

**CITY OF BURLINGTON
KIT CARSON COUNTY
CITY COUNCIL
REGULAR MEETING
AGENDA
02-2017
City Hall
415 15th STREET
January 30, 2017
6:30 PM**

1 Call to Order

2 Pledge of Allegiance

3 Consent Agenda Items

Any consent agenda item may be removed from the Consent Agenda and placed under Business if discussion is desired. Otherwise, one motion will pass all items.

Minutes for 1-9-2017.

4 Public Comment

5 Public Hearing-Transfer of ownership from BLT Liquor Investments, LLC to Hines Family Investments, LLC.

5 Unfinished Business

6 New Business

- A. Discussion on Federal Assistance (Planning Projects) grant application for the Airport.
- B. Della Calhoon with Kit Carson County to discuss testing of the emergency series.
- C. Approval of a list of finalists for the position of City Administrator.
- D. Approval of Ordinance 925, an ordinance to retain 10% of contractor payments made on public improvements until completion and approval.

7 Reports from City Departments

Clerk- Shelly Clark

Deputy Clerk-Karen McKinley

Airport- Daniel Melia

8 Council Comments

- A. Mayor Dale Franklin
- B. Rod Murray
- C. Mike Halde
- D. Mark Burghart
- E. Kamron Weisshaar
- F. Beth Crites
- G. Harold McNerney

9 Adjournment

Emergency matters that may come before Council may be discussed with decisions to be ratified at a subsequent Council meeting.

MINUTES OF THE MEETING
OF THE MEMBERS OF THE CITY COUNCIL
CITY OF BURLINGTON
COUNTY OF KIT CARSON
STATE OF COLORADO
Community Building
340 S 14th Street
6:30 pm
January 9, 2017

Mayor Dale Franklin called the meeting to order at 6:30 PM.

1 The roll call of members was read and those answering were:

Beth Crites

Mark Burghart

Harold McNerney

Rod Murray

Absent: Mike Halde/Kamron Weisshaar

Staff/Officials:

Nick McCarty-Daniels

Tim Ellis

Rol Hudler

Shelly Clark, City Clerk

Tyson Weisshaar

Nikki Wall

Suzy Velasco

Also: Jake Lightle

Carl Reese

2 Pledge of Allegiance

3 Consent Agenda Items

Any consent agenda item may be removed from the Consent Agenda and placed under Business if discussion is desired. Otherwise, one motion will pass all items.

Approval of the bills.

MOTION by McNerney, second by Crites to approve the consent agenda items.

Those yea: Burghart, Crites, McNerney, Murray

Those nay:

Motion passes.

4 Public Comments

5 Departments

- A. Shelly Clark – Report is in the packet – Discussion on project manager hired by McLaughlin
- B. Tim Ellis – Report is in the packet
- C. Rol Hudler – Report is in the packet
- D. Nick McCarty-Daniels
- E. Nikki Wall – Report is in the packet
- F. Suzy – Report is in the packet – laptops for shop

- G. Tyson – Report is in the packet. Wants to thank everyone for help with Breakfast with Santa

6 Work Session Topics

Unfinished Business

New Business

- A. **Approval of Resolution 2017-01 designating the public places for posting of notice of regular and special meetings of local public bodies of the City of Burlington.**

MOTION by McNerney, second by Burghart to approve Resolution 2017 designating the public places for posting of notice of regular and special meetings of local public bodies of the City of Burlington.

Those yea: Burghart, Crites, McNerney, Murray

Those nay:

Motion passes.

- B. **Approval of Ordinance 924 amending Chapter 13.04 “Water Use Regulations” in order to revise service rates.**

MOTION by McNerney, second by Crites to approve Ordinance 924 amending Chapter 13.04 “Water Use Regulations” in order to revise service rates.

Those yea: Burghart, Crites, McNerney, Murray

Those nay:

Motion passes.

- C. **Approval of Ordinance 925 removing Ordinance 918 and amending Ordinance 829, the official public services ordinance of the City of Burlington Sections 13.04.100, 13.04130, 13.08.050, 13.08.07, and 13.12.140.**

MOTION by Burghart, second by McNerney to approve Ordinance 925 removing Ordinance 918 and amending Ordinance 829, the official public services ordinance of the City of Burlington Sections 13.04.100, 13.04130, 13.08.050, 13.08.07, and 13.12.140.

Those yea: Burghart, Crites, McNerney, Murray

Those nay:

Motion passes.

- D. **KC Garden Tractor Pullers request to change location and renew lease.**
Motion tabled.

- E. **Approval of engagement letter for Holscher, Mayberry & Company, LLC for the 2016 audit.**

MOTION by Crites second by McNerney to approve engagement letter for Holscher, Maybery & Company, LLC for the 2016 audit.

Those yea: Halde, Burghart, Weisshaar, Crites, McNerney, Murray

Those nay:

F. Approval of Mayor to sign contract with Merrick & Company.

MOTION by Burghart, second by McNerney to approve Mayor to sign contract with Merrick and Company.

Those yea: Halde, Burghart, Weisshaar, Crites, McNerney, Murray

Those nay:

Motion passes..

7 REPORTS AND COMMENTS FROM MAYOR AND COUNCIL:

- A. Mayor Dale Franklin – Asked about Lorraine
- B. Mike Halde
- C. Mark Burghart
- D. Kamron Weisshaar
- E. Beth Crites
- F. Harold McNerney
- G. Rod Murray

8 MOTION by McNerney, second by Crites to adjourn the meeting at 7:15 PM.

Those yea: Halde, Burghart, Weisshaar, Crites, McNerney, Murray

Those nay:

Motion passes.

Dale Franklin, Mayor

Karen McKinley, Deputy Clerk

1.30.17 Council Meeting

AIRPORT DEPARTMENT HEAD REPORT

The airport is scheduled to have the master plan re-done in 2017. I believe the last masterplan was completed in 2002. There has been some confusion about the budget because the date of the master plan has changed. All of the paperwork for the state and federal grants has been done. I believe that the council just needs to approve the 16,000 local match portion. I've added a few bullet point that are important to know-

- The Airport Master Plan is the first step towards cohesive airport development and provides a twenty-year development plan.
 - The document will forecast future aviation demand, identify airport assets and deficiencies for both existing and future demand, and consider alternatives to airport development.
- The project will also include an update to the Airport Layout Plan which is a graphical depiction of the airport's existing and future development. This is a funding tool which is approved by the FAA and City Council and is **required for federal funding of future projects**.
- The project process encourages public and stakeholder involvement to ensure that future airport development reflects the goals and needs of the community the Burlington-Kit Carson County Airport serves.

**KIT CARSON COUNTY
OFFICE OF EMERGENCY MANAGER**

Della M. Calhoon
1576 Lowell Ave., Box A
Burlington, CO 80807
oem@kitcarsoncounty.org
Phone 719-343-0911
Fax 719-346-5118



Jan. 30, 2017

City of Burlington
c/o Shelly Clark
PO Box 366
Burlington, CO 80807

Re: Testing of Tornado sirens

Town Council Members:

As tornado season comes in a few short months there has been discussion with the Sheriff, Dispatch and myself that it would be best to do a test of the sirens on a monthly basis. By allowing the testing of the sirens we would be aware if a siren is not working. Dispatch would test the sirens at a set time and you would provide verification if the sirens are working or not working. This way we are kept abreast for those that need repairs.

This is in the interest and safety of our citizens that the testing is being requested. We believe that your citizens need to be made aware of when testing of the sirens will begin so that we do not confuse or alarm them. This would begin Tuesday March 14, 2017 at 10:00 A.M. This would continue on the second Tuesday of each month through the Month of October, 2017. An article can be placed in the papers and on KNAB Radio. We were also wondering if you would be able to give a notice on your utility invoices if possible. This way most if not all would be notified of why the sirens are being used. We could also place this on the County Web page, Sheriff's Web Page and City Web Page.

If possible please discuss this at your next Council meeting. If you are in agreement with the testing of the test of the sirens I would appreciate it if you would mark the box at the bottom, and sign the letter if you agree and return as soon as possible. Should you have questions please contact the Emergency Manager at 719-343-0911.

Sincerely,

In agreement with the testing of the sirens.

Signature: _____ City of Burlington

MEMORANDUM

To: Mayor & City Council
From: Steven G. Rabe
Date: January 26, 2017

BACKGROUND

In accordance with C.R.S. § 24-6-402(3.5) the public body (City Council) shall make public the list of finalists under consideration for the job no later than 14 days prior to appointing or employing one of them to fill the position. I interviewed a group of three (3) semi-finalists via telephone on Friday, January 20th. Based on the attributes that I believe that Council is looking for, which I have discussed with Mayor Franklin on a couple of occasions, the interviews and all the other information that has been gathered to date with regard to the semi-finalists, I am forwarding the following candidates to be considered, selected and announced as finalists for the position of City Administrator:

- Bradley Hanson, Onawa, IA; and
- James Keehne, Cedaredge, CO

In addition, City Council needs to confirm that interviews with these finalists, the availability of which has now been confirmed with each of the gentlemen, are scheduled for Saturday, February 11th.

RECOMMENDATION:

- Approval the List of Finalists, as recommended and confirm the date for City Council interviews; or
- Other action as the City Council deems appropriate.

**CITY OF BURLINGTON
ORDINANCE NO. 925**

**AN ORDINANCE TO RETAIN 10% OF CONTRACTOR PAYMENTS MADE ON
PUBLIC IMPROVEMENTS UNTIL COMPLETION AND APPROVAL**

WHEREAS, the City of Burlington, in the County of Kit Carson and State of Colorado, has the duty to improve public works and City's Home Rule Charter, et seq.; and

WHEREAS, Public entities must ensure that construction projects are completed in a timely manner, while releasing retained project payments to sustain contractors cash flow, pursuant to HB 11-1115, et seq.; and

WHEREAS, Public entities are required to accept the work performed upon completion of construction projects within sixty days of completion of said project;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
BURLINGTON THAT:**

The City Council of the City of Burlington, Colorado hereby ordains the following:

The City of Burlington will retain the amount of ten (10%) percent of each periodical estimate as set forth by bidding and/or contracts. The Contractor shall waive any and all rights or entitlement it may have for a lesser percentage to be retained from payments pursuant to C.R.S. 24-9-1103 (1)(a).

The city council finds and declares that this ordinance is necessary for the immediate preservation of the public health or safety and, therefore, this ordinance shall become effective five (5) days after publication thereof.

PASSED, ADOPTED and ORDERED PUBLISHED this 2nd day of February, 2017.

Dale Franklin, Mayor

[SEAL]

ATTEST:

Shelly Clark, City Clerk

STATE OF COLORADO)

County of Kit Carson)ss.
City of Burlington)

CLERK’S CERTIFICATE

That I, Shelly Clark, the official City Clerk of the City of Burlington, do by these presents, say that the foregoing Ordinance No.925 was passed and adopted by the City Council of the City of Burlington on the 30th day of January, 2017 and that the foregoing Ordinance is a true, correct and full copy of the Ordinance as shown in Ordinance Book 12 of the records of the City of Burlington, Burlington, Colorado.

Dated this 30th day of January, 2017

Shelly Clark, City Clerk

STATE OF COLORADO)
County of Kit Carson)ss.
City of Burlington)

**CLERK’S CERTIFICATION OF
PUBLICATION**

That I, Shelly Clark, the official City Clerk of the City of Burlington, do by these presents, say that the foregoing Ordinance No. 925 and Clerk’s Certificate attached thereto was published in the *Burlington Record*, a weekly newspaper of general circulation in Burlington, Kit Carson County, Colorado, on February 2, 2017 and “Proof of Publication” is filed herewith.

Dated this 2nd day of February, 2017.

Shelly Clark, City Clerk

City of Burlington
Kit Carson Correctional Center
Contract Monitor
Monthly Report December 2016 and January 2017
Norma H. Pankratz

Governors Office

We continue to supply information to the governor's office as they request information.

JBC meetings

December 20 1:30 – 5:00 Briefing for the Department of Corrections

At this meeting the BC ask questions that they want the DOC to bring back answers to at their January 9 meeting.

January 9, 2017 1:30 – 4:30 Hearing for the Department of Corrections

I had planned to go to the Capitol for this meeting, however because of the very high winds in this area, I listened by computer. Much of the discussion was concerning the mental health classes that were being given to inmates and the difficulty that the state had in filling these positions. There were close to 25 specific questions addressed during the afternoon and the last question concerned the private facilities. The state is projecting that they will house approximately 200 more inmates in the private facilities which will fill the private facilities. Liquidated damages which are assessed the private facilities was also questioned and CDOC is looking into the dollar amount which has been assessed. (Liquidated damages is the term used by the state when the private facilities do not have the staffing available to meet the numbers required per the contract. The dollar amount withheld by the state can be very high. Following this meeting I have been in contact with Andrea Evans. CDOC did not at this meeting request extra funds to repurpose any of the state facilities. I assume that the reason behind that lack of request is because of the budget lack of funds.

I continue to monitor the JBC and legislature concerning number of offenders and spending.

CCA has changed their name to Core Civic

Contact with US Senator Cory Gardner's Office

I sent a letter to Senator Cory Gardner asking for his assistance in the possibility of housing Federal ICE inmates at KCCC. There are about 25,000 Haitian detainees on the Mexico border. I did not hear back from his office so I called the office following the Holidays. I found out after calling the Yuma Office that Kit Carson County had been reassigned to the Denver Office. I also found out that the individual who probably received the letter had retired the end of the year.

I called the Denver Office 303-391-5777 and spoke with Andrew Dunkley. I mentioned the above information concerning the ICE inmates and reminded him that we had a great facility sitting empty in Burlington. He stated that he was aware of the facility as was Senator Gardner. I followed up this phone call with a letter outlining our desire to be considered for receiving inmates. I also emailed the County Commissioners requesting that they also contact Senator Gardner and express their desire to once again open the facility. I have been in contact with Andrea Evans from Core Civic (CCA) as well as Rol Hudler and Shelly Clark keeping them informed. I have received no follow up from my call or letter.

Norma Pankratz,

