

**CITY OF BURLINGTON  
KIT CARSON COUNTY  
CITY COUNCIL  
REGULAR MEETING  
AGENDA  
22-2019  
COMMUNITY BUILDING ROOM A  
340 S 14<sup>TH</sup> STREET  
November 25th, 2019  
6:30 PM**

1 Call to Order

2 Pledge of Allegiance

3 Consent Agenda Items

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

4 Public Comment

5 Unfinished Business

6 New Business

- a. Approval of Ordinance 944 amending Section 17.20.100 – Use Regulation For I-1 District – Light Industrial – of the City of Burlington Municipal Code
- b. Approval of Ordinance 945 Changing the Zoning Designation of Lands Within the City of Burlington, Colorado and For Said Purpose of Revising and Supplementing the Zoning District Map of Said City
- c. Discussion on rescheduling December meeting from 12/9/19 to 12/16/19

7 Reports from City Departments

Administrator- Jim Keehne

Clerk- Suzanne Velasco

Treasurer- Becky Castillo

Airport- Daniel Melia

Economic Development- Rol Hudler

Activities- Tyson Weisshaar

Library- Nick McCarty-Daniels

Old Town- Nikki Wall

8 **Executive Session pursuant to C.R.S. Section 24-6-402(2)(f); Personnel Matters**

9 Council Comments

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

10 Adjournment

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

**CITY OF BURLINGTON**  
**ORDINANCE No. 944**

**AN ORDINANCE AMENDING SECTION 17.20.100 – USE REGULATION FOR I-1 DISTRICT – LIGHT INDUSTRIAL – OF THE CITY OF BURLINGTON MUNICIPAL CODE.**

WHEREAS, the Charter of the City of Burlington, Section 1.2, confers upon the City “all of the power of local self-government and home rule and all power possible for a city to have under the Constitution and laws of the State of Colorado”; and

WHEREAS, upon review of Title 17 ZONING of the City Municipal Code, the City Council of the City of Burlington finds that it would be in the City’s interest and for the promotion of health, safety, morals and/or general welfare that Title 17 ZONING be modified.

NOW THEREFORE, the City Council of the City of Burlington, Colorado, Ordains that;

Section 17.20.100 B. 4. of the City of Burlington, Colorado Municipal Code shall be amended to read as follows:

*Special exceptions for uses in harmony with the intent and purpose of this title which are not injurious to the public interest; provided, however, that any mobile home park may not be considered unless the provisions of Chapter 15.16 of the Burlington Municipal Code are complied with. Including but not limited to allow for mobile home use that already exists, as long as such use meets Federal Regulations concerning manufactured home construction and safety standards, and under special review to allow City Council to approve blended RV/mobile home parks for the placement of Recreational Vehicles (RV’s).*

EFFECTIVE DATE. This Ordinance shall be published and become effective thirty (30) days after final passage, as provided in Section 4.6 of the Charter for the City of Burlington, Colorado.

PASSED, ADOPTED and ORDERED PUBLISHED this \_\_\_\_\_ day of November, 2019.

\_\_\_\_\_  
Dale Franklin, Mayor

[SEAL]

ATTEST:

\_\_\_\_\_  
Suzanne Velasco, City Clerk

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

**CLERK'S CERTIFICATE**

That I, Suzanne Velasco, the official City Clerk of the City of Burlington, do by these presents, say that the foregoing Ordinance No. 944 was passed and adopted by the City Council of the City of Burlington on the \_\_\_\_ day of November, 2019 and that the foregoing Ordinance is a true, correct and full copy of the Ordinance as shown in Ordinance Book \_\_\_\_\_ of the records of the City of Burlington, Burlington, Colorado.

Dated this \_\_\_\_\_ day of November, 2019

\_\_\_\_\_  
Suzanne Velasco, City Clerk

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

**CLERK'S CERTIFICATION OF  
PUBLICATION**

That I, Suzanne Velasco, the official City Clerk of the City of Burlington, do by these presents, say that the foregoing Ordinance No. 944 and Clerk's Certificate attached thereto was published in the *Burlington Record*, a weekly newspaper of general circulation in Burlington, Kit Carson County, Colorado, on November \_\_\_\_\_, 2019 and "Proof of Publication" is filed herewith.

Dated this \_\_\_\_\_ day of November, 2019.

\_\_\_\_\_  
Suzanne Velasco, City Clerk

**CITY OF BURLINGTON**

**ORDINANCE NO. 945**

**AN ORDINANCE CHANGING THE ZONING DESIGNATION OF LANDS WITHIN THE CITY OF BURLINGTON, COLORADO AND FOR SAID PURPOSE REVISING AND SUPPLEMENTING THE ZONING DISTRICT MAP OF SAID CITY**

**WHEREAS** SLTT, LLC and Witzel Rentals, LLC (the “Owners”) have submitted their applications in accordance with City of Burlington Land Use Code to change designation of properties located within the City Limits of the City of Burlington; legally described in Exhibit A, attached hereto and incorporated herein, within the City of Burlington, County of Kit Carson, State of Colorado (the “Properties”),

**WHEREAS**, the City of Burlington Planning and Zoning Commission considered the zoning proposal at a duly noticed public meeting held October 4<sup>th</sup>, 2019 and subsequently forwarded a favorable recommendation to the City Council for changes in zoning; and,

**WHEREAS**, the City Council provided notice of the public hearing on said zoning changes by publication as provided by law; and

**WHEREAS**, public notice has been properly given of such proposed zoning of the Properties by publication, in The Burlington Record, a weekly newspaper of general circulation within the City of Burlington, by posting of said Properties; and,

**WHEREAS**, one eligible protest, failing to give reason, was received by the City pursuant to C.R.S. §31-23-305; and,

**WHEREAS**, SLTT, LLC has requested their property to be rezoned from a combined **R-1 – Single Family Residential** and **C-2 Highway Commercial** to all **C-2 Highway Commercial**; and

**WHEREAS**, the zoning classification for **C-2 Highway Commercial** is consistent with the City’s plan for the area as well as the current use of the Property; and

**WHEREAS**, Witzel Rentals, LLC has requested the block where their property is located, to be rezoned from **R-1 Single Family Residential** to **I-1 Light Industrial**; and

**WHEREAS**, the zoning classification for **I-1 Light Industrial** is consistent with the City’s plan for the area as well as the current use of the Property.

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

**Section 1.** Recitals Incorporated. The recitals contained above are incorporated herein by reference and are adopted as findings and determination of the City Council.

**Section 2.** That certain properties located at Block 5, Lot 5, Old Burlington, in the City of Burlington, Kit Carson County, Colorado, as reflected in Exhibit A are hereby zoned into **C-2 Highway Commercial** as permitted.

**Section 3.** That certain properties located at Block 24, Lots 1-4, First Burlington, in the City of Burlington, Kit Carson County, Colorado, as reflected in Exhibit A are hereby zoned into **I-1 Light Industrial** as permitted.

**Section 4.** The Zoning District Map of the City of Burlington, Colorado shall be amended accordingly to the changes in designations as mentioned above.

**INTRODUCED, READ, ADOPTED ON FIRST READING AND ORDERED PUBLISHED**  
on the 25<sup>th</sup> day of November, 2019.

THE CITY COUNCIL OF THE CITY OF  
BURLINGTON, COLORADO

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By: Dale Franklin  
Mayor

[SEAL]

Attest:

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Suzanne Velasco  
City Clerk

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

**CLERK'S CERTIFICATE**

That I, Suzanne Velasco, the official City Clerk of the City of Burlington, do by these presents, say that the foregoing Ordinance No. 945 was passed and adopted by the City Council of the City of Burlington on the \_\_\_\_ day of November, 2019 and that the foregoing Ordinance is a true, correct and full copy of the Ordinance as shown in Ordinance Book \_\_\_\_\_ of the records of the City of Burlington, Burlington, Colorado.

Dated this \_\_\_\_\_ day of November, 2019

\_\_\_\_\_  
Suzanne Velasco, City Clerk

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

**CLERK'S CERTIFICATION OF  
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Dated this \_\_\_\_\_ day of November, 2019.

\_\_\_\_\_  
Suzanne Velasco, City Clerk

## **EXHIBIT A**

**Property 1**

**Situs Address:** 139-6<sup>th</sup> Street

**Parcel Number:** 00000032005008

**Legal Summary Subd:** BURLINGTON, OLD, Block 5, Lot 5 Old Burlington

**Property 2**

**Situs Address:** 2182 Martin Avenue

**Parcel Number:** 00000033024002

**Legal Summary Subd:** BURLINGTON, FIRST ADDITION, Block 24, East 140' of Lot 4

**Property 3**

**Situs Address:** 2196 Martin Avenue

**Parcel Number:** 00000033024003

**Legal Summary Subd:** BURLINGTON, FIRST ADDITION, Block 24, West 80' of Lot 4

**Property 4**

**Situs Address:** 555 Pomeroy Street

**Parcel Number:** 00000033024001

**Legal Summary Subd:** BURLINGTON, FIRST ADDITION, Block 24, Lots 1-3



November 25, 2019

## City Administrator's Summary Report

November 12 – November 25, 2019

### Administration.

- As organizational changes have occurred over the last few weeks, we have found ourselves in a position where additional adjustments are being made to the budget. All changes will be made prior to the next council meeting, where new pages will be distributed, and changes will be discussed. Again, we ask that the December meeting be moved to the 16<sup>th</sup>, allowing time for these changes to be made, distributed, and discussed.
- Weekly meeting occurring with Executive Director of Burlington Housing Authority. Over the last couple of weeks, the Executive Director has completed training and testing regarding procurement practices for HUD, and supplied HUD with new procurement policy for the Burlington Housing Authority. Most deficiencies that are being cured are related to procurement and Executive Director believes that once HUD approves of new policy that most, if not all, deficiencies will be cured. Additionally, the Burlington Housing Authority has supplied HUD with revised By-Laws which have been implemented, reviewed, and accepted by HUD. The Executive Director has hired another maintenance person that comes with the ability and skill to identify and correct all maintenance issues and problems. The maintenance person is described as a self-starter and has hit the ground running, to resolve all outstanding issues in the facilities. Executive Director was informed to provide Council member liaison with date and time of all Board Meetings.
- Atwell, LLC Service Order for 3 Phase Conceptual Design and Estimate of Sub Station was executed and Atwell has begun the information gathering stage of phase one that will include design work. Atwell has been talking with both XCEL Energy and Tri-State Electric regarding proceeding with bringing new transmission line in to service City. Preliminary discussions with hem have indicated that neither is interested in providing the City with transmission line and they wish to have the City own and maintain the transmission line. Cost for this is \$650K per mile which without grant funding and loans would be too excessive to take on. We are currently discussing other options at this time and will be meeting in person the week of December 16<sup>th</sup> to begin charting the appropriate course of action. Will keep you informed.
- We are still working with Skarco and Armstrong Engineering to obtain the requisite bonding identified in the FAA contract for Skarco Construction to perform the Airport Turnaround Project. Skarco hopes to have all work completed on bonding by mid-December. If in place, project can start very early in Spring.
- Still no word from CDPHE as to their acceptance of the Final Copy of Preliminary Engineering Report Nitrate Removal Treatment prepared by Merrick for Burlington and submitted to them as our final report.
- Utility Asset Management who we contracted with to perform pole inspection and pole mapping throughout Burlington, has completed the mapping and GIS coordinates of all City poles. Pole inspection and testing of every pole is underway with a completion date anticipated in early December, at which time a timeline will be provided to City regarding pole replacement.



- Working with the City Attorney to develop new language and ordinances for Title 17 of the Burlington Municipal Code pertaining to zoning. Ordinances are being developed to reflect the necessary changes in our zoning map and the necessary changes in code as it pertains to allowing for mobile home use where mobile home use already exists as non-conforming structures in specific areas of our community. I have contacted North Wind Survey to develop new zoning map so that Ordinance can be drafted and filed with County, with meeting scheduled for this week.
- Assisting the Burlington Police Department with Hiring Process Development, and implementing new process to get qualified people onboarded and trained. Currently have three applicants for open position for which testing dates are being determined.

## Operations

- Water/Wastewater
  - Currently performing monthly sampling of water system to determine nitrate levels and bacterial levels, composite sampling, and total water testing. Also performing daily process and control testing.
  - Performing year end inventory.
  - Flushing of sewer mains in process.
  - Annual maintenance and servicing of high speed pumps at blending plant
  - Working with Administration to identify needs and costs for utility extension to the West of town.
- Parks
  - Mower maintenance and repair operations underway.
  - Cleaning of equipment taking place.
  - Preparing for bleacher rehabilitation
  - Assisting with Christmas light testing and installation
- Streets
  - Street sweeping underway
  - Pot hole repair and maintenance in process.
  - Grading and cleaning of alleys underway.
  - Assisting with Christmas Lights and Decorations
- Electric
  - Ongoing work with administration to address auditor concerns surrounding inventory.
  - Working with Administration and Atwell to provide information concerning substation design and engineering.
  - Repair/replacement of street lights
  - Batteries have been installed, at plant and sub-station to address those issues that occurred during the last extended power outage. One Control panel has been received still awaiting the other to upgrade transformers affected by last power outage.
  - Working with Administration to identify needs and costs associated with extending utility services to the West.

## **IT**

- Reach is providing managed services for IT purposes throughout the remainder of the year and have been on-site to meet with each department to assess needs and maintenance issues.

## **Airport**

- Airport Turnaround Project will be delayed until Spring as FAA is requiring a 100% performance and 100% payment bond for contractor on project. Skarko Construction, contractor on project has indicated time is required to secure proper bonding and there are concerns with performing work during Winter months. Plan is to start mid to late March, weather dependent.
- Performing maintenance and cleaning of Airport grounds and Equipment.

## **Intergovernmental/Upcoming Events**

- Assisted with 8th Grade Career Fair held November 20<sup>th</sup> at the Community Center. Representing City Services were Administration, Airport, and Police.
- Chambers Lighting of the Tree, November 29th
- SBDC Harnessing Hemp Seminar to be held December 2<sup>nd</sup> at Community Center
- Parade of Lights, December 13th
- Next meeting to be held December 16<sup>th</sup>, 6:30 P.M.
- Breakfast with Santa, December 21st



[www.burlington.com](http://www.burlington.com)

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415 15<sup>th</sup> Street Burlington, CO 80807 Phone 719-346-8652 Fax 719-346-8397

To: City Council  
From: Becky Castillo, City Treasurer  
Date: 11/21/2019  
Re: Treasurer's Report

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- ❖ Established myself with the Delphi Software (Grant reporting) so we can report invoices for Airport Grants. This process normally takes between 4-6 weeks but have everything set up. We will also have Suzy and Daniel establish a login as well. I will work with Daniel so we can report all invoices for the Grant.
- ❖ Ashley is working on reviewing the billing for trash services to make sure we have the proper number of dumpsters and pickups per the location. She will be working with Tracy with Triple H to make sure all records are correct and accurate.
- ❖ Joined a Caselle Webinar and learned more about the GL process and functions available with our program to be able to do more training with Lorraine.
- ❖ Researching options to invest City Money to gain more interest than what our bank can provide us. The State has multiple programs for Governments, Cities and Towns to be able to pool monies together to get better kick back to benefit the City.



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14111 US Highway 385 - Burlington CO 80807 - 719.346.5352

## Council Report 11.25.19

- Continuing work on the Master Plan project for 2019
  - FAA and CDOT are reviewing and preparing final comments on the draft master plan. Once this is done, the final master plan will be ready to view.
- Working on Taxiway turnaround Grant for 2019
  - Project has been pushed to spring 2020

### Oct 2018 Fuel

Total- 2,896.71 Gallons

Avgas- 1,257.74 gallons

Jet fuel- 1,638.97 Gallons

Gross sales- \$ 11,889.02

### Oct 2019 fuel

Total- 3,298.89 gallons

Avgas- 1,263.37 gallons

Jet Fuel- 2,035.52 gallons

Gross Sales- \$ 12,493.83

"Eastern Colorado's Premier Aviation Experience"

## Rol Hudler

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**From:** Rol Hudler  
**Sent:** Wednesday, November 20, 2019 9:01 AM  
**To:** Nikki Wall  
**Subject:** report to council

### ECONOMIC DEVELOPMENT REPORT FROM ROL

Not a secret anymore that Safeway has purchased the Shopko building from Don Herman.

The building is approximately 8,000 square feet larger than the present building occupied by Safeway. Tentative plans call for the store to have a deli and an instore bakery. There has been some discussion about a possible pharmacy and a Starbucks.

I do not think at this point in time a decision has been made on the pharmacy and Starbucks.

The company has set a target date of May, 2020 for being open. The plan calls for all new equipment, which will be a dramatic change from the present location.

I do not think there is any question that the new store will draw people from a large area. It should be an excellent draw for many years to come.

I do not know if Safeway was able to work out an agreement with 21<sup>st</sup> Century about using their south entrance for unloading merchandise. Jim had talked with Safeway about that possibility as 21<sup>st</sup> Century said they would be more than happy to work with a new Safeway store. Hopefully, that has been completed and they will then be able to unload on the north side of the building rather than the front.

It would be considerably more convenient for Safeway staff and their customers.

In past discussion with Safeway, I have been told they intend to keep a lease on their present building for several years. Obviously, if this is done the sole purpose would be to keep a competitor from coming in and setting up another store for the trade area.

I am going to make an assumption that I certainly have not heard from Safeway. Safeway is owned by Albertson's and Albertson's is controlled by a hedge fund operation. That hedge fund has sold most of their warehouses across the country and then turns around and leases them back. The purpose? It is simply the way that most hedge funds operate. They want that CASH.

So....if after getting moved into the new facility in Burlington, if you hear the store has been sold, do not panic as it is probably because of the above statement about hedge funds.

Anyway....a new Safeway store for Burlington! Great news for us and the people of the surrounding area.

I do not have any additional information about Core Civic as they continue discussions to lease the Kit Carson Correctional Center to another state. I will tell you that have been getting the facility ready....even re-striping the parking lot.

Core Civic is fairly confident they are going to make a deal.

If it does happen, they need approximately 120 days to get it open. This is a statement from Core Civic. I would say they certainly should know but it seems to me that it would take a trace longer.

A Happy Thanksgiving to everyone.



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

## Burlington Activities Department

### November 25, 2019

→ With many of our fall programs being offered throughout the entire school year or year-round, everything is continuing as it has been with martial arts, dance and acro-tumbling. Participant numbers are the same as last month, with around 25 in martial arts, 50 in dance, and 30 in acro-tumbling.

→ Basketball registrations are underway for both traveling (girls & boys in grades 3-6) and our local skills camp, formerly known as Skills-N-Drills, now being called Future Cougars (girls & boys in grades 1-6). Traveling basketball will once again have games mainly on Sunday afternoons in February and March against teams from Stratton, Flagler/Hi-Plains, & Genoa-Hugo. Other games may be scheduled with other area teams if possible. Future Cougars is being sponsored by Duke Energy this year, which allowed us to drastically reduce the registration fee, and will be instructed by Keenan Williams with help from the high school basketball players and the coaches of our traveling youth teams.

→ Youth Council had a successful haunted house. The family-friendly version went well in the afternoon and the night time scary version had another great turnout. After all expenses are paid, it looks like we will make just over \$2,000, which will be a great jump start for the spring fundraiser for the youth council.

These members are also doing other volunteer hours, with the most recent being kids helping with the OHCF fundraiser, setting up and tearing down for their event which is scheduled for Friday, Nov. 22.

→ Breakfast with Santa is schedule for Saturday, Dec. 21<sup>st</sup>, 9am to 12pm. This is a great community event with breakfast cooked by BPD and Jim, and multiple activities for kids of all ages including face painting, train rides, book giveaway, bounce houses, cookie walk, make reindeer food, and more!!

→ Initial plans are underway for us to take on the Father/Daughter dinner & dance. Also working on the possibility of some more winter programs with a possible instructor for arena soccer and gymnastics.

### Community Center

→ Rentals continue to be consistent with several rentals each week and several weekends, including the annual OHCF fundraiser. We also have the annual Craft Fair (Dec. 7) quickly approaching. Registrations from vendors have been coming in, which we are almost full in the big room and will put the overflow of vendors in the lobby and hallways. We also have two big conferences booked in February, with the annual No Till Conference (Feb. 4 & 5) and the every three years CPIA Conference (Feb. 17-19).

→ **Other Activities in the works:** Rentals of Community Center, Father/Daughter dinner/dance, arena soccer, gymnastics, Breakfast with Santa, Craft Fair

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THE  
LIBRARY

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838

CHECKOUTS  
THIS MONTH.

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**12 Programs  
with 122 people  
in November**

Renovating  
shelves and  
repainting the  
library.

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Digital Historical Archive  
is available to the public.

<https://kccarchives.cvlcollections.org/>

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Book store continues  
to generate revenue,  
and will host a large  
sale in December

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## November 2019 City Council Report—Old Town Museum

- Our DOLA grant project for the east end face lift, and west side greenbelt project is nearly complete. Install of gateway arch and text panel bases are complete. This will complete the west side short of additional plants that will have to wait until spring now. Mural for east end is in production, as are the text panel with content.
- November numbers are tracking down slightly, hoping for a busy week with Thanksgiving travelers.
- We are busy stringing Christmas lights all over Old Town, and gearing up for our many events here next month.