



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 - P
Building Inspector Jim Welch –A

Held: **July 21, 2014 at 7:00pm**
Location: **Council Chambers**

1. CALL TO ORDER BY MAYOR – 7:00PM

2. ROLL CALL – See above

Citizens Present: Grizz Lee, Gabe Faimon, Rosie Parker, Steve and Dulcelina Delekta, Jeanne Riggs, Dennis Klumpe, Brenda Dorr, Jerry Hill, Marshall Swander, Raymond Hovestadt Jr., Mike Myers, Mike McCloud, Sara and Matt Worcestor, and Ray Burns

3. PUBLIC COMMENTS – Steve and Dulcelina Delekta voiced concern of receiving disconnect and reconnect fees when their utilities were not disconnected. City Superintendent Lamond stated that when we gave them the notice and they said that they were going to go down and pay it at that time out of kindness they didn't disconnect them. Mayor Dorr stated that he would like to set up a time for them to meet with the Utility Hearing Committee for further discussion, the Delekta's were agreeable to that.

Sara Worcester stated that her husband and she had been looking for a house in Osage County. They would like to consider Burlingame but we don't allow chickens and she loves her chickens. She pleaded her case by stating that other cities allow chickens including Osage City, Lawrence, Scranton, Auburn, Manhattan and Topeka, that if we would allow chickens it may attract more residents to Burlingame, we would have free range organic and humane eggs and chickens are sometimes quieter than dogs. She asked that the council reconsider our current stance against poultry. Mayor Dorr thanked her for her comments.

CONSENT ITEMS

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

4. APPROVAL OF AGENDA –Mayor Dorr asked to remove item #8 Halloween from the agenda and add it to the August 18th agenda and to add a 15 minute Executive Session item #17.1 for non-elected personnel. Councilmember Strohm made the motion to approve the agenda with the changes. Councilmember Mullinix seconded the motion.

Vote: Ayes: Mullinix, Strohm, Burns and Lee

5. APPROVAL OF MINUTES – Councilmember Mullinix stated that on item #9 of the July 7th we needed to take out the words “power point” as the presentation was not a power point it was only an overview. Mayor Dorr asked to have the adjournment time added to the Special Meeting. Councilmember Mullinix made the motion to approve the minutes of the July 7, 2014 meeting, and the July 10, 2014 Work Session with the amendments. Councilmember Lee seconded the motion.

Vote: Ayes: Mullinix, Strohm, Burns and Lee

6. APPROVAL OF CLAIMS ORDINANCES – City Clerk Smiley stated that we deleted voucher #20140343 in the amount of \$67,910.29 to Kansas Municipal Energy Agency and added voucher #20140363 in the amount of \$46,445.18 to Municipal Energy Agency making claims ordinance #2280 a total of \$114,355.47. City Superintendent Lamond stated the change was due to adjustments of charges for the last 9 months for under billing the city on the WAPA. Councilmember Mullinix stated that because Wes Colson is an employee of the city that we couldn't pay him as a subcontractor for umpiring a ballgame. Mayor Dorr stated that we needed to take him off of the Ump 2280 Claim Ordinance. Councilmember Mullinix made the motion to pay claims ordinance #2280 and UMP2280 with the changes to KMEA and Wes Colson, Councilmember Burns seconded the motion.

Vote: Ayes: Mullinix, Strohm, Burns and Lee

OLD BUSINESS

7. WESCO DISTRIBUTION INC. – Mayor Dorr stated that he had referred back to the August 19, 2013 minutes and \$134,000 is what the council had approved for the transformer contract. A letter was shared from Donna Crawford of Governmental Assistance Services. Mayor Dorr said that Donna stated the taxes could be negotiable. Dorr asked Mike Meyer, representing Wesco Distribution Inc., if he was willing to negotiate. Myers stated he didn't have the authority but that if we want him to take something back he could do that. Discussion was held in regards to the taxes on the change order of \$1725. It was stated that Morrow should be responsible for those as they had agreed to pay for that enclosure. Myers said in my opinion Morrow has been feeding both of us different information which unfortunately has brought this to where we are now. Attorney Godderz stated that we had three situations, we could acknowledge and pay the sales tax, deny paying them because they were not in the bid, or submit an offer to him to take back and compromise. Godderz said the cities position being that we submitted this and it was clearly stated that sales tax should be included, the city accepted it for the lowest bid and you all accepted it. Godderz felt that it would be in the interest of everyone to come to a compromise to avoid the expense of litigation. Councilmember Strohm made the motion for Dorr to attempt to negotiate and to have the late fees waived, Councilmember Lee seconded the motion. Myers stated that he would contact Mayor Dorr.

Vote: Ayes: Mullinix, Strohm, Burns and Lee

NEW BUSINESS

8. THIS ITEM DELETED FROM THE AGENDA

9. WATER RATES – City Superintendent Lamond presented information showing a variety of options for raising water rates. He stated that if we would raise our rates \$.45 per 1000 gallons and the base rate \$1.00 that would generate roughly \$20,000 over the year. For an average 35,000 gallon customer that would increase their bill about \$3 a month or \$36 per year. He stated that while going over the rates it was discovered that we have been purchasing water from Osage City for \$3.53 and selling it to Harveyville for \$3.08. Mayor Dorr recommended that the council table this for now and look over the numbers that Lamond gave them and that we need to find the Harveyville contract. Councilmember Burns made the motion to table this item to August 4th meeting. The motion was seconded by Councilmember Mullinix.

Vote: Ayes: Mullinix, Strohm, Burns and Lee

10. BUDGET–It was stated that we had a decrease in tax revenue and the two mill increase was to make up for that. Councilmember Mullinix made the motion to approve the publication of the proposed 2015 budget and setting a hearing date of August 4th. The motion was seconded by Councilmember Lee.

Vote: Ayes: Mullinix, Strohm, Burns and Lee

11. BOOK/BUDGET ADJUSTMENTS –Councilmember Mullinix made the motion to retain Cindy Jensen with Aldrich & Company, LLC for the amount not to exceed \$1500 to assist in getting our books adjusted and amending the 2014 budget.

Councilmember Burns seconded the motion.

Vote: Ayes: Mullinix, Strohm, Burns and Lee

12. LIBRARIAN –Mike McCloud, representing the Burlingame Library Board, introduced the newly hired librarian Sara Worcester. McCloud said the library had changed, the lay out is a little different, and that she had high energy. Worcester stated that she was looking forward to serving the community and invited everyone to come by to see her.

No action was taken on this item.

13. SIGN –Dennis Klumpe voiced concern of the problem of people leaving the Schuyler building and trying to turn north off of Fremont onto Osage Street. He requested that a Dead End sign be posted at that intersection. Councilmember Strohm made the motion for City Superintendent Lamond to take care of getting signs up there. Councilmember Burns seconded the motion.

Vote: Ayes: Mullinix, Strohm, Burns and Lee

14. HOVESTADT APPEAL –Raymond Hovestadt Jr. appeared to appeal the complaint of the grass at his property being too tall. He asked if there was an ordinance against it. Mayor Dorr stated yes, that the grass couldn't be over 8" tall. Dorr presented a list of other properties that had been notified. Hovestadt stated that if you were going to do this the railroad property that the city owns needs mowed. Dorr stated that we would get it taken care of.

No action was taken on this item.

15. WEEDS / ORDINANCE 2193 –Grizz Lee appeared to discuss weeds and ordinances pertaining thereof. Discussion of city zoning, and county classifications, (agriculture, vacant property, residential, business) was held, it was stated that some properties in the Fast development were classified as agriculture. Attorney Godderz said that we need to double check on the subdivision regulating what was brought into the city. If it was brought in as residential, and the county should have a record of it, then the property would be subject to the ordinance and we need to enforce it. Lee stated that nowhere in our ordinance does it have a penalty for not mowing. Godderz stated that it (the ordinance) works if it is followed. Lee asked how long the city has before they mow once the letter is sent out. Godderz stated that the ordinance states 5 days then they have a chance to appeal if they wish. There was question as to who the road belonged to from Jackson going north (phase II of Fast division). Mayor Dorr stated that as far as the county is concerned that road still exists because nowhere in the records did the City of Burlingame file anything stating that road had been vacated.

No motion was made on this item. .

16. TREE BOARD APPOINTMENTS – Councilmember Lee made the motion to approve the reappointments of Larry Smith, Mark Cole and Carolyn Strohm to the Tree Board, the motion was seconded by Councilmember Mullinix.

Vote: Ayes: Mullinix, Strohm, Burns and Lee

17. ORDINANCES – Council President Carolyn Lee said that the Ordinances on the Web Site were not accurate; if we changed them they have not been updated on the site. We either need to update the ordinance or pull them off of the Web Site. Councilmember Mullinix made the motion to put on the Web Page site to please check and verify updates and amendments with City Hall; the motion was seconded by Councilmember Burns.

Vote: Ayes: Mullinix, Strohm, Burns and Lee

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

Vote: Ayes: Mullinix, Strohm, Burns and Lee

The Council exited at 8:40

The meeting reconvened at 8:55, Mayor Dorr stated that no action was taken.

Councilmember Lee made the motion for Police Chief Dudley to let Donnie Parker know we are going to move the generator off of his land and to put the correct paperwork in the personnel file please. Councilmember Burns seconded the motion.

Vote: Ayes: Mullinix, Strohm, Burns and Lee

18. REPORTS

City Superintendent Lamond stated that KDOT is removing sidewalks in town and will also be running a reclaimer to peel up asphalt, recycle it, and put it back down. They will be working east on 56 by the overpass. We removed the sign from the park and it is at the shop.

Police Chief Dudley reported that Officer Lovett goes to school August 11th, he will be gone for 3 ½ months and is taking the Crown Vic. He stated that we have a couple candidates for part time officers.

City Clerk Smiley had received information from the Osage County Herald-Chronicle in regards to support ads for the school. Booster ads would run a maximum of 7 times for \$155 and sports ads would be \$35 for each sport for a total of \$105. Councilmember Lee made the motion to approve the Booster and Sports ads, councilmember Strohm seconded the motion.

Vote: Ayes: Mullinix, Strohm, Burns and Lee

Smiley stated that she had received a Vendor permit from Jerry Hill. Mayor Dorr said there was interest of having a Farmers Market. He said that if you grow fruits and vegetables in the state of Kansas and are selling them you don't need a Vendors permit but if you are selling jams or jellies or if you purchase something someone else has grown and reselling it you do. Mayor Dorr's concern was how we make sure that taxes are paid on the sales. It was stated that by turning the vendor list over to the state we could accomplish that. Jerry Hill stated that they were looking at having the Farmers Market on Thursday's around 4pm to 7pm in Hovestadt's empty lot. Smiley reported that the (asbestos) inspector would be coming to do the inspection at Bailey's tomorrow.

Councilmember Mullinix voiced concern about the kids in the roadway downtown. Officer Dudley stated that if we had a curfew it would help. Mullinix stated that a lot of the people on Main Street were over 18 so a curfew wouldn't help. It was stated that we could write tickets. Mullinix also said that we are getting some of the properties mowed but they are not being cleaned up. There are trees growing up in foundations and limbs lying around. Attorney Godderz stated that we have Ordinances for debris.

Councilmember Lee asked City Superintendent Lamond if he had checked out the trees at Bailey's business property. Lamond stated they would check on them tomorrow as they would be there for the inspection anyway.

Mayor Dorr asked about Jeannie's mom's property and if we had sent a letter to the address the county had for the property. Attorney Godderz stated that we need to send notice to the owner of record or other tenant. Dorr inquired if there was anything we had about a car that's been sitting about two months on Main street. Officer Dudley stated that they could tag it.

19. 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 9:22pm.

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.