

**CITY OF BURLINGTON  
KIT CARSON COUNTY  
CITY COUNCIL  
REGULAR MEETING  
AGENDA  
21-2020  
COMMUNITY BUILDING ROOM A  
340 S 14th STREET  
November 9, 2020  
6:30 p.m.**

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

<b>Council members and members of the public must be masked during the meeting in accordance with Executive Order D 2020 138</b>
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**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 Oct. 12 and Oct. 26

**4. Public comment**

**5. Public hearings**

A. Proposed 2021 Budget

B. Liquor license application for Valson's Restaurants, LLC, dba The Post Bar & Grill

**6. Unfinished business**

**7. New business**

A. Approval of new liquor license Valson's Restaurants, LLC, dba The Post Bar & Grill

B. Approval of liquor license renewal for Chen Vuong Thai Inc., dba Chen Vuong Thai

C. Approval of liquor license renewal for Safeway Store Forty Six Inc., dba Safeway Store No. 2520

D. Approval of Ordinance 955 – An Ordinance to Amend the City of Burlington Zoning Map as Defined in Title 17, Chapter 17.04, Section 17.04.060 "Zoning Map", Removing Block 51, Lots 1-10 and 19-28, and Vacated Alley, First Burlington from R-1 Residential to I-1 Light Industrial

E. Approval of Ordinance 956 – An Ordinance to Amend Certain Portions of Title 17, Chapter 17.20, Article III, "Industrial", Section 17.20.100 "Use Regulations for I-1 District—Light Industrial", Sub-Section A, "Uses Permitted by Right", to Add Sub-Sub-Section 10 to Allow for Veterinary Hospitals

F. Nominate and approve municipal representative for the 2021 ECCOG Board of Directors

**8. Reports from City Departments**

Administrator – Jim Keehne

Clerk – Georgia Gilley

**9. Council comments**

A. Mayor Greg Swiatkowski

B. Kamron Weisshaar, mayor pro tem

C. Mark Burghart

D. Brent Carter

E. Melvin Gilley

F. Adrian Hernandez

G. Troy Schultz

**10. Adjournment**

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

**MINUTES OF THE WORK SESSION MEETING  
OF THE MEMBERS OF THE CITY COUNCIL  
City of Burlington  
County of Kit Carson  
State of Colorado  
Burlington Community and Education Center  
Recreation Room  
340 S. 14th Street  
October 12, 2020  
5 p.m.**

**1. Call to order**

Mayor Greg Swiatkowski called the meeting to order at 5 p.m.

The meeting was also streamed publicly at [www.burlingtoncolo.com/virtualcouncilmeeting](http://www.burlingtoncolo.com/virtualcouncilmeeting)

Council members present:

Mark Burghart, Brent Carter Adrian Hernandez, Troy Schultz and Kamron Weisshaar

Absent: Melvin Gilley

Staff/Officials present:

Greg Swiatkowski, Mayor

Jim Keehne, Administrator

Georgia Gilley, Clerk

Mike Grinnan, City attorney

Daniel Melia, Airport FBO

**2. Pledge of Allegiance**

**3. Consent Agenda**

Approval of the September 28 meeting minutes

Motion by Carter and second from Burghart to approve the consent agenda. Motion passed unanimously.

**4. Public comment – none.**

**5. Public Hearing – none**

**6. Unfinished Business – none**

**7. New Business**

A. 2021 Budget Work Session – Keehne reviewed the 2021 proposed budget, beginning with the Budget Message and continuing up to the Enterprise Funds, which will be reviewed at the Oct. 26 council meeting. Keehne indicated the public hearing for the proposed budget will be Nov. 9. Council's final review of the proposed budget will be Nov. 30, which is a change from the original budget calendar.

**8. Reports from city departments – none**

**9. Council comments – none**

**10. Adjournment**

With a motion by Carter and second from Weisshaar, the meeting adjourned at 10:07 p.m.

Motion passed.

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Greg Swiatkowski, Mayor

ATTEST:

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Georgia Gilley, City Clerk

**MINUTES OF THE REGULAR MEETING  
OF THE MEMBERS OF THE CITY COUNCIL**

**City of Burlington  
County of Kit Carson  
State of Colorado**

**Burlington Community and Education Center  
Recreation Room  
340 S. 14th Street  
October 26, 2020  
6:30 p.m.**

**1. Call to order**

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

The meeting was also streamed publicly at [www.burlingtoncolo.com/virtualcouncilmeeting](http://www.burlingtoncolo.com/virtualcouncilmeeting)

Council members present:

Mark Burghart, Brent Carter, Troy Schultz

Council members absent:

Melvin Gilley, Adrian Hernandez, Kamron Weisshaar

Staff/Officials present:

Greg Swiatkowski, Mayor

Jim Keehne, Administrator

Georgia Gilley, Clerk

Mike Grinnan, City attorney

Daniel Melia, Airport

Rol Hudler, Economic Development

Tyson Weisshaar, Activities Director

Others present:

Lana Mireles, Alex Navarro, Donn Witzel

**2. Pledge of Allegiance**

**3. Consent Agenda**

Motion by Schultz and second from Burghart to approve a liquor license renewal for BLT Liquor Investments LLC dba Burlington Liquors. Motion passed unanimously.

Motion by Carter and second from Burghart to approve a liquor license renewal for Love's Travel Stops & Country Stores, Inc. dba Love's Travel Stop #644. Motion passed unanimously.

**4. Public comment – none**

**5. Public hearing**

Approval of application for special review to operate embroidery business in a residential zone, namely 327 7th Street.

Motion by Burghart and second from Carter, council unanimously approved the application from Lana Mireles to operate an embroidery business in a residential zone.

There were no petitions of opposition filed.

**6. Unfinished Business – none**

**7. New Business**

**A. Approval of mayor's signature on Option to Extend/Renew letter from EECOG regarding Outback Express**

With a motion by Schultz and a second from Carter, council unanimously voted to approve the mayor's signature on the Option to Extend/Renew letter from ECCOG regarding the Outback Express bus.

**B. Review of Burlington Planning & Zoning Commission meeting**

Keehne advised council of the Oct. 20 Planning & Zoning Commission meeting, where discussion was held regarding two topics. One was about the possibility of rezoning residential property at 325 Lincoln Street to I-1. The other was to consider amending the city's land use regulations to allow a veterinary hospital to operate with certain restrictions in an industrial district. There was no action taken.

**C. Review proposed budgets for the Enterprise Funds**

Keehne reviewed the Enterprise Funds in the proposed 2021 Budget.

**8. Reports from city departments**

Keehne summarized his written report, touching on the COVID-19 pandemic. The state has moved to a dial system and noted Kit Carson County is in Level 2: Concern. Keehne went over upcoming events, including Election Day, a Planning & Zoning Commission meeting Nov. 5, and a public hearing on the proposed 2021 Budget Nov. 9.

Department head reports were in the packet, and there were no questions from council members about these reports.

**9. Council comments – none**

**10. Adjournment**

With a motion by Burghart and second from Carter, the meeting adjourned at 7:36 p.m. Motion passed.

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Greg Swiatkowski, Mayor

ATTEST:

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Georgia Gilley, City Clerk

**ORDINANCE NO. 955**

**AN ORDINANCE TO AMEND THE CITY OF BURLINGTON ZONING MAP AS DEFINED IN TITLE 17, CHAPTER 17.04, SECTION 17.04.060 "ZONING MAP", REMOVING BLOCK 51, LOTS 1-10 AND 19-28, AND VACATED ALLEY, FIRST BURLINGTON FROM R-1 RESIDENTIAL TO I-1 LIGHT INDUSTRIAL**

**WHEREAS**, Block 51 is bordered by Senter Avenue to the North, Lincoln Street to the East, Lowell Avenue to the South and Sycamore Street to the West, and Lots 1-10 and 19-28, along with vacated alley are known as 325 Lincoln Street; and

**WHEREAS**, Burlington Municipal Code, Title 17, Zoning, establishes zones or districts within the City limits, and made in accordance with a comprehensive plan for the purpose of promoting the public health, safety, morals, convenience, order, prosperity and general welfare of the community. They are designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. They are made with responsible consideration, among other things, as to the character of each district and its peculiar suitability for particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the city; and

**WHEREAS**, Burlington Municipal Code, Title 17, Chapter 04, Section 100, Changes and Amendments, allows for change to be made to existing zones or districts, stating: Whenever the public necessity, convenience, general welfare, or good zoning practice justifies such action and after the consideration and approval by the planning and zoning commission, the City Council may amend, supplement, or change the boundaries or the regulations established by this title after public hearings as herein provided; and

**WHEREAS**, Block 51, Lots 1-10 and Lots 19-28, First Burlington, along with vacated alley are currently zoned R-1, single family residential, consisting of vacated private business and outbuildings designed for commercial purposes. Current location is considered to be non-conforming use of land. Purchasers of property desire to change zoning to comply with zoning ordinance and land use regulations for that of I-1, Light Industrial, allowing for a change in land use more suitable to existing conditions, and after petitioning the affected area determined no feedback detrimental to re-zoning of this property; and

**WHEREAS**, the Planning and Zoning Commission has determined that the Property known as 325 Lincoln Street, Burlington, Colorado meets the basic requirements for zoning change, that of sharing a minimum of 1/6 the boundaries of the property with a like I-1 Light Industrial zoning district; and after Public Hearing on November 05, 2020, where no testimony was presented not in favor of the re-zone, recommend property whose legal description is Block 51, Lots 1-10 and Lots 19-28, First Burlington, also known as 325 Lincoln Street, Burlington, Colorado be removed from its existing R-1 Single Family Residential District and added to the I-1, Light Industrial District.

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

**SECTION 1.** The Zoning Map of the City of Burlington be changed to remove Block 51, Lots 1-10 and Lots 19-28, along with vacated alley from R-1 Single Family Residential and such property be included in the I-1 Light Industrial Land Use Zoning District, allowing for land use more suitable to existing conditions.

**SECTION 2.** This Ordinance, immediately upon its passage, shall be recorded in the Book of Ordinances of the City of Burlington, Colorado, authenticated by signature of the Mayor and attested by the Clerk under the corporate seal of the City and shall be published within the corporate limits of the City of Burlington and the County of Kit Carson and the State of Colorado and shall be in full force and effect thirty (30) days after such publication.

PASSED, ADOPTED and ORDERED PUBLISHED this 09th day of November, 2020.

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Greg Swiatkowski, Mayor

[SEAL]

ATTEST:

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Georgia Gilley, City Clerk

**ORDINANCE NO. 956**

**AN ORDINANCE TO AMEND CERTAIN PORTIONS OF TITLE 17, CHAPTER 17.20, ARTICLE III, "INDUSTRIAL", SECTION 17.20.100 "USE REGULATIONS FOR I-1 DISTRICT—LIGHT INDUSTRIAL", SUB-SECTION A, "USES PERMITTED BY RIGHT", TO ADD SUB-SUB-SECTION 10 TO ALLOW FOR VETERINARY HOSPITALS**

**WHEREAS**, the Burlington Municipal Code makes no provision for allowing Veterinary Hospitals within the incorporated City Limits though specifically excluding them in the C-1, Commercial-General Business District; and

**WHEREAS**, the I-1, Light Industrial District is designed to accommodate Veterinary Hospitals that treat both large and small animals where proper distancing or buffer areas exist between properties; and

**WHEREAS**, many residents and visitors alike are in need of veterinary services and are forced to travel distances to receive care for their animals; and

**WHEREAS**, after proper Public Hearing held on November 05, 2020, where no testimony was presented not in favor of the amending Title 17, Chapter 17.20, Article III, Industrial, Section 17.20.100 Land Use Regulations for I-1 District – Light Industrial, use permitted by right, to include Sub-Sub-Section 10, allowing for Veterinary Hospitals.

**WHEREAS**, the Planning and Zoning Commission of the City of Burlington hereby recommends to the Burlington City Council that land use regulations in the I-1, Light Industrial District be amended to allow for Veterinary Hospitals.

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

**SECTION 1.** Chapter 17.20 Residential, Commercial and Industrial Districts, Article III, Section 17.20.100 Use Regulations for I-1 District—Light Industrial, Sub-Section A Uses Permitted by Right is hereby amended with the addition of Sub-Sub Section 10 to read: Veterinary Hospitals, small animals are kept completely within an enclosed building, large animals such as livestock are maintained in enclosed buildings or outdoor pens completely behind privacy walls where pens are located a minimum of twenty (20) feet from any curb line or property line. No more than ten (10), 20' x 20' animal pens may be maintained on property and may only be utilized to care for sick, injured or those animals recovering from procedures. No single animal may be housed on site for more than thirty (30) days.

**SECTION 2.** This Ordinance, immediately upon its passage, shall be recorded in the Book of Ordinances of the City of Burlington, Colorado, authenticated by signature of the Mayor and attested by the Clerk under the corporate seal of the City and shall be published within the corporate limits of the City of Burlington and the County of Kit Carson and the State of Colorado and shall be in full force and effect thirty (30) days after such publication.

PASSED, ADOPTED and ORDERED PUBLISHED this 09th day of November, 2020.

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Greg Swiatkowski, Mayor

[SEAL]

ATTEST:

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Georgia Gilley, City Clerk



# EAST CENTRAL COUNCIL OF LOCAL GOVERNMENTS

## COLORADO'S CENTRAL PLAINS



Box 28 • Stratton, Colorado 80836 • (719) 348-5562 • FAX (719) 348-5887 • [www.eccog.com](http://www.eccog.com)

To: ECCOG Member Communities in **Kit Carson County**

From: Candace Payne

Subject: 2021 Municipal Board Member

Date: October 21, 2020

The time to begin the selection process of municipal representatives for the 2021 East Central Council of Governments Board of Directors has arrived. Each town is being asked to submit the name of any of its council members or of its mayor if any of these individuals are interested in serving on the COG Board. Nominations are due by November 23, 2020. If there is more than one nomination, ballots will then be developed and mailed to the respective town councils by November 24th.

Voting should take place at your late November or early December council meeting. All ballots must be mailed or emailed back to the COG office for final tabulation by December 28, 2020. The current representative on the COG Board for Kit Carson County municipalities is **Troy Schultz, Burlington town trustee**.

The responsibilities of the Board of Directors of the ECCOG continue to be numerous. It is vitally important that interested and knowledgeable persons be selected as board members and that each person selected be able to attend a majority of the 6-7 meetings a year.

The COG Board meets the first Wednesday of the month at 7:00 p.m. Bylaws were amended in 2009 to enable the Board to meet fewer times a year (previously it had been every month). Most meetings are held in Limon. The first "official" 2021 board meeting will be March 3rd (the January 6, 2021 teleconference meeting will finalize December 2020 business). Some board members eat supper together prior to the meeting at their own expense. Mileage expenses incurred for attending the meetings or participating in other related duties are reimbursed.

The ECCOG, in its coordination and cooperation efforts for its member local governments in 2021, will continue to focus on: economic development; including technical assistance in business and industrial development to requesting communities and direct administration of various economic development projects including: marketing and administration of the Enterprise Zone on behalf of its service area; and administration of the \$2,900,000 revolving loan fund to assist in capitalization for new and expanding businesses and industry in the

To: ECCOG Member Communities in **Kit Carson** County  
October 21, 2020 - Page two

four-county area. The Broadband Strategic Plan developed in 2015 wrapped up in 2019 with the education phase. The Opportunity Zone program continues in 2021 with potential projects on the rise three counties. In fall of 2021, our updated CEDS (Comprehensive Economic Development Strategy) will be available on the new online library of CEDS with an enhanced resiliency plan due to COVID.

ECCOG will continue to provide services and funding for the senior citizen centers and meal sites in all four counties. Needed highway construction project “lobbying”, monitoring the input on new state legislation and rules and regulations that might adversely affect the rural plains, continued promotion of Colorado’s Central Plains as a great place to live and do business, heritage tourism promotion, grant preparation assistance to requesting communities and counties, and main street improvement and historic preservation for requesting entities will continue to be part of ECCOG’s 2021 scope of work.

Energy Impact funds and a continuing equitable distribution of the severance tax dollars to the central plains’ counties involved in oil and gas production will again be pursued. In addition to the previously outlined areas of emphasis, the Council of Governments will continue to administer an annual Transportation grant that results in the purchase of additional mini-buses, partial operation costs for these buses, and continued coordination of transportation services among the communities.

In partnership with the Prairie Development Corporation, the East Central Council of Local Governments has developed an “award winning” heritage tourism promotion program...*Our Journey*. ECCOG and PDC will continue to build on this program in 2021 through TravelStories, the digital story telling app, and social media promotions with the professional public relations staff. In the past 9 months, over 350 downloads of the Central Plains Tour have been made which is encouraging as people start to travel again!

To meet EDA criteria, the ECCOG Board was expanded in May of 2009 to include five “non-government” representatives in addition to the four municipal representatives and the four county commissioners. Each county now appoints a county commissioner to the Board and also appoints a private business representative. The fifth private business At Large board member is appointed by the Prairie Development Corporation. The counties will make their two appointments to the 2021 ECCOG Board at their January reorganizational meetings.

The ECCOG Board has been a very cohesive and close working group in the past and we expect that same relationship will continue in the coming years. Working together to provide more impact using fewer resources remains a constant goal for our region.

cc: Troy Schultz  
Valerie Rhoades  
Dave Hornung



November 09, 2020

## City Administrator's Summary Report

October 26 – November 09, 2020

### Administration

- Currently, we are 9 months into the COVID-19 pandemic, complying with orders issued by both the Governor's Office, Colorado State Department of Public Health and Environment, and Kit Carson County Public Health Directives. In September, we witnessed the State implementing a new "Dial" system that indicates county by county how each are doing with keeping the positivity rate in check based on population, a rate set at 5%, and then color coded to provide the reader with a dashboard look as to how each county is doing in addressing COVID-19 response. Rates above 5% is an indicator that we are not doing well, and measures need to be implemented to get the positivity rate back to below the magic number. In mid-October Kit Carson County began experiencing a surge in positive cases as well as increased testing. Due to the surge in cases, the positivity rate far exceeded the 5%, and by the end of October was at 14%. Because of this, the Department of Health has ratcheted the dial to a yellow classification where all variances previously received remained in place though we have had to restrict gathering sizes. An outbreak occurred at the HS resulting in a two-week closure for safety purposes. Even after implementing these measures, our number of infections has continued to rise. Kit Carson County is not alone in this, as most counties and communities have had a resurgence in the virus and more and more people are testing positive than ever before. The danger is still the same with the virus as it has the potential to overwhelm or healthcare systems. Here in KCC, we have been informed that the area designated at our hospital to serve COVID patients is at 55% capacity, and there is not the available staff to address everyone's needs. Additionally, those in need of treatment are no longer able to be transferred to the metro area for treatment as hospitals there are also overwhelmed and at capacity. As of today, Kit Carson County has moved the dial to a Level Orange or Safer At Home High Risk status. Attached for your review are the capacity restrictions that KCC will be operating under for the next two weeks, at which time we will evaluate how we are doing with mitigation efforts. The goal here is not to automatically shut down our economy but to implement measures to mitigate the spread of the virus.

Government operations are considered essential services, so the impact we feel will be somewhat less than others. We are having to limit the size of gatherings in our facilities that will have an impact on revenues. For Council, we are not having to go remote as of yet, and hopefully we won't. We will continue to meet in the Rec Room and have our meetings on-line for the public. Should you not feel comfortable with in person meetings, you can always attend remotely. If meeting in person, we must be masked and practice social distancing.

Worldwide there have been over 49 million persons infected by the virus, with approximately 1.25 million reported deaths attributed to the infection. 20% (approximately 9.8 million) of all reported cases have occurred in the U.S. which has also reported over 240,000 attributable deaths. Colorado has experienced approximately 125,000 confirmed cases up 30% in the last two weeks. Kit Carson County has reported 184 positive cases, up 77 cases in the last two weeks or 58%.

Lets please do our part to stop the spread of the virus.

- The Intergovernmental Agreement regarding the disbursement of Coronavirus Aid, Relief and Economic Relief Act funds was signed and returned to the county. Kit Carson County's share of CARES funding is \$608,831 which is allocated based on population of each municipality. The City of Burlington's share of this is \$269,371.49. To date, the City has applied for and received \$77,484 in expenses to be incurred for build out of our IT systems to provide for opportunities to work from home or providing a mobile workforce, maintain continuity and provide for good governance, workforce segregation and distancing, provide for virtual operations to conduct remote meetings and maintain public access, and to secure our technological infrastructure to secure records and financial systems from cyber security concerns. Funds may only be used for necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), funds that were not accounted for in the budget most recently approved as of March 27<sup>th</sup>, 2020, and were incurred during the period that begins March 1, 2020, and ends on December 30, 2020. Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Currently, we are looking at additional expenditures that would be reimbursable as a part of the CARES Act under necessary expenses, i.e. election expenses that went over budget; costs associated with identification and retrofitting a Tier 4 non-acute care facility (Community Center) to house asymptomatic persons in need of quarantine; costs associated with providing for off-site reporting and access to national and state data bases for law enforcement use where mobile data terminals may be funded. Last week a request was submitted for an additional \$70,040 to assist with our remaining expenditures.

Those funds that are not utilized are used to implement a small business grant program for Kit Carson County businesses. The businesses must be able to show a necessity of need and must have been affected by COVID-19 closures. The County and municipalities got together on Friday, August 7<sup>th</sup> and again on October 15<sup>th</sup> to work out the details of the grant program for businesses and disbursement of funds. Applications for grant funding can be found on the Kit Carson County Website, City of Burlington Website, and all municipalities in Kit Carson County. Applications are simple to complete, with each being reviewed by a committee for fund disbursement. To date, 90 applications have been received and approved for payment of funds, totaling over \$400,000 being distributed to assist affected businesses.

- Budget preparation is underway. To date we have received the Total Assessed Valuation of property in the City's incorporated boundary, valued at \$42,176,934, approximately \$27,000 over last year. The City has implemented a tax of 8.6 mills on each dollar's worth of property per this assessed value, providing for \$362,721.63 in property tax the City may use for defraying necessary expenses and paying all legal obligations for the upcoming year.

The capital improvement plan has been reduced to \$1,348,855 and may be further pared down once operating expenses are determined. The 2021 compensation plan has been completed and includes a compensation philosophy, plan development, distribution of personnel by function and department, and staffing tables.

Over the last two meetings the draft budget has been presented to Council for review. Review was completed for the 2021 Capital Improvement Plan, 2021 Compensation Plan, Budget Introduction, 2021 General Fund with breakdown by department, 2021 Special Revenue Fund with breakdown by funds and department, and the Enterprise Funds (Electric, Water/Sewer/Solid Waste/Airport). This evening, a public hearing on the proposed budget will be held as scheduled.

This is our opportunity to hear from the public, ensuring that their voices are heard in our budget discussions. An overview of the budget will be presented as to where we are now with the process. Once public input has been received and recorded, you may discuss these items. I would also like to hear from each of you as to your thoughts and feelings regarding the special revenue budget (Tourism and Promotional Fund). This last week I was able to meet and discuss this with our accountant, and was told to just rename the administrative service fee proposed to an inter-fund transfer and to make a budget policy that this amount will not exceed the 1% revenue from the Enterprise Funds. Once the expenditures reach a certain percentage of the budget, then the fund (old town) would be closed. We can also utilize this approach with the Airport Fund as well. Over the next two weeks, updates will be completed and a final budget will be distributed for review on November 30<sup>th</sup>, with budget adoption to take place on December 14<sup>th</sup>.

- At the August 31<sup>st</sup> meeting, a request was made by Council to look into the requirements to allow for a new business opportunity in Burlington, that of placing a Veterinary Hospital on Lincoln Street. Staff began working with potential buyers and realtors to allow for this opportunity and working in compliance with City Code. It was discovered the property in question was zoned for residential use only, though existing business concerns were more of a commercial nature with no residence on site. Additionally, Code makes only one reference to veterinary hospitals where they are not allowed in C-1, General Business District Commercial Zone. A change in zoning is required for this property to allow for business to take place. This property does abut the I-1, Light Industrial Zone, sharing more than 1/6<sup>th</sup> of its boundary with I-1, thereby allowing for zoning change. As the I-1 District makes no allowances or restrictions on veterinary hospitals, a change in land use regulations must be obtained to allow for veterinary services.

This information was all brought to the Planning and Zoning Commission, and after review of all information it was determined to hold a public hearing to obtain testimony and hear comment on the proposed zoning district change and change in land use regulations permitted in the I-1 zone. Over the last several weeks the potential buyers of the property and realtor have petitioned the affected area property owners to allow for these two changes. A Public hearing was held

Thursday, November 5, 2020, 5:00 P.M. at the Community Building, where testimony and comment was provided to those present. No negative feedback was received on the project and the Planning and Zoning Commission approved for the changes to be mad and are recommending to City Council that the attached Ordinances be adopted to reflect these changes.

- The Burlington Housing Authority, at its last board meeting, adopted the by-laws and in doing so, I have officially taken my place on the Board with full voting powers. Tomorrow the next meeting will be held where the Admissions and Continued Occupancy Policy will be reviewed and approved. Several additional policies will be reviewed putting us at the 90% compliance rate with HUD for addressing all the deficient areas during last years assessment. We are getting closer every week to gaining full compliance and improving the score. This work could not have been accomplished without getting a new Executive Director and Board in place.
- The prison study and Public Hearings scheduled for October 27<sup>th</sup> and 28<sup>th</sup> were cancelled. To date they have not been rescheduled. Greg Brophy, Rol Hudler, County Commissioners and I have submitted written comments in lieu of oral testimony, though will provide testimony once meetings are rescheduled.

## **Operations/Public Works**

- **Water/Wastewater**
  - Composite sampling and total water sampling have been conducted at the Wastewater Treatment facility and the Blending Plant
  - Hydrant Flow Testing is being performed
  - Sanitary Survey preparation is underway
  - Inventory being completed
- **Parks**
  - Leaf cleaning/pickup underway
  - Water turnoffs taking place with lines being purged.
  - Parks is a man down due to injury
  - Inventory being completed
- **Streets**
  - Street sweeping underway.
  - Pothole repair and maintenance in process.
  - Grading and cleaning of alleys underway.
  - Equipment maintenance
  - INVENTORY TAKING PLACE
  - Intersection of Webster at 6<sup>th</sup> Street completed



- Electric
  - 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. On June 11<sup>th</sup>, Electric Department, Public Works Director and City Administrator met with Damien Berger to work on and develop maintenance program for the City's Electric system, Goals were developed, trouble spots identified, and capital projects discussed. During budget season, these items will be further fleshed out. While creating the maintenance plan, it was discovered that during the Conversion Process, a couple of switches were not installed which has an affect on the West circuit in Burlington. Atwell is currently in contact with the sub-contractors on that project to install the proper switches. Altitude Electric has been to Burlington and completed their portion of the conversion project, we are still awaiting Main Electric's arrival.
  - During the month of October to date, three outages have occurred:
    - 10-11 – West Loop - Cause was identified as a bird that tripped fuse, resulting in loss of power to Police Station/CSP. Outage duration was 34 minutes, and only affected one building.
    - 10/11 – East Circuit recloser tripped due to high winds. Caused power surges resulting in numerous blinks to the system. Recloser at sub-station was closed resulting in complete power restoration. Winds of up to 65 mph were experienced during this time.
    - 10/11 – Broken Pole on line to Well 1 (golf course) caused by high winds. Pole was secured and power restored. Pole will be replaced 10/12.
  - Pole replacement underway

## Public Safety

Chief Hill and LT Laverenz are still actively engaged in their respective Leadership Training. This will be completed before year end. Graham and Almiron are continuing their Academy Training scheduled to be completed Mid December. Case load is beginning to rise as the department is experiencing a rise in calls for service. As case load increases it places a great deal of pressure on existing staff to conduct follow-up, file of reports and charging documents, court room appearances, and evidence processing. Staff is really looking forward to getting to a position where they have full staff compliment to assist with this increased case load.


The department participated in the annual Trunk or Treat event

**Intergovernmental/Upcoming Events**

- Budget Introduction – November 09th
- Public Hearing on proposed 2021 Budget, November 09, 2020
- Final Budget Review – November 30, 2020
- Adopt Budget – December 14, 2020



## What are the capacity restrictions at each level?

	<b>LEVEL GREEN: PROTECT OUR NEIGHBORS</b>	<b>LEVEL BLUE: SAFER AT HOME CAUTIOUS</b>	<b>LEVEL YELLOW: SAFER AT HOME CONCERN</b>	<b>LEVEL ORANGE: SAFER AT HOME HIGH RISK</b>	<b>LEVEL RED: STAY AT HOME</b>
<b>VARIANCES</b>	Eligible for both outdoor and indoor site-specific variances if approved by LPHA	Eligible for both outdoor and indoor site-specific variances if approved by LPHA	Eligible for outdoor site-specific variances if approved by LPHA	Not eligible	Not eligible
<b>PERSONAL GATHERING SIZE</b>	Per local guidance	Up to 10 from no more than 2 households	Up to 10 from no more than 2 households	Up to 10 from no more than 2 households	None
<b>P-12 SCHOOLS</b>	In-person suggested	In-person suggested or hybrid, remote as appropriate	In-person, hybrid, or remote as appropriate	Remote or hybrid suggested, limited in-person as appropriate	Remote suggested, very limited in-person when necessary
<b>HIGHER EDUCATION</b>	In-person suggested	In-person suggested or hybrid, remote as appropriate	In-person, hybrid, or remote as appropriate and other strategies to increase social distancing	Remote or hybrid suggested, limited in-person as appropriate and other major strategies to increase social distancing	Remote and significant social distancing strategies
<b>PLACES OF WORSHIP AND LIFE RITES - INDOOR UNSEATED FUNCTIONS</b>	50%* capacity or 500 people	50% capacity or 175 indoors	50% capacity or 50 no calculator, (or up to 100 with calculator)	25% capacity or 50 (with calculator)	Remote, virtual service, or outdoor are strongly encouraged, indoors up to 10
<b>PLACES OF WORSHIP AND LIFE RITES - INDOOR SEATED FUNCTIONS</b>	50%* capacity or 500 people	50%, 175 person capacity	50%, 100 person capacity	25%, 50 person capacity	Remote, virtual service, or outdoor are strongly encouraged; indoors up to 10
<b>PLACES OF WORSHIP AND LIFE RITES - OUTDOORS</b>	6ft between parties outdoors, per local zoning	6ft between parties outdoors, per local zoning	6ft between parties outdoors, per local zoning	6ft between parties outdoors, per local zoning	6ft between parties outdoors, per local zoning
<b>RESTAURANTS - INDOORS</b>	50%* capacity or 500 people	50% capacity or 175 indoors	50% capacity or 50 (or up to 100 with calculator)	25% capacity, 50 people	Take out or delivery
<b>RESTAURANTS - OUTDOORS</b>	6ft between parties outdoors, per local zoning	6ft between parties outdoors, per local zoning	6ft between parties outdoors, per local zoning	6ft between parties outdoors, per local zoning	6ft between parties outdoors, per local zoning
<b>NON-CRITICAL MANUFACTURING</b>	50%* capacity or 500 people	50% capacity or 175 people	50% capacity or 50 (or up to 100 with calculator)	25% capacity or 50 people	Closed
<b>OFFICES</b>	50%* capacity	50% capacity	50% capacity	25% capacity	Closed
<b>BARS</b>	50%* capacity or 500 people	Closed	Closed	Closed	Closed
<b>GYMS/FITNESS</b>	50%* capacity or 500 people	25% capacity or 75 people	25% capacity or 50 people	25% capacity, 25 indoors, or outdoors in groups less than 10	Virtual, or outdoors in groups less than 10
<b>GROUP SPORTS AND CAMPS</b>	50%* capacity or 500 people	50 person capacity per activity	25 person capacity per activity	Virtual, or outdoors in groups less than 10	Virtual, or outdoors in groups less than 10
<b>RETAIL</b>	50%* capacity	50% capacity	50% capacity	25% capacity	Curbside, pick up, and delivery
<b>PERSONAL SERVICES</b>	50%* capacity or 500 people	50% capacity or 50 people	50% capacity or 50 people	25% capacity or 25 people	Closed
<b>LIMITED HEALTH CARE SETTINGS</b>	50%* capacity or 500 people	50% capacity or 50 people	50% capacity or 50 people	25% capacity or 25 people	Closed
<b>EVENTS - INDOOR UNSEATED</b>	50%* capacity or 500 people	50% or 175 person capacity	50%, 50 no calculator, (or up to 100 with calculator)	25%, 50 person capacity (with calculator)	Closed
<b>EVENTS - INDOOR SEATED</b>	50%* capacity or 500 people	50% or 175 person capacity	50%, 100 person capacity (6ft distancing between parties)	25%, 50 person capacity (6ft distancing between parties)	Closed
<b>EVENTS - OUTDOOR UNSEATED</b>	50%* capacity or 500 people	50% or 250 person capacity	50%, 175 person capacity (with calculator)	25%, 75 person capacity (with calculator)	Closed
<b>EVENTS - OUTDOOR SEATED</b>	50%* capacity or 500 people	50% or 250 person capacity	50%, 175 person capacity (6ft distancing between parties)	25%, 75 person capacity (6ft distancing between parties)	Closed
<b>OUTDOOR GUIDED SERVICES</b>	50%* capacity or 500 people	50% capacity or 25 people	50% capacity or 10 people	25% capacity or 10 people	Closed



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To: City council members  
From: Georgia Gilley, Clerk  
Date: Nov. 9, 2020  
Subject: Clerk's report

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**New liquor license:**

Valson's Restaurants LLC, owned by Robin and Donald Valdez, has filed an application for a liquor license for their restaurant business at The Post Bar and Grill, 884 Rose Ave. The required waiting period after receiving a complete application has elapsed and posting and publishing of the Notice of Public Hearing has been done. No remonstrances have been filed with the clerk's office. The liquor license application has been forwarded to the Liquor Enforcement Division (LED) for concurrent review, which means the state will conduct its review and investigation while the city holds its public hearing and approval process. After approved by the city, the signed signature page of the application will be sent to the state.

**Liquor license renewals:**

Safeway Store Forty Six Inc., dba Safeway Store No. 2520, and Chen Vuong Thai Restaurant have filed applications to renew their liquor licenses. There have been no problems at either establishment.

**Nominate ECCOG representative:**

It's time again to nominate a municipal representative to serve on the ECCOG Board of Directors. Troy is currently filling that position. I have included the memo from Candace Payne so you may read what ECCOG will continue to focus on in 2021.