



**BURLINGTON CITY COUNCIL  
REGULAR MEETING**  
Community Center  
Recreation Room  
340 S. 14<sup>th</sup> St.  
April 12, 2021 – 6:30 p.m.

## **AGENDA**

- 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.*
  - A. Approval of meeting minutes from March 29, 2021.
- 4. Public comment** (limited to 3 minutes per person)
- 5. Public hearings** – none scheduled
- 6. Unfinished business**
  - A. Adopt Resolution 2021-01 to allow for persons to keep or maintain within the corporate limits of the city, certain fowl, kept for certain educational requirements, for a period not to exceed 14 months at 153 17<sup>th</sup> St.
- 7. New business**
  - A. Chamber of Commerce representative to ask permission to hold summer events at Parmer Park
- 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 coming before Council may be discussed, with decisions to be ratified at a subsequent council meeting.*

**BURLINGTON CITY COUNCIL  
REGULAR MEETING MINUTES  
County of Kit Carson  
State of Colorado  
Burlington Community and Education Center  
340 S. 14th St.  
March 29, 2021  
6:30 p.m.**

**1. Call to order**

Mayor Greg Swiatkowski called the meeting to order at 6:30 p.m.  
The meeting was held in person.

Council members present:

Greg Swiatkowski, Mayor  
Brent Carter, Troy Schultz, Kamron Weisshaar

Council members absent:

Mark Burghart, Melvin Gilley, Adrian Hernandez

Staff/Officials present:

Jim Keehne, Administrator  
Mike Grinnan, City Attorney  
Daniel Melia, Airport

Others present:

Ephrem Gramm

**2. Pledge of Allegiance**

**3. Consent Agenda**

**A. Approval of the March 8, 2021 meeting minutes**

Motion by Weisshaar and second from Carter to approve the March 8, 2021 meeting minutes as presented. Motion passed unanimously.

**4. Public comment – none**

**5. Public hearing – none**

**6. Unfinished Business – none**

**7. New Business**

**A. Ephrem Gramm – consider exception to city ordinance to allow chickens in town**

Motion was made and seconded to approve a one-time variance to allow Ephrem Gramm to raise no more than 10 chickens at 153 17th Street until May 2022 for his educational project. Motion passed unanimously.

**B. Award bid for Lifetime tables and table and chair racks**

Motion from Weisshaar and second from Carter to award bid to Webstaurant for Lifetime tables and table and chair racks. Motion passed unanimously.

**C. Award bid for classroom tables**

Motion by Carter and second from Schultz to award bid to Webstaurant for classroom tables. Motion passed unanimously.

**D. Award bid for baseball/softball scoreboards at middle school**

Motion by Carter and second from Weisshaar to award bid to Nevco Sports, Inc. for baseball/softball scoreboard by middle school. Motion passed unanimously.

**E. Award bid for remote control commercial vacuum for swimming pool**

Motion by Carter and second from Schultz to award bid to CEM for remote control commercial vacuum for swimming pool. Motion passed unanimously.

**F. Award bid for HVAC system at library**

Motion by Schultz and second from Carter to award bid to Plains Heating & Air Conditioning for the HVAC system at the library. Motion passed unanimously.

**G. Discussion on Xcel Energy fuel charge adjustment billing**

No motions were made.

**H. Authorization for mayor's signature on Memorandum of Understanding between city and county for use of community center during emergency events**

Motion by Carter and second from Schultz to authorize mayor's signature on Memorandum of Understanding between city and county for use of community center during emergency events. Motion passed unanimously.

**I. Request from fire department for funding needed for ladder truck equipment**

No motions were made.

**8. Reports from city departments**

Department heads reviewed their reports which were provided in the council packet.

**9. Council member comments**

Schultz indicated there would be a water board meeting Tuesday at the community center.

**10. Adjournment**

With a motion by Schultz and second from Carter, the meeting adjourned at 8:02 p.m.

Motion passed unanimously.

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Greg Swiatkowski, Mayor

ATTEST:

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Georgia Gilley, City Clerk

**RESOLUTION 2021-01**

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

**A RESOLUTION ALLOWING FOR PERSONS TO KEEP OR MAINTAIN WITHIN THE CORPORATE LIMITS OF THE CITY, CERTAIN FOWL, KEPT FOR CERTAIN EDUCATIONAL REQUIREMENTS, FOR A PERIOD NOT TO EXCEED FOURTEEN MONTHS, AT LOCATION IDENTIFIED AS 153 17<sup>TH</sup> STREET, BURLINGTON, COLORADO.**

**WHEREAS,** The City of Burlington has adopted a Municipal Code that prohibits a person from keeping or maintaining within the corporate limits of the City, except in duly licensed livestock sales ring or sale barn, certain animals and fowl, including chickens (Title 6, Chapter 08, Section 010).; and

**WHEREAS,** The City Council has allowed for the keeping and maintaining of certain livestock within the corporate limits of the City outside of licensed livestock sales ring or sale barn, on Burlington School District property, allowing students involved in agricultural based curriculum to meet and exceed educational requirements; and

**WHEREAS,** 153 17<sup>th</sup> Street is within the corporate limits of the City of Burlington; and

**WHEREAS,** Ephrem Gramm, a student at Burlington High School, involved in agricultural based curriculum, residing at 153 17<sup>th</sup> Street, has petitioned the City Council seeking authorization to keep chickens at the aforementioned property; and

**WHEREAS,** Ephrem Gramm has secured support and approval from property owner and property adjacent neighbors to allow for the keeping of chickens; and

**WHEREAS,** the Burlington City Council supports the keeping of no more than ten (10) chickens (Hens) by Ephrem Gramm at his residence, in support of educational goals, for a period not to exceed fourteen (14) months.

**NOW THEREFORE, IT IS RESOLVED** by the City Council of the City of Burlington, Colorado:

**Section 1.** That the City of Burlington supports agricultural based curriculum in the district, and in effort to assist and support student achievement and goals, authorize the keeping of chickens by Ephrem Gramm at 153 17<sup>th</sup> Street, Burlington, Colorado with the following conditions attached:

A. No roosters are authorized to be kept within the corporate limits of the City.

- B. No more than ten (10) chickens (Hens) may be kept at any one time.
- C. All chickens must be continuously supplied with adequate water, food, and shelter.
- D. All chickens shall not be allowed to roam freely, they must be maintained on property.

**Section 2.** That this Resolution shall take effect as of the date of its adoption and expire in 14 months.

**ADOPTED** at Burlington, Colorado, this 12<sup>th</sup> day of April, 2021.

CITY COUNCIL OF BURLINGTON

SIGNED \_\_\_\_\_

Greg Swiatkowski, Mayor

ATTEST \_\_\_\_\_

Georgia Gilley, Clerk

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

**CLERK'S CERTIFICATE**

That I, Georgia Gilley, 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 12<sup>th</sup> day of April, 2021.

DATED this 12<sup>th</sup> day of April, 2021.

\_\_\_\_\_  
Georgia Gilley, City Clerk

[SEAL]



**APRIL 12, 2021**

## **City Administrator's Summary Report**

**March 29 – April 12, 2021**

### **Administration**

- **Currently, we are over one year into the COVID-19 pandemic. I have attached at the end of this report a weekly media release from our Health Department on where Kit Carson County stands with our addressing of the pandemic and the distribution of vaccines. Note that the positivity rate for March 30<sup>th</sup> – April 6<sup>th</sup> is 4.5%, well below the 13% positivity rate for March.**

**Worldwide there have been over 132 million persons infected by the virus, with over 2.8 million reported deaths attributed to the infection. 23.5% (31 million) of all reported cases have occurred in the U.S. which has also reported approximately 560,000 attributable deaths. Colorado has experienced over 473,000 confirmed cases. As of April 7<sup>th</sup>, Kit Carson County has reported 589 positive cases, up 17 cases in the last two weeks, with a mortality rate of eleven persons.**

**On April 6<sup>th</sup>, the State released an updated version of Public Health Orders, which amends the executive order on face coverings, allowing counties in Level Green which includes Kit Carson County to modify or lift face covering requirements. The Board of Commissioners have voted to lift this requirement.**

- **At the last Council meeting, City Council authorized the drafting of a one-time variance authorizing the keeping of chickens within the City limits. The variance would allow for the keeping of no more than 10 chickens and would be specific to a particular property for a determined period of time and only for the purpose of meeting certain educational requirements. Variances are for purposes related to zoning and land use issues. As the restrictions on keeping chickens in the City Limits is an ordinance, a resolution has been drafted authorizing the keeping of chickens for the above stated purposes. This will appear on the Agenda under old business and a copy of the Resolution is attached for your review.**
- **The Burlington Housing Authority met in a special meeting on April 4<sup>th</sup> to approve payroll for the previous couple of weeks and to authorize a voucher submittal to HUD for payment from operating funds from previous year financials. The next scheduled regular meeting is April 13, 2021 where the ACOP is to be approved and the board will establish committees to address property physical conditions, budget development, and staffing compliance.**
- **All departments remain on track with their projects and supporting Gantt Charts have been updated, with changes made to second quarter with dates and times for delivery.**
- **Over the last two weeks crude oil prices have dropped 0.2%. We can expect to see a leveling off here until May when travel season opens up more and there is greater demand for fuel. Expect to see crude prices increase for late spring and summer.**

- The City of Burlington has been made aware of it's eligibility for \$670,000 in funding through the American Rescue Plan Act. Funding will be released in a modified Community Development Block Grant. Currently no dollars are being distributed until state can determine guidelines for projects to be funded. Believe that there may be an opportunity here to provide Fire Department with funding so they can meet equipment needs.
- Secondary to the American Rescue Plan Act may be the opportunity to fund infrastructure projects, where the feds are looking to make substantial investment in infrastructure as a one-time boost to the economy and get people back to work. I will keep you apprised of what is available and guidelines for receiving funding should this bill make it through congress. I have been informed that these funds, if approved, should be used to address big issues and projects and to leverage other funding sources. Once guidelines are released, I will meet with County to determine big projects where we can work together on behalf of all persons in t he County to accomplish bigger issues.
- At the next scheduled meeting, the following will be reviewed:
  - 2021 First Quarter Financials
  - Status of Capital Improvement Projects/Expenditures
  - Review of construction project

## **Operations/Public Works**

- **Water/Wastewater**
  - In process of updating all chlorine gas injected wells to inline hypo chloride injection at the well head. Coordinating efforts with HOA to ensure its tied in to SCADA system.
  - Daily well checks and testing.
  - Daily checks and maintenance at WWTP
  - Lead and Copper sampling was completed
  - Composite testing underway
  - Sanitary Survey preparation underway
  - Updating water main to service area on Webster Avenue
  - Two water operators completed and passed testing for Level B licensure.
  - VFD bid awarded to Daniel Electric, the only bidder on this project. They will provide for purchasing and installing new equipment at blending plant.
- **Parks**
  - Daily cleaning and disinfecting of bathrooms.
  - Preparing to perform power washing of playground equipment at Outback park after which the wood structure will be treated with oil to provide for weather resistance.
  - Shop cleaning and maintenance.
  - Performing maintenance in both Parmer and Outback parks on irrigation system.
  - Troubleshooting irrigation system at ballfields.
  - Fertilizer application of City owned properties to begin this week.

- **Streets**
  - Street sweeping underway.
  - Alley maintenance
  - Pothole repair and maintenance in process.
  - Equipment maintenance
  
- **Electric**

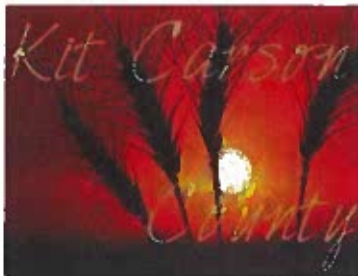
Kevin Penn, one of our newly hired Linemen has announced his resignation from the electric department. Cited his spouse was unable to secure work here so he is changing career paths and moving to Denver. We have hired Zachary Strickland to replace the last lineman who resigned and will now have to begin a new hiring process. Mr. Strickland begins work on April 12<sup>th</sup>.

  - Main Electric completed work on the West Loop, installing new switches in the system allowing for better rerouting of energy during outages on the West loop.
  - Started installing LED lights on Lincoln and Rose. LED lights require less energy, are longer lasting, and brighter. Installation will result in reduction to energy loss and savings to the City.
  - Continuing work with Damien Berger, Electrical Engineer from Atwell on design needed for system review of East Loop to improve system sustainability. Atwell has provided a report on the East loop regarding ongoing outages and provided the electric department with recommendations for improving the system. Recommendations have been added to 2021 electrical goals, and we are in conversation with Main Electric for the installation of more poles to reduce long unsupported stretches of line. Would like to have this work performed with the line energized so as not to disrupt service to businesses in the area.
  - A small outage occurred on 04/06 and 04/07 where blinks occurred. Both blinks occurred during high wind one of which was coupled with a heavy wet snow.
  - Tree trimming began in earnest on Monday, March 22<sup>nd</sup> and was completed April 07<sup>th</sup>. Asplundh Tree Trimming worked very expediently to complete the work in a timely manner. During the work, the City did receive several complaints about the work being performed but the overall community sentiment has been very positive once they realized that work performed was to better maintain or electrical system and providing the City with the ability to provide for consistent and uninterrupted service.
  - On site review of plan to install new switches at the City of Burlington's sub-station was held April 08. This was just a site review to get eyes on the project and to determine the best course of action to accomplish project without incurring outages. Project will not be started until Spring 2022, after going through planning, engineering, permitting and regulatory processes. Present for the on-site visit were City staff, KC Electric staff, Tri-State staff.

## **Intergovernmental/Upcoming Events**

- Main Electric on site April 5-16 to install switches for West Loop sustainability. Additionally, will perform installation of primary poles where there is extreme sag in lines affecting east loop.
- April 8<sup>th</sup>, Tri-State, KC Electric, City of Burlington review of plan to upgrade switching at Sub-Station.
- Community Meeting on Opioid Crisis, Community Center, April 12, 10:30 A.M.
- BHA Regular Board Meeting – April 13, 11:30 A.M.
- Bid Opening for VFD Install at Blending Plant on April 1<sup>st</sup>.
- City Council – Monday, April 26, 2021 – Live at Community Center, 6:30 P.M.
- Management Team Meeting – In Person at Community Building – Wednesdays 2:00 P.M.





**Kit Carson County Department of Public Health and Environment**  
**252 South 14<sup>th</sup> Street**  
**Burlington, CO 80807**  
**719-346-7158, ext. 412**

## **MEDIA RELEASE**

**April 6, 2021**

**Release: IMMEDIATE**

**From: Dawn James, Kit Carson County Department of Public Health and Environment Director, PIO**

### **COVID Data for March 30 – April 6**

COVID infections in Kit Carson County are improving. For the week of March 30 – April 6<sup>th</sup>, 112 people were tested and 5 of those were positive for a weekly positivity rate of 4.5% the best rate the county has had since the early days of the pandemic.

Caution remains the message of the day as we begin to see the light at the end of this very long tunnel. It is still important to remain alert and to use caution when interacting with large crowds in indoor spaces. Using personal responsibility will continue to be our goal for the community for the foreseeable future. The best defense against spreading COVID is good hand washing, covering your nose and mouth with your elbow when you sneeze or cough, avoiding large indoor crowds, spending more time outdoors and staying home from work, social gatherings and school if you don't feel well.

### **COVID Testing Still Advised and an Important Tool for Local Health Officials**

It is still advised to have a COVID test done when symptomatic in order to rule it out as the cause of illness. There are currently other viruses and illnesses circulating in the county that are causing health concerns. Identifying the correct cause of illness will help get you the appropriate treatment for your symptoms and will help stop any spread of COVID. Testing is available at the Kit Carson County Department of Public Health and Environment Monday through Friday.

### **COVID Vaccine Distribution Phase 2 - Began Friday, April 2, 2021**

The COVID Vaccine is now available for *all individuals* age 18 and older for the Moderna and Johnson and Johnson Vaccine and age 16 and older for the Pfizer vaccine. COVID vaccine has not yet been approved for children younger than 16. The Kit Carson County Department of Public Health continues to offer the Moderna COVID Vaccine. KCCDPHE is pleased to announce that the Johnson and Johnson (J & J) COVID Vaccine (one shot only vaccine) was delivered to the health department on April 6, 2021.

## **COVID Vaccine Drive-Thru Clinic is scheduled on Saturday, April 10<sup>th</sup> from 9:00 a.m to 12:00 noon**

KCCDPHE is conducting a Johnson and Johnson COVID Vaccine drive-through clinic on Saturday, April 10<sup>th</sup> from 9:00 to 12:00. The drive thru will be located at the KCCDPHE office located at 252 South 14<sup>th</sup> Street in Burlington, Colorado. Vaccine will be provided on a first-come-first-serve basis to anyone 18 years old or older. KCCDPHE was able to procure 300 doses for this event. If you are interested in receiving the J & J vaccine, please call 719-346-7158, ext. 432 so KCCDPHE has an understanding regarding how much interest there is in it.

## **The State Mobile Vaccine Unit Will Be In Kit Carson County on Tuesday, April 13<sup>th</sup>**

In addition to the drive thru on April 10<sup>th</sup>, the State Health Department is sending its mobile vaccine bus to Seibert at the Seibert Community Center on Tuesday, April 13<sup>th</sup> from 10:00 a.m. to 5:00 p.m. They will have 250 doses of the J & J vaccine on hand. **Reservations are required for the mobile vaccine bus.** Go to the CDPHE Vaccine website, <https://covid19.colorado.gov/>, to sign up for this opportunity. The mobile vaccine bus will only be giving the Johnson and Johnson vaccine.

Vaccine clinics will continue to be held weekly on Wednesdays and Fridays at the health department and on Thursdays at the hospital. Additional clinics in Flagler are also being scheduled on an as needed (by demand) basis. To schedule your appointment go to <https://kitcarsoncounty.colorado.gov/> or call 719-346-7158, ext. 432. Moderna continues to be available by appointment and the Johnson and Johnson vaccine will be made available by appointment after the April 10<sup>th</sup> drive-thru clinic.

## **Kit Carson County is in Level Green on the COVID Dial - 10<sup>th</sup> update released by the Governor on April 6th**

Kit Carson County was moved to Level Green on the COVID Dial last week and the new Version Ten of the State Public Health Order was released on April 6th. The County isn't "COVID Free", but moving in a positive direction.

### **Summary of changes for PHO 20-36 COVID-19 Dial 10<sup>th</sup> Revision:**

- Section I.B: updated to align with **Executive Order D 2021 079**, the amended executive order on face coverings, and made conforming amendments for face coverings throughout the PHO to clarify that the face covering requirements in the PHO apply when required by the executive order.
- Section II.B.2: clarified that 6 feet distancing from non-household members remains required in Level Green, just the capacity restrictions are removed
- Section II.B.2.b: updated to only require unseated, rather than seated, **Indoor Events** to be subject to the 50% capacity limit not to exceed 500 people in Level Green
- Section II.B.2.e: updated to authorize counties in Level Green to modify or lift face covering requirements as authorized in Executive Order D 2021 079.
- Section II.B.2.g: added new paragraph authorizing seated **Indoor Events** in Level Green to operate at 100% capacity with 6 feet distancing, allowing seating

of up to 10 people together including non-household members, and requiring organizers or operators of any such events that exceed 500 people to consult with CDPHE.

- Section II.C.2.k: updated to allow seated **Indoor Events** in Level Blue to seat up to 10 people together including non-household members, and require organizers or operators of any such events that exceed 500 people to consult with CDPHE
- Section III.C.1: updated to include the revisions to the executive order face covering requirements in **Executive Order D 2021 079**
- Section III.J: aligned language to clarify that **Bars** in Level Blue may operate and are not required to sell or provide food
- Appendix H, Section I.A.2.e: removed the prohibition on dance floors and games in **Restaurants and Bars**
- Appendix L, Section I.A.1.b: updated to require transportation to comply with the CDC order on face coverings when using public transportation

For the complete Public Health Order Version 10, go to: <https://covid19.colorado.gov/>.

As a result of PHO Version 10, Governor Polis has turned over the masked mandate to the county's if they are in Green. Kit Carson County has removed the mask mandate since the county is in the Green category.

There may still be regulatory agencies that will continue to require masks for some business including CMS that regulates health care, long term care and assisted living facilities; DORA that regulates salons, spas, dentists, chiropractic and other health professions as well as funeral homes; Colorado Department of Education and CHSAA who regulate school rules, etc.

For questions regarding any of the lifting of restrictions and how they apply to you or your business, call Dawn James, Director of Public Health at 719-346-7158, ext. 412.

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To: City council members  
From: Georgia Gilley, Clerk  
Date: April 12, 2021  
Subject: Clerk's report

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**General office**

With one of our office staff on vacation this past week, I have been learning new tasks while covering at the front desk.

I am taking advantage of upcoming free webinars offered through Caselle, CIRSA and CMCA (clerks association) regarding timekeeping, records management and diversity, equity and inclusivity in the workplace.

**Liquor licensing:**

Chamber of Commerce is planning for summer events at Parmer Park, beginning with Celebration of Summer Saturday, June 19, followed by Red, White and Brew on July 4. Special event permits will be coming in.

No liquor license renewals or new applications have been filed as of the writing of this report.

**Outback Express**

Extending the hours to 7:30 a.m. to 5:30 p.m. has been well received with the riders. One rider indicated the longer hours in the evening allows them to swing by the grocery store after work.

**COVID-19 update**

City employees testing positive since last council meeting: 1 (employee has returned to work)

2021 total to date: 5

2020 total: 9

**Grand total to date: 14**

COVID-19 started affecting city employees at the end of October 2020. A flyer was distributed to department heads to share with staff about the availability of the COVID-19 vaccination for city employees.