



# City Of Burlingame

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## MINUTES

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Mayor Mike Dorr – P	City Attorney Rick Godderz - P
Councilmember Carolyn Lee – P	City Clerk Lee Ann Smiley - P
Councilmember Carolyn Strohm - P	City Superintendent Joey Lamond – P
Councilmember Vikki DeMars - P	Police Chief Dudley – A
Councilmember Michelle Mullinix - P	Police Officer Lovett – Entered at 7:10pm
Councilmember Kenna Burns - A	Building Inspector Jim Welch –A

Held: **September 2, 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, Josiah Shultz, Karen Smart, Linda Fagan, Judy Thompson, Kelly Hurla, Jeanne Riggs, Ray Burns, Sheila Curtis, Dustin Kuntz, and Tom Barnes

3. **PUBLIC COMMENTS** –Rosie Parker stated that she thought the furniture store was an eye sore. She stated that she knew an ordinance was passed that allowed businesses to put items out front but she had heard many comments on how bad it looks. She suggested that it be required to be cleaned up.

Carolyn Strohm representing the Burlingame Historical Preservation Society updated the council as to the progress being made at the Superior School. She stated that new windows had been installed, the porch rebuilt, the foundation was tuck pointed, the chimney is in the process of being worked on, it has all been accomplished by approximately 210 volunteered hours of labor. The belfries and the roof are the next items that need to be addressed. Strohm requested consideration of using the cities big bucket truck so that the volunteers could make the needed repairs and enable them to do it safely. She asked to have this request added to the agenda.

Sheila Curtis and Karen Smart addressed the council with concern of the restrooms in the park being dirty. They are going to have a family reunion at the park on the 21<sup>st</sup> and would like to be able to use the restrooms. It was stated that we would clean the restrooms again and to help prevent vandalism we could lock the restrooms at 8:00pm and reopen them in the mornings. Curtis also voiced concern about the house across the street to the north having tree branches hanging over into the main highway she is afraid someone is going to have an accident. Mayor Dorr stated that we could trim the tree again.

### **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 add 11.1 League of Kansas Municipality Voting Delegate and 11.2 Use of Bucket Truck to the agenda. DeMars

made the motion to approve the agenda with the two additions. Councilmember Mullinix seconded the motion.

Vote: Ayes: Mullinix, Strohm, DeMars and Lee

5. **APPROVAL OF MINUTES** – City Clerk Smiley is to check as to who made the second motion on item #5 and correct it as such. Under item #19 add Councilmember DeMars left at 9:55pm after the Executive Session and remove Councilmember DeMars name from the vote on item #20 adjournment. Councilmember Strohm made the motion to approve the minutes with the corrections. Councilmember DeMars seconded the motion.

Vote: Ayes: Mullinix, Strohm, DeMars and Lee

6. **APPROVAL OF CLAIMS ORDINANCES** – Councilmember Strohm made the motion to pay claims ordinance #2283, Councilmember DeMars seconded the motion.

Vote: Ayes: Mullinix, Strohm, DeMars and Lee

### **OLD BUSINESS**

7. **WATER RATES** – Councilmember DeMars made the motion to table this item to the next meeting; the motion was seconded by Councilmember Lee.

Vote: Ayes: Mullinix, Strohm, DeMars and Lee

8. **HARVEYVILLE WATER CONTRACT/BILLING** – Councilmember DeMars made the motion to authorize City Superintendent Lamond and City Clerk Smiley to negotiate payment arrangements with the City of Harveyville, the motion was seconded by Councilmember Strohm.

Vote: Ayes: Mullinix, Strohm, DeMars and Lee

9. **MORROW ENGINEERING** – Councilmember Strohm made the motion to pay the bill in the amount of \$9006.25 to Morrow Engineering, the motion was seconded by Councilmember Mullinix.

Vote: Ayes: Mullinix, Strohm, DeMars and Lee

### **NEW BUSINESS**

10. **CHANGE ORDER FOR SALES TAX** – Councilmember DeMars made the motion to approve the change order request from the Substation Transformer contractor, Wesco Distribution, Inc. for sales tax in the amount of \$10,921.00 that was not included in the contractor's bid. The motion was seconded by Councilmember Mullinix.

Vote: Ayes: Mullinix, Strohm, DeMars and Lee

11. **LOGAN BUSINESS MACHINES CONTRACT** – Consideration was given for approval of signing a new Service Contract with Logan Business Machines increasing the cost of black and white copies from \$ .0135 per copy to \$ .0144 per copy and the color copies from \$ .059 per copy to \$ .063 per copy. Councilmember Strohm made the motion to approve signing the contract; the motion was seconded by Councilmember DeMars.

Vote: Ayes: Mullinix, Strohm, DeMars and Lee

- 11.1. **LEAGUE OF KANSAS MUNICIPALITY VOTING DELEGATE** - Councilmember Strohm made the motion to appoint City Clerk Smiley as the Voting Delegate and Utility Clerk Fry as the Alternate Voting Delegate for the League of Kansas Municipalities, the motion was seconded by Councilmember Lee.

Vote: Ayes: Mullinix, Strohm, DeMars and Lee

- 11.2 **USE OF BUCKET TRUCK** – Carolyn Strohm representing the Burlingame Historical Preservation Society requested consideration of using the cities bucket truck to enable the volunteers to make the needed repairs safely. She stated the organization has Liability Insurance for the property. Attorney Godderz stated typically the City doesn't loan out tools, equipment or anything else to individuals or businesses but this is a Nonprofit Charitable Organization so it could be an exception. Councilmember DeMars made the motion to approve letting the Burlingame Historical Preservation Society use our bucket truck as long as we have an employee operating it and if it takes a long time we'll revisit it. The motion was seconded by Councilmember Mullinix.

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

12. **EXECUTIVE SESSION ATTORNEY CLIENT RELATIONSHIP** – Councilmember DeMars made the motion to go into Executive Session to discuss Attorney Client Relationship for a period of 10 minutes. Councilmember Lee seconded the motion.

Vote: Ayes: Mullinix, Strohm, DeMars and Lee

The Council exited at 7:35

The meeting reconvened at 7:45, Mayor Dorr stated that no action was taken in the Executive Session.

Councilmember DeMars made the motion to go into Attorney Client Executive session for 10 minutes, Mullinix seconded the motion.

Vote: Ayes: Mullinix, Strohm, DeMars and Lee

The Council exited at 7:47

The meeting reconvened at 7:57. Mayor Dorr stated that no action was taken in the Executive Session.

No motion was made.

13. **EXECUTIVE SESSION NON-ELECTED PERSONNEL** – 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.

Vote: Ayes: Mullinix, Strohm, DeMars and Lee

The Council exited at 7:59

The meeting reconvened at 8:09, Mayor Dorr stated that no action was taken in the Executive Session.

Councilmember Lee made the motion to give Police Chief Dudley and extension on his move date of thirty days only from today's date, Councilmember Mullinix seconded the motion.

Vote: Ayes: Mullinix, Strohm, DeMars and Lee

#### **14. REPORTS**

City Superintendent Lamond reported that he had received a call of someone interested in the tree at the Kirkpatrick's. He stated that they had completed two blocks on resurfacing the streets and they have four yards to mow.

Police Officer Lovett reported for the month of August their arrests related to drugs and weapons. It takes a while to build the cases but we were successful in apprehending quite a few people in the month of August.

City Clerk Smiley reported that the 2012 W2's were not filed timely and we have received a letter stating that we are being penalized \$2460. Smiley stated that she had contacted IRS in regards to the letter and has now sent an appeal in regards to the penalties. Smiley reported that she had talked to our Revenue Officer again in regards to the 941 penalties and has rewritten the appeal in regards to that with the help of the officer. We are now waiting for response from the IRS on both issues. Smiley requested approval to attend the Certification Institute for Municipal Clerks. She is to put this request on the next agenda.

Attorney Godderz distributed a copy of the League personnel manual. He stated that our current manual goes into a lot of explanation and a lot of times the more explanation you give the tighter the box you're building yourself into. He stated that he was not promoting the League manual but giving it to us to take a look at and get some ideas. Godderz stated that we should double check on the Morrow contract and make sure we have not been overbilled.

Councilmember Strohm stated that she appreciated the city letting the Burlingame Historical Preservation Society use the Bucket Truck.

Councilmember Lee asked if the city trims trees outside of the city limits. City Superintendent Lamond stated that we trim under all of our power lines which would be down to Dragoon, east almost to Scranton, north to almost 152<sup>nd</sup> street, east down 165<sup>th</sup> to Fast Lake, west down 181<sup>st</sup> to Neu's, west on Banks to 177<sup>th</sup> to Quaney's, and up to Auburn off of east Banks.

Mayor Dorr asked to have the sign replaced back where it was in the park. He asked if the KDOT project by the Post Office was done. City Superintendent Lamond stated that they still had hand rails to put up. Dorr reported that the rumble strip was already missing. Lamond stated that he would call KDOT. Dorr read a letter from a citizen commending the trimming of trees at the citizen's house and stated the park always looked great.

Councilmember DeMars stated that the city wide garage sales would be going on this weekend and there's a lot of yards that need mowed. It was stated to put on the next agenda to appoint someone for Weed Control.

Dustin Kuntz, Mayor of Harveyville, appeared to discuss the water bill received from Burlingame. The billing amounted to about \$17,000, he stated that it would be a hardship for their city to pay this. He asked if the City of Burlingame would share the pain and split the bill if it was paid up front. It was your oversight but it is our burden to bear. The Harveyville council may be willing to settle for a lump sum. He would be interested in Burlingame and Harveyville getting together with Osage City to discuss water rate increase issues. Kuntz stated that the contract between Burlingame and Harveyville had a 10% water loss contingency and wondered with the upgrades that Burlingame had made to their water system if that number was accurate. Kuntz said that when they had the tornado two years ago City Superintendent Lamond and his staff were the first guys on their streets and it really meant a lot to their community. He really thought Lamond represented our community well.

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

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

Meeting adjourned at 8:45pm.

SUBMITTED BY:

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Lee Ann Smiley, City Clerk

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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.