



City Of Burlingame

MINUTES

Mayor Mike Dorr – P
Councilmember Carolyn Lee – P
Councilmember Carolyn Strohm - P
Councilmember Vikki DeMars - P
Councilmember Michelle Mullinix - P
Councilmember Kenna Burns - P

City Attorney Rick Godderz - P
City Clerk Lee Ann Smiley - P
City Superintendent Joey Lamond – P
Police Officer Shaffer - P
Building Inspector Jim Welch -A

Held: **March 3, 2014 at 7:00pm**
Location: **Council Chambers**

1. CALL TO ORDER BY MAYOR – 7:00PM

2. ROLL CALL – See above

Citizens Present: Gabe Faimon, Jeanne Riggs, Patty Freed, Brenda Dorr, Grizz Lee, Jan Ogleby and Kayeloni Davidson

3. PUBLIC COMMENTS – None

CONSENT ITEMS

These items can be voted on with one motion or individually by the city council.

4. APPROVAL OF AGENDA – Mayor Dorr requested to add #8a “Resolution for Sale of Properties” to the agenda and to change the word “approval” to “amendment” on agenda item #8. Motion was made by Councilmember Mullinix to approve the agenda with the changes. Councilmember Lee seconded the motion.

Vote: Ayes: Mullinix, DeMars, Strohm, Burns and Lee

5. APPROVAL OF MINUTES – Mayor Dorr requested to change the word “Corrections” to “Amendment” on item #12 for the February 18, 2014 minutes. Councilmember DeMars made the motion to approve the minutes of the February 18, 2014 meeting with the changes, seconded by Councilmember Mullinix.

Vote: Ayes: Mullinix, DeMars, Strohm, Burns and Lee

6. APPROVAL OF CLAIMS ORDINANCES – Councilmember DeMars asked about the IRS payment and where we were with them. City Clerk Smiley stated the IRS is still evaluating our account and we currently don’t know where we stand in regards to what we owe because it changes as they go through the process of review. Smiley stated that each time she has called them they state that we should be making payments to show good faith on our past due amounts, so we have been sending around \$1000 each month. The original payment amount that was quoted by IRS for a payment plan was \$1006 but they won’t start the payment plan until they have

completed the review process. Councilmember Mullinix asked if we were on a contract with Mediacom or if we had looked at bundling with Century Link. Councilmember DeMars stated that she thought there was something with them. It was stated that the Schools and the Power Plant received free internet. Councilmember Burns made the motion to pay claims ordinance #2271 and 2271EP, Councilmember DeMars seconded the motion.

Vote: Ayes: Mullinix, DeMars, Strohm, Burns and Lee

7. TRANSFER OF FUNDS - Mayor Dorr stated that the Bank of Burlingame would pay the Money Pool rate for funds invested in their bank and requested that we open a Certificate of Deposit at the Bank of Burlingame for the money required to be held in Reserves for the Electric Bond Issue in lieu of putting the money in the Kansas Money Pool as approved in our February 18, 2014 meeting. Councilmember DeMars made the motion to transfer \$83,700 from the checking account to a Certificate of Deposit at the Bank of Burlingame, Councilmember Lee seconded the motion. The breakdown of the money is \$73,700 for the Bond Reserve and \$10,000 for the Depreciation and Maintenance Reserve.

Vote: Ayes: Mullinix, DeMars, Strohm, Burns and Lee

8. AMENDMENTS TO MINUTES - Mayor Dorr requested to amend previous minutes as follows:

Date	Item #	Business
Aug. 19, 2013	Old Business #7	Councilmember Strohm seconded the motion
Sept. 3, 2013	13a.	2 nd time into Executive session reflect vote to read, Vote: Ayes: Lee, Strohm, Moon, and Mullinix Record no action taken after the vote.
Sept 16, 2014	20	Reflect vote to read, Vote: Ayes: Lee, Strohm, Moon, Mullinix, and DeMars
Oct 7, 2013	14	1 st time into Executive Session reflect vote to read, Vote: Ayes: Strohm, Moon, Mullinix, and DeMars
Oct 7, 2013	14a.	Reflect vote to read, Vote: Ayes: Strohm, Moon, Mullinix, and DeMars
Nov 12, 2013		Show Council President Lee as exiting after the first vote
Nov 18, 2013	13	Reflect the vote for each of the four motions to read, Vote: Ayes: Lee, Strohm, Mullinix, and DeMars
	15	Remove the vote, there was no action on this item
	19	Show the vote after the motion and before the "No action taken" statement.

Dec 2, 2013	05	Reflect the date of the minutes to be approved to be "November 18, 2013" not "December 2, 2013"
Dec 16, 2013	01	Show Council President Lee called the meeting to order instead of Mayor Dorr.
	05	Show the date of the meeting to be December 2, 2103 not December 16, 2014
	07	Show Councilmember Strohm's vote to be Nay
Dec 27, 2013		Reflect the time of the meeting to be 5:00PM
	07	Reflect the vote to add Council President Lee to the Aye votes
Feb 03, 2014	05	Reflect the date of the minutes to be approved to read January 20, 2014 not February 3, 2014
	16	Show Councilmember Mullinix as seconding the motion when going into the first Executive Session

Attorney Godderz stated that if the Council was in agreement to these amendments with their notes and that this is the way the votes were, that these were just clerical errors in typing the minutes then we could go forward with showing these corrections. The Council was in agreement that they did vote on these agenda items but the votes were not typed in the minutes, the council stated, the action was taken.

Councilmember DeMars made the motion to approve the amendments, Councilmember Lee seconded the motion.

Vote: Ayes: Mullinix, DeMars, Strohm, Burns and Lee

8a. RESOLUTION FOR SALE OF PROPERTIES- Attorney Godderz said that this Resolution was required by the title company to provide a marketable title to the Hovestadt's. There is a deed for Mayor Dorr to sign then send to the Title Company and they will conduct the closing. The cost of title insurance and taxes will come out of the proceeds when closed. Councilmember Strohm made the motion to approve Resolution #376 for the sale of the properties, Councilmember DeMars seconded the motion.

Vote: Ayes: Mullinix, DeMars, Strohm, Burns and Lee

NEW BUSINESS

9. OSAGE COUNTY HERALD CHRONICLE ADVERTISING- Jan Ogleby representing Osage County Herald Chronicle request our participation of advertisement in the Guide to Osage County. The Guide is distributed every two years, we previously purchased advertisement on the inside front cover which would now run \$1065. They also ask the city for a little support for the printing which would be an additional \$200. Ogleby stated that she would like to know if we wanted the inside cover tonight. Concern was that we could not afford this at this time. Councilmember Burns made the motion to not advertise on the inside front cover, Councilmember Lee seconded the motion.

Vote: Ayes: Mullinix, DeMars, Strohm, Burns and Lee

Mayor Dorr clarified that the motion was not to advertise on the inside front cover. There was interest in advertising elsewhere in the book for less money. Jan stated that she would need copy no later than April 1st. It was discussed that anyone that had pictures or something to put in an ad to get with Lee Ann. We will get something laid out to present at the next meeting.

10. WORK SESSION - Councilmember Burns requested to schedule a date for a work session. She wanted to be able to go over a few of the Ordinances at a time. Discussion was held as to how to go about reviewing the Ordinances. Attorney Godderz stated that the best way to have a work session is for everyone to bring their books and compare them to the one at the city Hall and bring them up to date. He stated that we could break the review into areas such as Ordinances that effect Utility rates, Ordinances that effect employees, Ordinances that effect whatever it might be. Councilmember DeMars made the motion to call a Special Meeting to conduct a work session to review the Ordinances on Monday, March 10 at 7:00PM., Councilmember Burns seconded the motion.

Vote: Ayes: Mullinix, DeMars, Strohm, Burns and Lee

11. GAS ORDINANCE - Discussion of approving Ordinance #2208 to clarify the KCC Jurisdiction Gas User Rates in Ordinance 2207 was held. Mayor Dorr stated that the Special Benefit district is from the City limits to three miles out of town, three miles and further is considered to be the KCC jurisdiction. KCC requires that everything is broke out on the Utility Bills and any information referring to their rates. Gas Ordinance #2207 did not specifically state the breakdown of KCC rates it was included in the Special Benefit district rates (all outside the city limits). Councilmember DeMars made the motion to approve Ordinance #2208 with the addition of section three repealing Ordinance #2098 and 2207, councilmember Mullinix seconded the motion.

Vote: Ayes: Mullinix, DeMars, Strohm, Burns and Lee

12. SUMMER LEAGUE BALL – Councilmember DeMars asked if the city was interested in supporting the Adult Summer Softball program again this year. She stated that she thought the program went great last year. She wouldn't mind helping set the program up and collecting fees but she wouldn't be there. She stated that there were several people that helped last year that would be able to help again this year. The city pays for lights, the use of the concessions building and fields but no other costs are involved for the city. The proceeds of the program go to the Swimming Pool Fund. City Clerk Smiley stated that there were concerns as to how the checking account was handled last year and the process of paying bills and the liability it may cause for the city. Councilmember Burns made the motion to approve supporting the Adult Softball program working with the Burlingame Recreation Commission and with the understanding that there are financial issues to work out. Councilmember Strohm seconded the motion.

Vote: Ayes: Mullinix, DeMars, Strohm, Burns and Lee

13. BUDGET AND AUDIT – Mayor Dorr stated concern that in the January 9, 2012 minutes there was a motion made that we sign a three year agreement with Steve Connelly CPA to assist in Budget preparation and the annual audit for years 2012-2015. The contract that we signed with Connelly was for the years 2012, 2013 and 2014 for the audit. Attorney Godderz stated that could be interpreted that we go through until the year 2015 or conclude the year 2015. Councilmember Mullinix made the motion to submit proposals for 2015 budget and audit, Councilmember DeMars seconded the motion.

Vote: Ayes: Mullinix, DeMars, Strohm, Burns and Lee

14. EXECUTIVE SESSION NON-ELECTED PERSONNEL – Councilmember Burns made the motion to go into Executive session for a period of 10 minutes for Non-Elected Personnel and to include Attorney Godderz, Councilmember Mullinix seconded the motion.

Vote: Ayes: Mullinix, DeMars, Strohm, Burns and Lee

The meeting reconvened at 8:37, Mayor Dorr stated that no action was taken.

Councilmember Lee made the motion to go into Executive session for a period of 10 minutes for Non-Elected Personnel to include Police Chief Shaffer. Councilmember Mullinix seconded the motion.

Vote: Ayes: Mullinix, DeMars, Strohm, Burns and Lee

The meeting reconvened at 8:48, Mayor Dorr stated that no action was taken.

Councilmember Lee made the motion to accept Police Chief Shaffer's resignation which was verbally given to the Council this evening he will follow up with a written one tomorrow and it will be effective April 1, 2014 and to have Lee Ann

advertise for the position to be filled as a full time Police Chief. Councilmember Mullinix seconded the motion.

Vote: Ayes: Mullinix, DeMars, Strohm, Burns and Lee

15. REPORTS -

City Superintendent Lamond stated that we were moving forward with the Electrical Project, they plan to pour the pad the 1st of April but they are planning on doing the conduit first which will close the road for three or four days. Mayor Dorr request that City Superintendent Lamond contact Superintendent Alan Konicek to let the schools know the road would be closed. City Superintendent Lamond stated that he would also contact Fire Chief Strohm at the Fire Station. City Superintendent Lamond stated that they were getting stuff ready for the baseball season. The first week in April is the first home game.

Police Chief Shaffer stated that Officer Dudley was going to class this week. They were doing some repairs to the ceiling in the Police Department. The police radios are on their way and we were able to purchase them three to four hundred dollars cheaper than the original bid.

City Clerk Smiley stated that we were approved for the Electrical Extension which was applied for after the last meeting. She distributed section 13-401 of Code 1997 to the council stating that it is unlawful for any person to place snow removed from private property upon any public street, alley or sidewalk.

Attorney Godderz reminded the council that they need to put money back starting this year for the Electrical Bond payments that have to be paid out of the Electric Fund in 2015. If you have separate accounts the temptation to use the money is reduced. You have to make sure the Utility rates are adequate for the bond payments.

Councilmember Mullinix stated the roads were great. She had several compliments as to how quickly they were cleared.

Councilmember Lee asked City Superintendent Lamond where her blue barrel was. City Superintendent Lamond stated he would get it for her. She also asked if he had talked to KDOT in regards to a speed limit sign. City Superintendent Lamond stated that he had talked to the district guy and he passed it along to David Studebaker. He said he would get it as soon as the weather broke. He said there is a 55 MPH sign West of town and there is not a 20 MPH sign down town, they will put a 20 MPH sign on a pole just west of the cross walk.

Mayor Dorr thanked Police Chief Shaffer on behalf of the city for his years of service.

16. ADJOURNMENT - Motion was made by Councilmember Burns to adjourn the City Council Meeting. Motion seconded by Councilmember Mullinix. Meeting adjourned at 8:59pm.

Vote: Ayes: Mullinix, DeMars, Strohm, Burns and Lee

SUBMITTED BY: _____
Lee Ann Smiley, City Clerk

Date

Americans with disabilities act (A.D.A.): The City of Burlingame intends to comply with A.D.A. If you are physically challenged or disabled and need special accommodations to participate in this town meeting, please contact the city clerk forty-eight (48) hours prior to the meeting to arrange necessary accommodations.