



City Of Burlingame

MINUTES

Mayor Mike Dorr – P
Councilmember Carolyn Lee – P
Councilmember Carolyn Strohm - P
Councilmember Vikki DeMars - A
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 Chief Dudley – A Entered 7:07
Building Inspector Jim Welch – A

Held: **October 20, 2014 at 7:00pm**

Location: **Burlingame City Hall Council Chambers**

1. **CALL TO ORDER BY MAYOR**

2. **ROLL CALL** – See above

Citizens Present: Rosie Parker, Jeanne Riggs, Ray Burns, Gabe Faimon, Steve and Dulcelina Delekta, Ron Shaffer, Matt and Sara Worcester, Melissa Miller, Mark Hecht, Krista Bennett, and Kayeloni Davidson.

3. **PUBLIC COMMENTS** – Melissa Atwood stated that she felt like she had been maliciously and selectively targeted for prosecution. She had spoken to a lawyer and if it continued she would have to hire council. She said there had been a lot of comments about the junk out in front of her store. She stated the junk that was in front of her store is merchandise that is for sale, she sells stuff off the street every week. No one else in town has been targeted about their junk; you don't have to go too far across from Casey's (to find it). She stated she had a bigger investment in the success of this community than anyone sitting at the Council table but that she wasn't going to be bullied by a bunch of vindictive, malicious people.

CONSENT ITEMS

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

4. **APPROVAL OF AGENDA** – Councilmember Burns made the motion to approve the agenda as presented, Councilmember Mullinix seconded the motion.

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

5. **APPROVAL OF MINUTES** – Mayor Dorr asked to change the words of Special Meeting to Work Session on item #5 and to move the vote below all of the other information on item #8 of the October 6, 2014 minutes. Councilmember Burns made the motion to approve the minutes with the changes, Councilmember Mullinix seconded the motion.

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

6. **APPROVAL OF CLAIMS ORDINANCES** – Councilmember Strohm made the motion to pay claims ordinance #2286, Councilmember Mullinix seconded the motion.

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

OLD BUSINESS

7. **ORDINANCE 2165 STREETS AND SIDEWALKS** – Councilmember Mullinix presented wording for changes to Ordinance 2165. She stated that they didn't want to take away the stores being able to display merchandise they wanted to make it so that at night it would be taken in. Councilmember Lee made a motion to table this item until they had a chance to really read what was presented and what some of the other towns had and do something the next meeting. The motion died for lack of a second. After further discussion Councilmember Burns made the motion to approve what Mullinix presented, Councilmember Lee seconded the motion.

The approved changes to ordinance 2165 were replacing two paragraphs as follows: Constructing a ramp or step on the sidewalk abutting the businesses property to allow disabled persons access to a building, provided however, any ramp or step built or placed on a sidewalk pursuant to this subsection must comply with ADA guidelines and must allow 60 inches of free passage and can only be constructed after a proper permit is obtained or;

From placing any merchandise, goods, display cases, showcases on the sidewalk abutting the business property except between the hours of 8 a.m. to 6 p.m. provided however, any such obstruction must allow for 72 inches of free passage and not present a danger to the public. All above items must be off of the sidewalk abutting the business property on days the business is not open and anytime between 6 p.m. and 8 a.m. This requirement does not apply to vending machines, heavy benches, tables, refuse collection containers or flower boxes intended for permanent outside use.

Vote: Ayes: Mullinix, Burns, and Lee

Nays: Strohm

8. **APPLICATION FOR DEMOLITION PERMIT WORDING** – Councilmember Burns made the motion to change the Application for Demolition Permit heading to state "The Governing Body has voted to assist property owners in the demolition of a structure in an amount of ½ the contract cost up to a maximum of \$750.00". Councilmember Mullinix seconded the motion.

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

9. **ANIMAL CONTROL AND REGULATION** – Consideration of possible changes to Animal Control and Regulation ordinance 2153 and Code Section 2-109 pertaining to the allowance of chickens was initiated. Attorney Godderz suggested that if the city was considering changes to allow chickens that they should have a general discussion and if they want to have a proposed ordinance to prepare it for the next meeting subject to general public input. There was discussion of possible city regulations such as inspections, acreage per chicken, pen requirements, no roosters or ducks or guinea, limitations on numbers, and permit requirements. The council discussed options of opening the idea to the public to get further input. Councilmember Burns made the motion that citizens within the city limits, one per utility account, participate in a survey by filling out in writing whether they support or don't support the idea of fowl within the city limits by November 17th. Councilmember Mullinix seconded the motion.

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

10. **BURLINGAME FIRE DEPARTMENT** – Krista Bennett representing the Burlingame Fire Department stated that they were purposing to have the 5K Jingle Run the same as last year with hopefully more people. Bennett will make any street closure requests needed to KDOT. Councilmember Mullinix made the motion to move forward with the 5K Jingle Run December 6th; the motion was seconded by Councilmember Burns.

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

11. **COUNTRY CHRISTMAS** – Discussion was held in regards to Country Christmas activities, street closure, and vendors. Ray Burns representing the Chamber of Commerce stated that he would be handling the parade and that Mark Hecht was the Chairman for Country Christmas. Hecht stated that he had spoken to several vendors to promote the event and his interest was to get this event flying high. City Clerk Smiley stated that an individual that had been setting up at Hovestadt's had questioned, if a vendor had a city permit are they required to pay the additional fees for a booth at the event. It was stated that if Hovestadt allows them to set up on his private property and they have a permit there's nothing we can do. If he sets up where Country Christmas is, on the west end of Main Street, they have a problem with that. Councilmember Mullinix made the motion to approve the road closures and events December 6th, Councilmember Strohm seconded the motion.

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

12. **E CIVIS** – Councilmember Strohm made the motion to not renew the eCivis subscription and service agreement which expires January 14, 2015. Councilmember Lee seconded the motion.

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

15. **EXECUTIVE SESSION NON-ELECTED PERSONNEL** – Councilmember Burns made the motion to go into Executive session for a period of 10 minutes to discuss Non-Elected Personnel, Councilmember Lee seconded the motion.

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

The Council exited at 8:23

The meeting reconvened at 8:33, Mayor Dorr stated that no action was taken in the Executive Session.

Councilmember Mullinix made the motion to go into Executive session for a period of 10 minutes to discuss Non-Elected Personnel, Councilmember Lee seconded the motion. Mayor Dorr asked that Attorney Godderz join them.

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

The Council exited at 8:35

Police Chief Dudley entered the Executive Session at 8:43.

The meeting reconvened at 8:45, Mayor Dorr stated that no action was taken in the Executive Session.

Councilmember Mullinix made the motion to go into Executive session for a period of 10 minutes to discuss Non-Elected Personnel, Councilmember Burns seconded the motion. Police Chief Dudley joined the Executive Session.

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

The Council exited at 8:46

Attorney Godderz exited the meeting.

The meeting reconvened at 8:56, Mayor Dorr stated that no action was taken in the Executive Session.

Councilmember Lee made the motion to go into Executive Session for a period of 5 minutes to discuss Non-Elected Personnel, Councilmember Mullinix seconded the motion. Mayor Dorr asked that City Clerk Smiley join them.

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

The Council exited at 8:57

The meeting reconvened at 9:02, Mayor Dorr stated that no action was taken in the Executive Session.

16. REPORTS

City Superintendent Lamond stated that he had gotten with Attorney Godderz and they had sent a letter out to Morrow Engineering.

Police Chief Dudley stated that Officer Lovett was now at the Police Academy and doing great. He reported that the Crown Vic has a terrible exhaust leak and that they would be calling Boondock's tomorrow.

City Clerk Smiley stated that Donna Crawford had called in regards to having a meeting for the closing of the Electrical Grant on November 17th prior to our regular meeting. This was agreeable to the council. Smiley reported that she had received confirmation for the street closure for Trunk or Treat. We have received the payment from Harveyville pertaining to the water payment which we had billed them for. Smiley stated that before he left for the evening Attorney Godderz had asked about setting up another work session for the Employee Handbook. It was stated that they were aware that they needed to, it was just a matter of getting in worked in.

Councilmember Lee made the motion to have a Special Meeting for the discussion of closing the Electrical Grant at 6:45 November 17th. Councilmember Burns seconded the motion.

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

Councilmember Mullinix asked Police Chief Dudley about coverage of the Police Force since they were stretched at this time. Police Chief Dudley stated that he planned on covering some of the evenings and weekends.

Councilmember Lee reported to City Superintendent Lamond that the blue trash can near her business needed straightened up and removed and it does have cans in it.

Mayor Dorr questioned if the bathrooms at the Jones Park were opened up. City Superintendent Lamond stated they had closed them. Dorr asked if there was anything else that they needed at the concession stands. Lamond stated that he had shut the water off at the hydrants going out to the ball fields. Dorr verified with Lamond that the swimming pool had been winterized.

17. **ADJOURNMENT** – Motion was made by Councilmember Lee to adjourn the City Council Meeting, motion seconded by Councilmember Burns.

Vote: Ayes: Mullinix, Strohm, Burns and Lee

Meeting adjourned at 9:12pm.

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 for necessary accommodations.