

**CITY OF BURLINGTON  
KIT CARSON COUNTY  
CITY COUNCIL  
WORK SESSION  
AGENDA  
1-2019  
COMMUNITY BUILDING ROOM A  
340 S 14<sup>TH</sup> STREET  
January 14, 2019  
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.*

Approval of minutes 12-10-2018.

**4 Public Comment**

**5 Work Session  
Unfinished Business**

**New Business**

**6 Reports from City Departments**  
Administrator- Jim Keehne  
Clerk/Treasurer- Shelly Clark

**7 Council Comments**

- A. Mayor Dale Franklin
- B. Mike Halde
- C. Mark Burghart
- D. Kamron Weisshaar
- E. Melvin Gilley
- F. Harold McNerney
- G. Greg Swiatkowski

**8 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 14<sup>th</sup> Street  
6:30 pm  
December 10, 2018

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

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

Kamron Weisshaar	Greg Swiatkowski
Mark Burghart	Harold McNerney

Absent: Melvin Gilley, Mike Halde

Staff/Officials:

Jim Keehne, City Administrator  
Mike Grinnan, City Attorney  
Shelly Clark, City Clerk

Also:

**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 minutes 11-26-18.

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

Those yea: Burghart, Weisshaar, McNerney, Swiatkowski

Those nay:

**Motion passes.**

**4 Public Comments**

**5 Departments**

- A. Administrator- Jim Keehne-Report is in the packet.
- B. Attorney-Mike Grinnan
- C. Clerk/Treasurer- Shelly Clark- Report is in the packet.

**6 Work Session Topic**

**Unfinished Business**

- E. Approval of Ordinance 939 levying general property taxes for the year 2018 to defray a portion of the cost of government for the City of Burlington, Colorado, for the 2019 budget year.

**MOTION** by Swiatkowski, second by Burghart to approve Ordinance 939 levying general property taxes for the year 2018 to defray a portion of the cost of government for the City of Burlington, Colorado, for the 2019 budget year.

Those ye: Burghart, Weisshaar, McNerney, Swiatkowski

Those nay:

**Motion passes.**

- F. Approval of Ordinance 940 appropriating additional sum of money to defray expenses in excess of amount budgeted for the City of Burlington, Colorado for the 2018 budget year.

- Tourism and Promotional Fund expenditures increased from \$566,271.00 to \$704,738.00.
- Electric Fund increased from \$3,372,342.00 to \$4,985,183.00.
- Water/Wastewater Fund increased from \$1,250,770.00 to \$2,733,852.00.
- Solid Waste Fund increased from \$414,200.00 to \$417,184.00.

**MOTION** by McNerney, second by Burghart to approve Ordinance 940 appropriating additional sum of money to defray expenses in excess of amount budgeted for the City of Burlington, Colorado for the 2018 budget year.

Those ye: Burghart, Weisshaar, McNerney, Swiatkowski

Those nay:

**Motion passes.**

- G. Approval of Ordinance 941 appropriating sums of money to various fund and spending agencies in the amounts and for the purpose as set forth below for the City of Burlington, Colorado for the 2019 budget year.

- General Fund-\$3,231,068.00
- Conservation Trust Fund- \$35,876.00
- Tourism Promotional Fund-\$551,376.00
- Electric Fund-\$3,612,106.00
- Water/Sewer Fund-\$1,450,865.00
- Solid Waste Disposal Fund-\$496,467.00
- Airport Fund-\$451,645.00
- Total Budget-\$9,829,403.00

**MOTION** by Weisshaar, second by McNerney to approve Ordinance 941 appropriating sums of money to various fund and spending agencies in the amounts and for the purpose as set forth below for the City of Burlington, Colorado for the 2019 budget year.

Those ye: Burghart, Weisshaar, McNerney, Swiatkowski

Those nay:

**Motion passes.**

#### **7 REPORTS AND COMMENTS FROM MAYOR AND COUNCIL:**

- A. Mayor Dale Franklin-Stop signs on 14<sup>th</sup> street are causing confusion to citizens. Would like it to be constant with the stop signs being posted on 14<sup>th</sup> street.



January 14, 2019

## City Administrator's Summary Report

December 11 - January 14, 2019

### Administration

- Since our December meeting, budget work has continued, whereby we are updating our year end actuals in our budget document to ensure we're able to stay within established budget parameters in 2019. This effort will continue through the end of the month and maybe beyond as revenues from 2018 are still coming in. By month end we anticipate that 2018 actual revenues will exceed budgeted amounts by 1.5% (approximately \$35,000) an overall increase of 1.6% over 2017 actual revenues. Property tax revenues have continued to stay static over the last few years and will remain that way unless mill levy increases are obtained. Sales tax revenues for 2018 also remained fairly static. 2018 saw an increase of approximately \$63,000 in revenues over 2017, or an increase of 5.7%. This represents a 2.7% increase over anticipated budgeted numbers for 2018. Lodging Tax revenues experienced great growth in 2018, bringing in over \$217,000. This is \$23,500 above 2017 numbers or 12% growth. This also exceeded budgeted numbers for 2018. For 2019 we expect again to see growth in this fund as wind farm buildout South and West of Burlington is now a reality. This coupled with a change of franchise from Wood Springs Suites to Econo-lodge has increased night stays at that hotel South of the Interstate. All transfers between funds established through Resolution have been recorded in the 2018 budget document. Changes were submitted to DOLA as supplemental budget information as required. Additionally, the 2019 Budget with ordinance appropriating specified funds through departments has been filed with the State. Our goal in 2019 is to provide you with financial information on a more regular basis to assist in your decision making processes.
- Changes to Caselle have been initiated regarding Health Care withholdings and changes in compensation. Additionally, changes in water rates and solid waste rates have been made in the billing system. Rate changes were implemented to address reserve issues in our enterprise funds to ensure we stay in compliance with our bond holders and collecting enough funds to pay for our services. Additional changes will be made to the system in 2020 to account for the rate increases implemented at that time.
- We are in process for Highway User Tax Funding for our street project by identifying every improved street in the City and comparing to what CDOT has on file. Also, in process is an assessment of each street to determine what shape they are in. Once identification and assessment are complete, CDOT file will be updated and submitted to CDOT. This process takes place annually and is important to have as accurate as possible as funding for street improvement is generated through these funds. This process will be completed by mid-February.
- Submitted final report on Order of Compliance and Consent as required by CDPH&E. Response to CDPHE final report is provided in report format attached to this report.
- Working with every department to create action plans/work plans for each department to monitor throughout year. List of goals has been created, now we create a plan to carry out each goal.
- Working with County-wide Growth Committee Group, will draft REDI grant for partial funding of the marketing initiative to come from this group.
- Year-end inventory being performed – all departments

## Finance/Clerk

- Budget has been approved, ordinances passed, and documentation has been filed with DOLA
- Updating year end budget numbers to ensure 2019 budget parameters are met
- Developed additional protocols for cash receipting of all locations outside City Hall in conjunction with IT
- Implementing cash receipting process and training of staff
- Conducting inventory processes, all departments
- Updating payroll system for new wage information
- Working with the Abstract Office to transfer property Quit Claimed to City to new property owner so as to make property marketable with unrestricted deed and title.

## Operations

- Water/Wastewater
  - Year end testing has been completed and submitted to the State for testing purposes.
  - Ongoing testing of contributing wells to blending plant taking place so as to maintain compliance with CDPHE
  - Distribution of Cross Contamination/Backflow Prevention Surveys has been completed. Distribution of test compliance letters has been completed. Preparing for year-end report to be filed with State by end of March.
  - Developing bid specifications for Sewer line replacement as specified in the 2019 budget. This replacement will take place in 2019, early spring.
  - Developing bid specifications for Storm water run-off to address Legacy Drainage Issue, as specified in 2019 budget
  - Meeting with Merrick to address development of engineering report for CDPHE
  - Inventory of Water/Sewer Department in process
- Parks
  - Placed under oversight of street department to better share resources.
  - Maintenance of equipment is underway.
  - Bathroom rehabilitation and cleaning in parks taking place.
  - Inventory of parks department in process
- Streets
  - Have taken over supervision and scheduling of parks activities
  - Addressing drainage issues around 5<sup>th</sup> street to ensure open flow of drainage concerns, cleanout and planning of drainage concerns in area.
  - Alley reparations underway to smooth, level, and keep open.
  - Tree trimming in alleyways taking place, working with electric department to address tree trimming.
  - HUTF reporting as required by CDOT underway
  - Cold patching of roads in affected areas is underway, trying to complete before winter really hits.
  - Equipment maintenance taking place.
  - Street sweeping continuing
  - Inventory of street department in process

- Electric
  - Tree Trimming in process to remove branches from secondary drops to businesses and residences.
  - Developing bid specs for pole replacement plan
  - Inventory of electric department in process

## **Public Safety**

- Working with Colorado State Patrol to upgrade carpet in both CSP office and that of PD. As Lyn puts it, getting rid of the speed bumps that are causing hazards to public and employees alike.
- Notification has been received from government that the JAG grant funding for the RMS system has been released. They hope to have our funding to us shortly after the first of the year.
- Development of hiring/promotional/retention program
- Development of 2019 training calendar
- Court Clerk duties have been assigned to Lyn Snyder who is being trained for position
- Animal Shelter rehabilitation is taking place to bring shelter into compliance with state standards.

## **Library**

- Implementing circulation weeding process for 2019 to stay abreast of circulation numbers
- Program development for 2019 underway
- Developing programs for teens to gain in teen demographic usage of the Library
- Ongoing efforts to digitize historical documents with State

## **Old Town**

- Web Site development and design
- Bid specifications published for work to be performed as part of DOLA grant that will address East end rehabilitation, create walkways, and informational signage throughout Old Town.
- Purchasing of merchandise for store for re-sale purposes
- Scheduling of staff and seasonal staff – developing comprehensive schedule

## **Economic Development**

- Ongoing meetings with businesses to determine needs and address concerns
- Working with 21<sup>st</sup> Century to address business expansion, annexation, and business incentives
- Still working with food stores to bring to Burlington
- Participating in County Growth Committee meetings, research, and grant writing

## **Activities/Community Center**

- Review of RFP's received for planning purposes. Reference checks on final two applicants has been completed, decision to award bid will come before council at next meeting.
- Preparing and scheduling community center for activities taking place during No-Till Conference held first week in February.

## **IT**

- Updating web site to include job descriptions and announcements for open positions, community events, requests for proposals, bid specifications, and public notifications.
- Working with Old Town on website development and design
- Troubleshooting problems associated with time keeping module pertaining to leave request submittals

## **Airport**

- Equipment maintenance and repair is underway.
- Working with entities to identify and repair issues with runway lights.
- Working with private entities and Armstrong Consulting to take advantage of work to be performed at no cost to City regarding expansion of services at the Airport

## **Intergovernmental**

- County wide Growth Committee meetings – attending monthly

City Council,

In November, the City of Burlington, in conjunction with Martin and Wood, Water Consultants submitted its final report to Colorado Department of Public Health and Environment concerning Consent Order DW 12.15.132005. This Consent Order was issued in 2015, having a list of requirements the City must meet to get out from under the tight scrutiny of CDPHE regarding water quality, specifically the nitrate issue. Nineteen requirements, and subordinate requirements were listed, requiring the City to comply with each. The final report submitted to CDPHE was the City's response to the consent order indicating that we had fulfilled all requirements. CDPHE's response to our final submission was that the City must complete all the requirements of item 15.19 where, by December 01, 2018 the City had to submit an engineering report, prepared by an engineer who is licensed in Colorado and experienced in drinking water treatment, that addresses the following:

- A detailed evaluation of treatment options
- Full consideration of treatment residuals management and disposal
- Identification of a selected treatment option with the associated justification for the selection
- Conceptual level design and permitting evaluations of the selected option
- Planning level costs for the selected option
- Identification of funding sources for the selected option
- A proposed implementation plan and schedule for installation of the selected option. The plan and schedule must facilitate the City's ability to address and resolve, as quickly as possible, continuing exceedences of the nitrate MCL at one or more entry points in accordance with the following:
  - Exceedences of the nitrate MCL at one or more entry points that continue through December 01, 2018 present concerns about the overall success of the blending program and must be addressed.
  - Exceedences of the nitrate MCL at one or more entry points that arise in the future may be indicative of changes in factors critical to the blending program (i.e. water quality, infrastructure limitations) and must be addressed.
  - In the event that exceedences of the nitrate MCL at one or more entry points continue through December 1, 2018, final plans and specifications for the selected treatment option must be submitted to the Department March 1, 2019.

The City had asked for a waiver of this final requirement as we believe that all items listed in this requirement were addressed with its 2015 conditional approval letter, whereby CDPHE had signed off on our selected treatment option, and after construction of the blending plant all distributed water had remained below the MCL threshold, proving the chosen option was successful and sustainable over time. The City further stated that they had already gone above and beyond all requirements through ongoing reporting and addressing well rehabilitation. Finally, the City asked for a waiver due to the financial hardship such an engineering report imposed on the City. CDPHE responded to our waiver request, rejecting our arguments, stating "the second evaluation report is required due to a number of uncertainties that have the potential to impact the success and/or longevity of the blending program." CDPHE remains concerned that the blending plant "currently effective within a narrow margin, may not maintain nitrate concentrations below the MCL in the future and requires further evaluation, particularly given the effects of inter-annual variability in water demand and that nitrate concentrations



in the City's existing wells are expected to increase in the future." CDPHE further stated that the initial engineering evaluation report did not contain sufficient technical data or financial information related to treatment alternatives presented.

CDPHE is requiring the City to submit an engineering evaluation report that presents an evaluation of nitrate treatment alternatives and planning level design, construction, and operation and maintenance costs, with financing alternatives. The report must be completed in a manner such that the selected alternative could be implemented in a timely manner, and now due December 01, 2019.

The original engineering evaluation report submitted in 2015 to CDPHE was conducted by Merrick and Company, who also designed, engineered and oversaw construction of the blending project. As they are most familiar with the project and requirements, I have reached out to them to get a quote for the report to be performed. I have scheduled a meeting with them to go over the parameters of the report, scope of work, and contract requirements. Meeting will be at their office in Denver on Friday, January 18<sup>th</sup>.

Council will be provided with an overview of the meeting on January 28.



**CITY CLERK/TREASURER REPORT  
1-14-2018**

**Clerk**

- I will be sending in updates for the Municipal Code. I would like the Municipal Code Books turned in to City Hall, so we can add the updates. I haven't inserted the updates in a couple of years, I have had each of you insert your own. I would like to make sure everything is correct in each Code Book. I will let you know when the updates are in and have you turn in the books at that time.
- The Court Clerk duties have been moved to the Police Department. Ashley has spent time with Lyn training her on the processes for the Court Clerk.
- We have also been training Lyn on the onsite cash receipting.
- There were many changes at the end of 2018. I feel like we are moving forward in a positive direction.

**Finance**

- Business Licensing is moving along quickly. Ashley and I have spent a lot of time working with Caselle on getting this setup. We did the training with Caselle last week and learned the functions and processing for this module. We are hoping to get information out to all businesses by 21<sup>st</sup> of January. With the implementation of the Business Licensing, I feel we will want to look at the Transient Dealer Licensing as well. I know Jim is looking at making changes to several areas of the Municipal Codes.
- We are looking at contracting with Wakefield and Associates to help with collection of past due or delinquent accounts. This is something that will take time to get setup. We are working with Caselle to be sure we have the collection account setup correctly before getting on board with Wakefield.
- It was a busy week last week, Becky and I worked hard to get 1099's, W-2's and all the payroll charges made so we could get payroll processed by Friday.
- We have scheduled the Financial Audit for May 13<sup>th</sup>-17<sup>th</sup>.