

**CITY OF BURLINGTON
KIT CARSON COUNTY
CITY COUNCIL
REGULAR MEETING
AGENDA
16-2018
COMMUNITY BUILDING ROOM A
340 S 14TH STREET
August 27, 2018
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 from 8-13-2018.

4 **Public Comment**

5 **Unfinished Business**

6 **New Business**

A. Approval of Resolution 2018-05 accepting a contract between the City of Burlington and the State of Colorado acting by and through the Department of Transportation for maintenance services at the Colorado Welcome Center located at mile point 437.5 on I-70 in the City of Burlington, Kit Carson County, Colorado.

B. Approval of update on Personnel Manual section 5-B-12 Sick Leave Bank.

7 **Reports from City Departments**

Administrator- Jim Keehne

Clerk/Treasurer- Shelly Clark

Airport-Daniel Melia

Police- Barry Romans

Economic Development- Rol Hudler

Activities- Tyson Weisshaar

IT-Suzy Velasco

Library-Nick McCarty-Daniels

Old Town- Nikki Wall

8 **Council Comments**

9 **Adjournment**

A. Mayor Dale Franklin

B. Mike Halde

C. Mark Burghart

D. Kamron Weisshaar

E. Melvin Gilley

F. Harold McNerney

G. Greg Swiatkowski

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
August 13,2018

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 Melvin Gilley
Harold McNerney Greg Swiatkowski

Absent: Mike Halde, Mark Burghart

Staff/Officials:
Jim Keehne, City Administrator
Shelly Clark, City Clerk/Treasurer

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 from 7-9-2018 and 7-30-2018.

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

Those yea: Weisshaar, Gilley, McNerney, Swiatkowski

Those nay:

Motion passes.

4 Public Comments

5 Departments

A. Administrator- Jim Keehne- Report is in the packet.

B. Clerk- Shelly Clark- Report is in the packet.

6 Work Session Topics

Unfinished Business

New Business

A. Approval of 5-year contract between City and CDOT for maintenance services at the Welcome Center.

MOTION by McNerney, second by Weisshaar to approve the 5-year contract between the City and CDOT for maintenance services at the Welcome Center.

Those yea: Weisshaar, Gilley, McNerney, Swiatkowski

Those nay:

Motion passed

7 REPORTS AND COMMENTS FROM MAYOR AND COUNCIL:

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

8 MOTION by McNerney, second by Weisshaar to adjourn the meeting at 7:40PM.

Those yea: Weisshaar, Gilley, McNerney, Swiatkowski

Those nay:

Motion passes.

Dale Franklin, Mayor

Shelly Clark, Clerk

RESOLUTION 2018-5

STATE OF COLORADO) RESOLUTION OF THE CITY COUNCIL
)ss. OF THE CITY OF BURLINGTON IN
County of Kit Carson) THE COUNTY OF KIT CARSON,
 STATE OF COLORADO

A RESOLUTION ACCEPTING A CONTRACT BETWEEN THE CITY OF BURLINGTON AND THE STATE OF COLORADO ACTING BY AND THROUGH THE DEPARTMENT OF TRANSPORTATION FOR MAINTENANCE SERVICES AT THE COLORADO WELCOME CENTER LOCATED AT MILE POINT 437.5 ON I-70 IN THE CITY OF BURLINGTON, KIT CARSON COUNTY, COLORADO

WHEREAS, Pursuant to Colorado Revised Statutes (C.R.S.) 29-1-203 the City of Burlington may cooperate or contract with another governmental entity to provide any function, service, or facility lawfully authorized to each of the cooperating or contracting units.

WHEREAS, the State of Colorado through the Department of Transportation (CDOT) maintains a system of Colorado Rest Areas and Welcome Centers throughout the State of Colorado, and instills, operates, maintains and controls, at State expense, the Colorado Rest areas and Welcome Centers System, and CDOT is desirous of entering into this five (5) year contractual agreement with the City of Burlington, Colorado, to provide some or all of the certain Rest Area maintenance services as specified under this Contract.

WHEREAS, the State of Colorado through the Department of Transportation (CDOT) shall pay for maintenance services specified under this contract, one hundred five thousand dollars, U.S. (\$105,000.00, U.S.) per State fiscal year for the term of this contract, a cumulative amount of five hundred twenty-five thousand dollars, U.S. (\$525,000), to the City of Burlington for services provided under the terms of this Contract.

WHEREAS, the City of Burlington is desirous to enter into this Contract with CDOT, with an effective date upon approval of the State Controller.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF BURLINGTON THAT:

The City Council agrees to and enters into the Contract between the City of Burlington and CDOT to provide maintenance services as specified under the Contract.

The Contract shall commence upon approval of the State Controller and be in effect for a term of five (5) years from that date.

This resolution to be in full force and effect from and after its passage and approval.

Adopted this 27th day of August, 2018.

Dale Franklin, Mayor

Shelly Clark, City Clerk

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

CLERK'S CERTIFICATE

That I, Shelly Clark, the official City Clerk of the City of Burlington, do by these presents say that the foregoing Resolution was authorized and adopted by the City Council of the City of Burlington on the 27th day of August, 2018.

DATED this 27th day of August, 2018.

Shelly Clark, City Clerk

[SEAL]

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

I, Shelly Clark, a Notary Public in and for the County of Kit Carson in the State of Colorado, do hereby certify that Dale Franklin, Mayor of the City of Burlington in the County of Kit Carson in the State of Colorado, who is personally known to me to be the person whose name is subscribed to the foregoing Resolution, appearing before me this day in person, acknowledged that he signed, executed, sealed and delivered the said instrument in writing as his free and voluntary act and deed as such Mayor and as the free and voluntary act of the City of Burlington in the County of Kit Carson in the State of Colorado, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 27th Day of August, 2018.

[SEAL]

Notary Public

My Commission Expires: _____

chronic/long-term illness that extends beyond the anticipated timeframe or pregnancy. A re-certification may be requested in less than thirty (30) days if:

- The employee asks for extension of leave;
- Circumstances have changed; or
- The City of Burlington has doubts about the employee's FMLA status (e.g., Mon./Fri. absences).

Employees will be required to have annual medical certifications for their own serious health conditions lasting more than one year, including chronic/lifelong ailments.

Return to Work -

Employees returning to work from FMLA leave will be returned to the same or an equivalent position as held prior to the leave, unless the position has ceased to exist because of business necessity. If the employee does not return to his or her original position or an equivalent position as soon as he or she is able, the City will consider the employee to have voluntarily resigned.

Certain "key employees" may not be eligible to be reinstated to the same or an equivalent position at the conclusion of their FMLA leave. The City will notify such employees of their "key employee" status and the conditions under which they may be denied reinstatement, if applicable.

5-B-12 Sick Leave Bank

The purpose of the sick leave bank is to provide a bank of sick leave hours from which members may draw in case of extended illness, disability or injury.

All full-time department heads and employees of the City may participate in the sick leave bank. Employees may donate either sick hours or vacation hours.

New employees will be eligible to join when the employee has completed six (6) continuous months of employment and is eligible for sick leave. The new employee is not eligible to draw from the sick leave pool during that six (6) month period.

Any employ may become eligible to utilize the sick bank by donating one day of sick or vacation leave yearly. Employee's may donate a maximum of forty (40) sick or vacation hours to the pool in a single year. If the entire number of sick leave hours is exhausted at any time, no claim may be made against the bank until solicitation of additional hours is made. Sick leave bank hours may not be awarded retroactively for any period of time during which there were no hours in the bank. Any hours remaining in the sick leave bank will be carried over to the next calendar year and will be made available for use during the subsequent calendar year.

An employee may apply for sick leave hours from the bank anytime the employee has exhausted all of their own accumulated sick leave, vacation and

administrative leave time hours for each illness, disability or injury. The operation and administration of the sick leave bank will be vested in a sick leave bank committee made up of Department Heads. The committee will elect a chairman and a recording secretary who will oversee the bank.

Benefits of the sick leave bank shall be consistent with the City Personnel Policy. Sick leave bank hours may be given to a regular full-time employee of the City when any of the following occur:

- When an employee is unable to perform the employee's assigned job because of physical or mental illness, injury, pregnancy, or the birth of a child from such pregnancy. Sick bank hours may not be used by the spouse for pregnancy leave except as approved by the sick leave committee;
- When the employee has necessary medical, surgical, dental, or optical examinations or treatments;
- When an employee is required to care for an ill member of the employee's immediate family; and
- Exceptions to these provisions may be made by the sick leave bank committee.

Application for benefits of the sick leave bank must be made in writing on an authorization form. Such forms will be available from Human Resources. The application must be accompanied by a doctor's statement specifying the duration and general nature of the illness and the expected date of the employee's return to duties.

The application will be acted upon within five (5) working days of receipt of the application.

Upon approval by the sick leave bank committee, it will be presented to the City Administrator. Should the application be denied by the committee or the City Administrator, the application will be returned accompanied by a written explanation for the denial.

A maximum of 240 hours (30 days) each year may be drawn by any one member. An employee may make application to the committee for consideration of additional hours. It is the committee's discretion in consultation with the City Administrator as to whether or not these hours may be granted. Employees withdrawing sick leave hours from the bank will not have to replace these hours.

Should the sick leave bank be dissolved, the remaining hours will be divided equally among the employees as sick hours.

No employee will be eligible to receive bank hours if they are also receiving disability or Workman's Compensation.



www.burlingtoncolo.com

415 15th Street Burlington, CO 80807 Phone 719-346-8652 Fax 719-346-8397

**CITY CLERK/TREASURER REPORT
8-27-2018**

Clerk

Liquor Licensing

- There have been many changes to liquor licensing requirement in the State of Colorado over this last year. I was not able to attend the training on the 23rd. I will see if there is another class I can attend.

CIRSA

- The property survey went well. There are a few trees at Outback Park that need to have dead branches removed, brackets on the swings need to be replaced, cords on the welding kit need to be replaced, blanks fuses need to be put in the circuit panel at the Parks Shop and an outlet box needs replaced. John Colvin reviewed our Property/Casualty claims for the first seven months of 2018 and noted we had a total of six claims totaling \$17,093.00. The two largest claims involved damage from other contractors or third parties. Things are looking good for 2018.

Other

- The public hearing for the Board of Adjustment and Appeals is scheduled for August 30th at 4:30pm at City Hall. Jim Sharp is requesting to install a carport and would like to have the setback in the front to be 22 feet and the side setback at 5 feet.
- Reviewing and updating Federal licensing for our radio frequencies.

Finance

Audit

- The presentation for the 2017 Audit will be on September 10th. Lorraine and an Audit team member will be present to share audit information and answer any questions you may have on the audit.
- I am working on the Airport account and trying to get it to align with Caselle and the credit card terminals. We have corrected the cash receipting process and the changes are working well.
- Department Heads have reviewed their budgets and I am working on journal entries to help prepare for the budget process.

Council Report 8.27.18

Continuing work on the Master Plan project for 2018

Project kickoff meeting scheduled for September 5th

Spraying for bindweed and mowing operations

Received Street sweeper from Denver international surplus auction

Full cost- \$20,000

CDOT grant -80%

Our Cost \$4,000

Lot# 25

2008 ELG 39K SWEEPER/STREET/REGENERATIVE CROSSWIND J
\$20,000





14111 US Highway 385 - Burlington CO 80807 - 719.346.5352

July Fuel sales data

Total gallons pumped 7,287.85 Gallons

Gross fuel sales \$27,293.54

6,090.91 Jet fuel gallons pumped

1,196.94 gallons Aviation gasoline pumped

July 2017 Fuel Sales

Total 9,006.48 gallons

Gross sales 27,360.87

6,776.44 jet fuel gallons

2,230.04 avgas gallons

“Eastern Colorado’s Premier Aviation Experience”



480 15th Street * PO Box 423 * Burlington, CO 80807 * Phone 719.346.8353 * Fax 719.346.8302

Council Report August 27, 2018

We have begun receiving items from our POST grant, such as the pivotal trainer, Krav pads, Simms ammunition etc.

Shelby has been working on abatements with the house and trailer home located just west of Maxx Wrench being razed.

Shelby has also been making headway with other projects involving weeds, dead trees and has removed well over 10 inoperable cars from the streets. Shelby also received a complaint about 80s. 13th street parking in which cars have angle parked for years narrowing the street considerably. Shelby has contacted the property owner and they are working on off-site parking and parallel parking for residents for better flow of traffic.

We have hired Darrin Newberry as a patrol officer who started earlier this month. Darrin has proven to be a great addition to the department.

ECONOMIC DEVELOPMENT REPORT FROM ROL

The merger plans between Rite Aid and Albertson's have been called off. Cerberus Capital Management, the hedge fund that has controlling interest in Albertson's, has been attempting to shed Albertson's several times over the past three years.

The hedge fund abandoned, at the last minute, an IPO in 2015, and made attempts to combine with both Sprouts Farmer Market and Whole Foods last year.

Cerberus and a consortium of investors formed Albertson's in 2006 and merged it with Safeway in 2015. The grocery industry has gotten significantly more difficult over the past decade, and Albertson' now finds itself confronted with fortified competitors and hampered with \$12 billion in debt.

The most notable of these challenges is Amazon's acquisition of Whole Foods, which gives Amazon a brick and mortar distribution network and brand name it can combine with its powerful Amazon Prime membership program.

This has spurred a furious grocery war with the country's largest retailer, Walmart.

In light of Albertson's lower sales growth and profit margins, they are now classified as being in the lower quartile among peers.

The question now—with its debt load and emboldened competitors—whether it can sufficiently improve on its own.

After consuming the above information, you may have come to the conclusion that we are not going to have a new Super Store in Burlington.

Quite honestly, I do not know how to respond to that question. In talking with Safeway, one week they appear to have a limited interest in a new store in Burlington and the next week that interest may have changed to zero.

I will continue to stay in touch with them; however, there is so much turmoil in the grocery industry, I can certainly understand why it is such a difficult decision to make. The grocery market appears to change almost monthly. Walmart watches Amazon and Kroger Foods continually and they do the same with each other.

In my opinion, there may be an opening for Albertson's in the smaller markets. Quite frankly, Walmart, Amazon and Kroger have very limited in smaller markets like Burlington.

This thought has been included in my discussions with Safeway.

By smaller markets, I have been talking with them populations between 10,000 and 15,000 service areas.

I am sure all of you know about the water compact agreement between Colorado, Kansas and Nebraska that was announced several weeks ago.

We will need to retire 10,000 irrigated acres, primarily in Kit Carson County, by 2021 and an additional 15,000 irrigated acres by 2025.

I think the 10,000 acres by 2021 will probably be achieved. The remaining 15,000 acres by 2025 could be extremely difficult.

This takes approximately 25 percent of our irrigated acres in the county.

It is possible they can eliminate some of the reduction with continued efforts on conservation. A tour of some of the Texas areas is on the agenda where conservation methods have been improved and showed some good results.



340 S. 14th St Burlington, CO 80807 Tel:(719) 346-8918 Fax:(719) 346-8982 tyson.weisshaar@burlingtoncolo.com

Burlington Activities Department

August 22, 2018

→ All summer activities/programs have concluded. We are just wrapping things up, updating inventories and reviewing the things that went well, things that need to be addressed, and how to make our programs better to give the best experiences possible for all those who attend/participate in them.

We have started a couple of fall programs already, with gymnastics, fullbody 40 workout, and dance being instructed by Merrie David. These programs had registrations going on through the last few weeks and programs have already started. We will also be offering a volleyball skills camp with the help of the high school volleyball team, and will also have another dance program being instructed by Soul Steppin' Studio with Shelbi Hall, which is based out of Goodland. We had a summer dance camp with her this summer and had a good turnout of participants, so she is going to try a fall program and see how it goes over here.

→ We are now working on getting all the fall/winter activities scheduled and organized. We believe we have enough to offer that we will put together a fall program booklet like we do for summer to help advertise everything at once. Hopefully we will have this booklet out around labor day. This will include any information we can put in, including the Gift Gala, Craft Fair, and Breakfast with Santa.

→ Martial Arts is still going monthly as we still have a decent following of kids still participating in this program. We have seen a dip in total participants, but that was to be expected with all the other activities that are offered in the summer. Hopefully, with the school year starting and not as much stuff going on, the number of participants will pick up.

→ The pool has been shut down for the summer. We do have some issues still going on with the boiler as it quit working in late July. Black Hill Energy has been helping try to figure out what is going on to make sure it is ready for next year. Hopefully we will have the issue resolved in the next few days so that we can drain the pool and winterize everything out there.

The splash park continues to operate daily. We have not set a date to close it down for the year, but this will depend on the overnight temperatures, but this has typically been done in mid-September.

→ Youth Council is getting underway with the start of another school year. Students can fill out applications as they are in the high school office and our first meeting is set for August 30. We will start getting ready for our annual trip to Elich's to tour the haunted houses to get ideas for our haunted house. We are set to do the family-friendly haunted house in conjunction with Old Town Ghost Town on Oct. 27 from 3-5pm. We will then do the scary haunted house that same night from 7-9pm.

→ Outback Arts Council will host the first concert of the 2018-19 season on Sept. 13 and will feature the DooWah Riders, a high energy country band with a twist. This concert will be at the Midway Theater at 7pm. The other two concerts are set for Feb. 28 (Todd Oliver) and March 31 (7th Ave), with both of those concerts in the BHS auditorium.

Community Center

→ We continue to be busy with many rentals throughout the week and have several weekend events scheduled through the month of September. We have also already been in contact with the coordinator for the No-Till Conference working on some of the minor issues from the last conference, trying to problem solve some of the logistical issues to make this next year's conference better.

Parks

→ The median rehab project is slowly moving along. All the islands have now had the new valves put in for the drip system. Two of the islands have the big decorative rock placed and Tony is working to get another one or two of them ready for the rock as well. For the two with the big rock, the plants will be in sometime next week and get planted. After those are planted, we will then get the weed barrier laid down and the small rock brought in and run the drip system tubing to complete those two islands. We will continue to work on this project as time allows.

→ We are also working on getting the large bare/weed spots at Parmer Park addressed. We spent Tuesday morning down there clearing the spots of the weeds and getting it ready to lay the sod, which will happen next week. William's Floral will be bringing in the sod over a three day stretch for us to get all of it laid. The plan is to lay 5 pallets of sod on Aug. 28, 4 pallets on Aug. 29, and finish with 3+ pallets on Aug. 30.

→ Other Activities in the works: Rentals of Community Center, Fall/Winter Activity Booklet, OAC concert, Youth Council, Gift Gala, Craft Fair, Breakfast with Santa

Memorandum

To: Council
From: I.T. Department - Suzy Velasco
Date: 8/23/18
Re: Council Report for 8/27/18

- Troubleshooting & repair for reported user issues
- Website updated to reflect current and upcoming programs, events, and information
- Preparing departmental budget for 2019
- Equipment preparation for implementation of online timekeeping through Caselle with Finance Department
- **Notify Me Statistics as of 8/23/18:**
 - **Calendar Subscriptions**
 - Activities – 102
 - Business - 30
 - Community - 68
 - Government – 36
 - Library – 44
 - Old Town – 46
 - **Agendas Module**
 - Subscribers - 26
 - **Newsflash Subscriptions**
 - Business - 39
 - Community - 79
 - Government – 43
 - **Jobs Module Subscriptions**
 - 30
 - **Bids Module Subscriptions**
 - 48
 - **Total Subscriptions**
 - 591
- **Facebook Statistics as of 8/23/18**
 - 737 likes (Burlington, CO page)

THE
LIBRARY

787

CHECKOUTS
THIS MONTH.

**5 Programs
with 44 people
in August.**

**Library is
inventoried:
8512 items.**

**Regular story times have
started again, will go
through rest of year.**

**September 13th at 5:00
Cowboy author Stu
Campbell will be
holding a book signing.**

August 2018 City Council Report—Old Town Museum

- Our last Wild West Dinner Theatres of the season were August 24th & 25th, with sold out performances once again. We will “close the curtain” for the year with our last High Noon shows on Sept 1st. It’s been a fun summer with a packed Saloon!
- Manor House railing has been replaced, it will get painted August 24th.
- Creating workplan with timeline for DOLA grant project in progress. We hope to get started on east end of facility late September/early October.
- Preliminary planning for our Pioneer Days event on Sept 29th. We have submitted our special event permit application, hired Dustin Devine & The Real Deal band to perform. Sponsorship requests letter went out last week.
- I attended the Colorado Tourism Leadership Journey Program Experience 4 in Denver August 1-3. We were required to present our action learning projects to the class and panel of CTO office staff. The 16 projects were presented and voted on. I received notification last week that my project was one of 3 selected to be presented at the Governor’s Tourism Conference in Vail Oct 29th! A great opportunity to talk about Old Town and the City of Burlington on a large platform. My project is titled, “Hospitality... Not Just for the South”, and is a customer service training program that I intend to present to city staff, and eventually, invite Chamber member businesses to also train their staff. Burlington may not be a resort/tourist community per se, but we can absolutely be known for how we treat and interact with our guests 😊
- All bill boards are up in KS and in our parking lot here. One sustained some storm damage and will be re-skinned in another week or so.