

**CITY OF BURLINGTON
KIT CARSON COUNTY
CITY COUNCIL
REGULAR MEETING
AGENDA
10-2020
COMMUNITY BUILDING REC ROOM
340 S 14TH STREET
May 26th, 2020
6:30 PM**

Live Public Streaming (Use Link Below to join)

<https://www.burlingtoncolo.com/virtualcouncilmeeting>

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 from 5-11-2020

Approval of Liquor License for Century Lanes

4 Public Comment

5 Unfinished Business

6 New Business

A. Appointment of Council Member to ECCOG Board

B. Authorization to employ new City Clerk

7 Reports from City Departments

Administrator- Jim Keehne

Treasurer/Acting Clerk – Becky Castillo

Airport-Daniel Melia – Will have @ Meeting

Economic Development- Rol Hudler

Activities- Tyson Weisshaar

Library-Nick McCarty-Daniels

Old Town- Nikki Wall

8 Council Comments

8 Council Comments

A. Mayor Greg Swiatkowski

B. Kamron Weisshaar

C. Mark Burghart

D. Melvin Gilley

E. Adrian Hernandez

F. Troy Schultz

G. Brent Carter

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**

6:30PM

**COMMUNITY BUILDING REC ROOM
340 S 14TH STREET**

May 11, 2020

**Live Public Streaming (Use Link Below to join)
<https://www.burlingtoncolo.com/virtualcouncilmeeting>**

Mayor Greg Swiatkowski called the meeting to order at 6:30 PM.

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

Mark Burghart

Adrian Hernandez

Brent Carter

Absent: Melvin Gilley, Troy Schultz, Kamron Weisshaar

Staff/Officials:

Also:

Daniel Melia

Jim Keehne, City Administrator

Becky Castillo, Treasurer / Acting City Clerk

Mike Grinnan, City Attorney

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 from 4/27/2020

MOTION by Carter, second by Burghart to approve the consent agenda items.

Those yea: Burghart, Hernandez, Carter

Those nay:

Motion passes.

Council Members Troy Schultz and Melvin Gilley arrived at meeting.

4 Public Comment

- A. Public Hearing on Ordinance 954 AN ORDINANCE PROVIDING FOR THE ISSUANCE BY THE City OF Burlington, COLORADO, ACTING BY AND THROUGH its Water and Sewer Activity Enterprise, OF ITS Water and Sewer Revenue Refunding BONDS, Series 2020A, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$4,600,000. FOR THE PURPOSE OF REFUNDING, PAYING AND DISCHARGING ITS OUTSTANDING WATER AND SEWER ACTIVITY ENTERPRISE REVENUE BONDS, SERIES 2014; Delegating Certain Authority to City OFFICERS IN CONNECTION WITH THE SALE OF THE Series 2020A BONDS; Pledging Certain Net Revenues FOR THE PAYMENT OF THE Series 2020A BONDS; and Prescribing THE FORM AND Other Details OF SUCH Series 2020A BONDS.

5 UNFINISHED BUSINESS:

- A. Approval on Ordinance 954 AN ORDINANCE PROVIDING FOR THE ISSUANCE BY THE City OF Burlington, COLORADO, ACTING BY AND THROUGH its Water and Sewer Activity Enterprise, OF ITS Water and Sewer Revenue Refunding BONDS, Series 2020A, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$4,600,000, FOR THE PURPOSE OF REFUNDING, PAYING AND DISCHARGING ITS OUTSTANDING WATER AND SEWER ACTIVITY ENTERPRISE REVENUE BONDS, SERIES 2014; Delegating Certain Authority to City OFFICERS IN CONNECTION WITH THE SALE OF THE Series 2020A BONDS; Pledging Certain Net Revenues FOR THE PAYMENT OF THE Series 2020A BONDS; and Prescribing THE FORM AND Other Details OF SUCH Series 2020A BONDS.

MOTION by Burghart, second by Carter to approve the consent agenda items.

Those yea: Burghart, Gilley, Hernandez, Schultz, Carter

Those nay:

Motion passes.

6 NEW BUSINESS

- A. Remove Dale Franklin as a signer from all City bank accounts

MOTION by Burghart, second Hernandez by to approve the consent agenda items.

Those yea: Burghart, Gilley, Hernandez, Schultz, Carter

Those nay:

Motion passes.

- B. Add Greg Swiatkowski as a signer to all City bank accounts

MOTION by Burghart, second by Hernandez to approve the consent agenda items.

Those yea: Burghart, Gilley, Hernandez, Schultz, Carter

Those nay:

Motion passes.

- C. Introduction of Police Department Management Study

- D. Approval of mayor signature on FAA \$30,000 Backfill Grant addressing financial shortfalls due to COVID 19

MOTION by Carter, second by Hernandez to approve the consent agenda items.

Those yea: Burghart, Gilley, Hernandez, Schultz, Carter

Those nay:

Motion passes.

- E. Approval of Mayor signature to renew Restaurant Panaderia Mexico Inc Liquor License

MOTION by Burghart, second by Carter to approve the consent agenda items.

Those yea: Burghart, Gilley, Hernandez, Schultz, Carter

Those nay:

Motion passes.

7 Department Head Reports:

Keehne- Report is in the packet.
Castillo - Report is in the packet.

8 REPORTS AND COMMENTS FROM MAYOR AND COUNCIL:

- A. Mayor Greg Swiatkowski – Good to have a meeting with everyone in person
- B. Kamron Weisshaar - Absent
- C. Mark Burghart
- D. Melvin Gilley
- E. Adrian Hernandez
- F. Troy Schultz
- G. Brent Carter

9 MOTION by Burghart, second by Schultz to adjourn the meeting at 7:35 PM.
Those yea: Burghart, Gilley, Hernandez, Schultz, Carter Those nay:
Motion passes.

Greg Swiatkowski, Mayor

Becky Castillo, Acting City Clerk



May 26, 2020

City Administrator's Summary Report

May 11 – May 25, 2020

Administration

- Construction began Monday, April 27th for the Airport Turnaround Project, kicked off by a pre-construction conference held at the Airport and through conference call. SKARCO is the contractor of record and has submitted to the FAA all the quality control documents required prior to project start. The FAA and Armstrong Engineering and Construction has issued a Notice to Proceed providing us the opportunity to immediately begin work on this project. SKARCO will have various sub-contractors performing certain work aspects of the project. Since Construction began, surveying has been completed, earth work and compaction has been accomplished, installation of drain piping and electrical conduit has been completed. Currently working on steel application, concrete work begins tomorrow with completion on June 4th. The entire project is on schedule to be completed by June 16th. Our fixed wing operations have been minimally affected by this project as we have been opening the runway each week for a period of a day and a half plus over the 4-day holiday weekend when no work was being performed. Rotary aircraft is able to access our airport during this time. We are allowing for the runway to be open from Saturday evenings to Monday mornings to assist in servicing the ag community and emergency flights in and out of Burlington.
- Over the last several weeks, you have all become more aware of the COVID-19 worldwide pandemic. Worldwide there have been over 5.1 million persons infected by the virus with a reported 335,000 deaths attributed to the infection. 31.5% (over 1.6 million) of all reported cases have occurred in the U.S. Colorado has experienced 23,200 confirmed cases and Kit Carson County has reported 26 or less than .4 % of the county's population. Due to the fast-moving virus, and infection rate, this has been declared by the World Health Organization a pandemic. In March, Colorado declared this to be an emergency health issue, and began issuing Executive Orders to the population regarding social distancing, stay at home orders, safer at home orders, even going as far as to shut all non-essential businesses until the spread of the virus is shown to be abating.

Kit Carson County Department of Public Health and Environment began seeking variances to the Executive Orders at the end of April as we believe that the virus spread is abating in Kit Carson County. Variances have requested relief for businesses unable to open with partial openings being an option. Additionally, relief was sought to raise the number of persons allowed to gather from 10-50, allowing churches and restaurants to open and accommodate more people. Of course, all this has to be accomplished while maintaining social distancing. The State did approve the latest variance on May 16th allowing for two specific purposes: Churches are allowed to have in-person worship services with limited capacity to 50 persons, and restaurants to have dine-in services while maintaining social distancing rules, limiting the seating capacity based on square footage and the ability to keep tables/booths six feet apart with chairs pulled out from the tables. The variance did not provide relief from any additional orders.

Currently, under Executive Order 20-28, gatherings of 10 are allowed at those venues not covered under the variance. What does this mean? We are still under rules which limit gatherings unless approval is granted through the Local Department of Health. To gain approval, one must submit a plan to DOH that will reduce or eliminate the spread of the virus, maintain social distancing and ensure that facilities are posted in such a manner as to not

allow for sick persons to enter the facility. Testing of persons may be required, and if at all possible, masks should be worn. The rules to maintain compliance are a little onerous and places the businesses and facilities in an almost no-win situation. As government is considered essential, we now meet here in the recreation room of the Community Center, a larger venue, where we can maintain social distancing, though once we all leave here, the entire room must be disinfected. So why are we doing this? In order to continue to reduce the spread of the virus it is important that we follow the rules placed on us by the CDC and DOH. The rules have been implemented to reduce the spread, "flatten the curve" of the infection rate, and maintain an infection rate here in Kit Carson County at or below 5% of the test rate. The sooner we can prove compliance, the sooner we can all get our "normal" lives back. We all must be patient at this time and with additional variances being submitted weekly, the goal is to have some semblance of normalcy back by mid-summer.

Over the next several weeks, Kit Carson County Department of Health will be conducting additional testing throughout Kit Carson County. This is important for several reasons; people need to know if they have the virus so treatment regimens and isolation can begin and tracking of virus spread becomes more useful and accurate. With only approximately 2.5% of our population having been tested. There is no way to know how widespread the virus is unless we begin to test more and more. Baselines can be established, those infected can be isolated, tracking can be performed, leading to more testing until we truly know how widespread the virus is. Once the testing becomes more available, I encourage each of you to be tested as it does provide useful data that will lead to a quicker normalcy in our lives.

The Orders we currently operate under certainly affect the services and programming we provide to the Community and visitors alike. Until restrictions are loosened, areas such as the pool, and programming at Old Town still can't be performed. Again, we monitor this weekly, and should we be given the green light to open within the next several weeks, we may do so, but only if it makes sound fiscal sense.

- Through April, the City's financial situation remains solid. With 33.3% of the year under our belts and with having to make weekly adjustments due to the state and national economic picture, we are doing well.
General Fund Revenues are at 35.64% of budget projections and Expenditures are at 27.44% of Budget.
Tourism and Promotional Fund Revenues are at 29.23% of Budget projections, Expenditures are at 30.74% of Budget. Although revenues are slightly behind expenditures, we hope to pick up here in savings during the summer months, and increased availability to the public for use, now that we are "partially open".
Electric Revenues are at 33.96% of Budget projections, Expenditures at 21.59%.
Water/Sewer Revenues are at 30.35% of Budget projections with corresponding expenditures at 13.79%.
Solid Waste Fund Revenues at 33.33% of Budget projections, Expenditures at 27.57%.
Airport Fund Revenues are at 6.78% of budget projections and Expenditures at 9.58%. Both areas are low as the budget projections have accounted for the receipt of and expenditures for grant purposes.
- We are in the process of updating our Municipal Code Book through MuniCode. Currently we have several ordinances that were enacted last year regarding changes to zoning where I code must be updated. This year, we have approved for the annexation of Carousel Court which resulted in a change to the city's boundaries, as defined in our municipal code, we have new boundary language drafted which will be reflected in the amendment to Title 1, Chapter 1, Section 12 of our code. Additionally, a new zoning map has been created to reflect all changes that have occurred. Other areas of change include code changes reflecting change in our fee structure.
- The Outback Bus Express is back in Service, with two new part-time drivers Kent Deines and Vanessa Rinehart. Although slow now, we expect business to pick up as word gets out. Information as to this service can be found on our website and through the City's facebook page.
- On March 13-14, testing and interviews were conducted for the City Clerk position. 15 persons had applied for the position, and through our placing on hold the testing process, 9 remained as still interested in the position. 7 persons participated in the testing and interviews through which all were scored and ranked accordingly. Our

intent is to employ/appoint the top candidate for this position. All who participated in the process have been informed as to their ranking.

Operations

- Water/Wastewater
 - Bacterial Testing, Composite Testing, Nitrate testing, and process control testing has all been conducted last week with sampling sent to the lab.
 - Second Quarter Total Water report submitted last week.
 - Repair of water line breaks and splitting of water line metering has been conducted.
 - Working with CDOT to relocate fire hydrant at SW corner of Lincoln and Rose
 - Sewer pond road grading has been completed.
- Parks
 - Changing sprinkler heads at Ball Fields to allow for better coverage and repair concerns
 - Cleaning and maintenance of equipment taking place.
 - Bathroom cleaning occurring daily
 - Fertilizing of parks has been completed.
 - Weekly mowing is underway
- Streets
 - Street sweeping underway.
 - Pothole repair and maintenance in process.
 - Grading and cleaning of alleys underway.
 - Trees behind basketball courts being removed
 - Cut of curb and sidewalk on Main Street has taken place with ramp installed (Handicap Access Ramps) on West side of street. The East side will be addressed this week and proper signage and markings placed.
- Electric
 - Pole replacement plan is ongoing
 - Are utilizing Damien Berger, PE and Senior Project Engineer for Atwell to draft Inspection and Maintenance Plan for City of Burlington Electrical Distribution System. The goal of which is to address and reduce outages, properly maintain our system, and to provide quality and consistent service to our consumers.
 - Alex Castillo, our newest employee in the electrical department has resigned his position and will be moving home due to "personal reasons".

Public Safety

- Interim Chief Hill has hired Marina Reed as a part time officer for the Burlington Police Department. The goal is to move her to a full-time position at end of year. The other certified officer candidate declined the job offer citing he did not believe he had the opportunity to advance in the organization as quickly as he would like. Chief Hill has also been in contact with several law enforcement academies in the State, each of which are planning to open the latter part of the Summer. Our goal is to get three persons into classes so they can be in Burlington and working by year end.
- Paul Schultz, Chief of Police (retired) has been training and instructing Nate Hill over the last 75 days. Chief Schultz continues to be impressed with Chief Hill and his effort and motivation to receive the leadership training

- Chief Hill and I are currently reviewing the Management Study and have begun prioritizing the tasks set out in the study. As previously indicated, the number one priority is to address the staffing levels through addressing the hiring and retention issues outlined in the study. To that end, Chief Hill has worked with Parke Health to develop a work comp testing program for all incoming candidates to complete that will assist in determining a persons level of fitness and ability to perform the job functions.

Intergovernmental/Upcoming Events

- Meetings and updates on COVID-19 for planning and response purposes – every Wednesday A.M.



To: City Council
From: Becky Castillo, City Treasurer
Date: 5/22/2020
Re: Treasurer's Report

- The City has not shut off anyone since the COVID-19 Pandemic started in March. We have been waiving the fees associated with late payments and shut off accounts due to nonpayment. Any balance unpaid is carried over to the next month's billing.
- COVID-19 precautions have been established at City Hall trying to limit the contact we have with the public. Customers can still come into the office to establish utilities, make payments and establish a payment plans for their accounts.
- Been posting on the City Facebook page the updates released regarding the COVID-19 requirements and status in our county, as they are provided, from Kit Carson County Department of Public Health and Environment Department.
- Process payroll on a bi-weekly basis, payroll taxes, Utility and Airport Sales tax.
- Process accounts payable weekly.
- I have completed my first accounting class that I registered for. I have since registered for the next class since it starts on June 1st.
- Mayberry & Company is processing the 2019 audit. Audit was scheduled May 4-8 this year. I am getting invoices and reports to them as they request them. They are working remotely and still have the hopes to complete the audit without having to ask for an extension.
- The Outback Bus is running again. Slow start this week but hopefully it will pick up as the word of mouth gets out that the service is up and running again. Both drivers have done great their first week.

ECONOMIC DEVELOPMENT REPORT FROM ROL

The Joint Budget Committee staff is recommending that funding for the study of private prisons and prison population be postponed for a year to 2021-2022.

In addition, the governor has already eliminated the proposed remodeling of CSP-2, which is a maximum security facility owned by the State of Colorado that has not been in use for many, many years.

We have been in constant contact with Greg Brophy since we retained his services for lobbying when we were involved with a proposed law that would eliminate any private inmates to be housed in Colorado. The county was gracious enough to split the cost of Brophy's services and he (being an Eastern Colorado individual) gave us a vastly reduced bill of only \$6,000.

That being reported, we have been in discussions with him in regard to starting a public relations program to enlighten members of the Colorado Legislature and even metro residents of the importance of private run correctional facilities being operated in Colorado.

Since the pandemic has substantially reduced spending, Greg does not think we need to do anything about a PR program for a year. As most of you are aware of, the state is currently projecting a revenue shortfall of \$8 billion. As the Colorado Constitution mandates, the budget must be balanced each year. That will, obviously, mean tremendous cuts in the state budget.

Initially, it appeared there would be huge cuts to education; however, just last week, Governor Polis stated the state distribution of \$1.674 billion in federal funds from the CARES Act, to support recovery from the COVID-19 pandemic and the economic crisis it caused, \$48 million will be transferred to the state's disaster emergency fund for medical expenses and public health expenses incurred for the fiscal year 2019-2020, with \$157 million earmarked for FY 2020-2021.

The executive order also authorizes transfers of \$500 million to local school districts. This was tremendous news for the K-12 students throughout the state.

The status of re-opening the Kit Carson Correctional Center remains the same. Idaho inmates will not be coming to Kit until the virus is totally under control. The Colorado Department of Corrections is having enough problems with the virus in several of their own institutions.

Core Civic will be sending a team to Burlington in the near future to make several modifications to the facility being required by Idaho, and quite possibly, the State of Colorado. The pandemic has changed the way business will be conducted in the coming months.

In closing, a bit of information you may find interesting:

Coloradans rank fourth in the nation in amount of debt. Not really good news, but information we need to keep in mind as we do everything we can to get our local economy up and running full speed again.



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Burlington Activities Department

May 21, 2020

→ We are open and taking rentals for groups of 10 or less currently, as we are following the guidelines that have been put in place. We hosted the city clerk interviews last week and the BYF board meeting.

→ I presented youth council volunteer hours for senior awards night, which was pre-recorded, and also awarded three youth council scholarship recipients. I would like to thank all the graduating seniors for all their volunteer time over the past several years. This year, we had 23 seniors with a total of 1,161.5 volunteer hours as a class. Thanks to Mayor Swiatkowski for presenting the Mayor's award, which goes to the senior with the most volunteer hours. Congratulations to Isa Alvarez for receiving this award with 173 hours. Also want to congratulate the scholarship recipients, which are Isa Alvarez, Kezia Thomas, and Katherin Villegas.

→ At this time, we have cancelled Blast Ball and Day Camps for this summer. We are still able to offer martial arts, as those classes are still being instructed via Zoom. Summer baseball/softball plans are still being formulated, although we know we won't have the formal season that we have been accustomed to. I have been monitoring daily emails from Colorado Parks & Recreation Association (CPRA) regarding any reopening guidelines pertaining to anything activities/recreation. We are working on offering some sort of ball-type activities, even if its more of a skills camp and 2 family members (i.e. parent & child or siblings) can register together and bring their own ball to be partners, and have a coach put them through different drills, all while social distancing and keeping groups to a limited number.

→ It is more and more likely that the pool will not open. Water World announced on May 19 that they will remain closed for the summer, citing "the unknown still exists in terms of official restrictions. Specifically, when and if, large numbers of people might be permitted to gather this summer." All of the guidance for pools that I have read, said that the only way pools will open, is to operate at a much-reduced capacity, and to enforce social distancing. With the cost of running the pool and lack of revenue compared to those expenses, I believe it would be a tough but wise decision to not open this summer and get it prepared for next summer's opening.

→ **Other Activities in the works:** Rentals of Community Center, summer baseball/softball, swimming pool & splash park

The Library

5/26/20

- **Planning an outdoor book sale over the next two weeks.**
 - Overstocked with donations
 - Planning for the July book sale
- **Forgiving fines in May and June**
 - Items are cleaned when returned to the library
 - The cleaning process includes three days in isolation
 - Some items are not checked in before going into isolation
 - The three days push people over the due dates
- **Magazine subscriptions have been canceled**
 - Unable to clean without destroying the magazine
 - Saves revenue on items
- **June will be the last month for the State Grant**
 - All money must be spent by June 30th

Checkouts: 514 (1325 in 2019)

Visits: 351 (754 in 2019)

Programs: 0 (23 in 2019)

Nick McCarty-Daniels

May City Council Report—Old Town Museum

- Old Town reopened to the public on May 4th with quite a busy week thanks to Mother's Day gift shoppers.
- The 2020 season of can can shows, gunfights, and Wild West Dinner theatres have been cancelled. We felt this was the most responsible choice given current guidelines, and projected revenue for the summer season.
- Work is about 3/4 done on the bar/floor sink room in the barn. James is basically working all alone, so it is taking a bit longer to complete
- The time of closure allowed us to work on cleaning of the grounds and working on several projects. Most recently we re-stained the wagon wheel in the concrete on the east side entrance, planted yucca/sage in our greenbelt exhibit space, and finished a small makeover of the Doll House.
- All rentals in May have needed to be cancelled or rescheduled to later in the year. We did have to refund all rentals associated with graduation party rentals unfortunately.
- May revenue is encouraging to date given we didn't have any school groups or our School Days event this year. We are at about 50% of last year's as of today.