also noted he wanted more money

than the \$1,000.00 in the vehicle repairs. Mayor Dorr asked if this is for the 2009 budget and if so she was under the impression the council was going to have a workshop to discuss these. Mr. Hutfles said this was to give ideas and we will still have the workshop. The next meeting he will have the revenues for the Council to review. Ms. Strohm said she does agree with Mr. Swander, the streets aren't even being touched. This is no way enough money for the streets and what can we do to get more money for the streets? Mr. Hutfles replied raise property taxes and funnel more money to the street fund, along with additional money from the state. Mrs. Strohm stated we couldn't count on that, we can't sit here and try to keep our streets up with a budget we had 5 years ago with the expenses we have today. She included we have to do something and if raising taxes is it then that is what we will have to do. She felt people want their streets and there has been a lot of discussion among the people on the street. Mr. Swander asked Mr. Hutfles when the workshop would be, Mr. Hutfles reminded them of the town meeting on July 28th, so it will be sometime after that. Mr. Swander interjected with if it takes 2 work sessions then it takes 2. Mayor Dorr questioned how the administrator came up with the numbers and were the department heads involved. Mr. Hutfles replied some of the numbers were projections from 2007 to 2008, discussions with department heads, what the urgent needs are. Discussion over the importance of working with department heads with most agreeing to have them partake in the work session. The discussion then turned regarding the street repairs. Ms. DeMars added that is along the line she is talking about, she stating a plan is needed and felt it is not too much to ask. Adding that it can't be expected to make a decision in the dark. The discussion returned to repair of the streets and affirming the public's want to have the streets worked on.

The Council then looked at the issue of Fast Subdivision, with Ms. DeMars asked why the city is concentrating on that area when the older areas need to be fixed. Mayor Dorr felt the city shouldn't pay any of the utility installation. Mrs. Strohm asked if the owner to the subdivision didn't show why are they looking at the issue again? Many of the Council members gave their opinions at the same time. Mayor Dorr asked if a special benefit district should be set up, with Mr. Godderz stating the parties involved need to be involved adding the advice to table it or deny the request and move on. Ms. DeMars made the motion to deny the request, and Mrs. Strohm giving the second. Ayes 4/ Nays 0

Motion to move into executive session for 15 minutes on attorney-client regarding contractual obligations by DeMars and second by Swander with the City Administrator in attendance. Ayes 4/ Nays 0

Council entered into executive session 7:55 pm.

Council returned to open session at 8:10 pm.

No action taken in executive session.

Reports: City Attorney Godderz reported he was pleased to see the grass mowed at 103 E. Lincoln Ave. City Administrator Hutfles notified the council of the change in Kansas Legislation on the Kansas Open Meeting Act, the principal change is two council members can talk, however council member "A" can not talk to council member "B" and then talk to council member "C". Mr. Hutfles said the town hall meeting is schedule for Monday, July 28th @ 7pm at the Annex, with trying to get someone with the Historical Society to work with. Phase II of the water project will be covered also. Ms. DeMars asked how the public will be notified if the notice wasn't placed on the last bills. Mr. Hutfles answered an article in the paper, word of mouth, also adding signs as well. Mayor Dorr stated everyone needs to be notified, that is why it was to be on the utility bill. Mr. Hutfles suggested a sign could be placed at Santa Fe and Topeka and move it around to show in different direction. Mr. Hutfles reported he should hear something back from Mid-America Pools next week on fixing the coping at the pool. Also, Burlingame Concrete doesn't have a schedule on fixing the baby pool yet. Utility Foreman Grandstaff reported the volleyball area has been repaired and the walking bridge at Jones Park has been leveled, but also notified the council the bridge is not ADA compliant. Gas anodes are in, and is continuing to work closely with Randy Deyer and the rectifiers. Mrs. Strohm then reported there is an article in the historical magazine and suggested everyone should read it. Mayor Dorr stated it was time to take bids from auditors, she asked the utility foreman if his department was able to fix the flag pole at the pool and if not get it done as soon as possible. Another note she reported driving around early in the morning the doors on the shop behind the power plant and inquired as to why. Mr. Grandstaff responded he will try to secure the building after hours. Mr. Swander wanted to know how the building is structurally , with Mr. Grandstaff advising he wouldn't get up on the roof.

Motion to adjourn was given by Swander with a second by DeMars. Ayes 3/
Nays 0

City Clerk