



**BURLINGTON CITY COUNCIL
REGULAR MEETING/WORK SESSION**
Community Center
340 S. 14th St., Room A
October 31, 2022
6:30 p.m.

Live public streaming available at
<https://www.burlingtoncolo.com/virtualcouncilmeeting>

AGENDA

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Swear in new council members**
4. **Roll call**
Greg Swiatkowski, Mayor
Lana Mireles
Paul Velasco, Mayor Pro Tem
Hal McNERney
Glen Marciniak
Adrian Hernandez
Troy Schultz
5. **Review and Approve Agenda** (*address revisions*)
6. **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.
Oct. 10, 2022, minutes
7. **Public comment** (*Comment is limited to 3 minutes.*)
8. **Public hearings**
 - A. Application for Special Event Permit liquor license for Our Hometown Charitable Foundation
 - B. APPLICANT POSTPONED HEARING on Corner Market 65 LLC application for new liquor license
9. **Unfinished business**
 - A. Revision to Land Lease Agreement with Burlington Daycare Center Project
10. **New business**
 - A. Approval of Application for renewal of a Hotel & Restaurant liquor license for Chen Vuong Thai Inc.
 - B. Approval of Application for renewal of a Liquor Store license for BLT Liquor Investments LLC dba Burlington Liquors
 - C. Approval of Application for renewal of a Hotel & Restaurant liquor license for Valson's Restaurants, LLC dba The Post Bar and Grill
 - D. Interest in maintaining ownership of railroad spur at Industrial Park
 - E. 2023 Proposed Budget discussion
11. **Reports from city departments**

Administrator – Jim Keehne	Activities – Tyson Weisshaar
Clerk – Georgia Gilley	Old Town – Nikki Wall
Treasurer – Becky Castillo	Library – Nick McCarty-Daniels
Economic Development – Rol Hudler	BPD – Chief Nate Hill
Airport – Daniel Melia	
12. **Council comments**
13. **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., Room A
October 10, 2022
5:00 p.m.**

1. Call to order

Mayor Greg Swiatkowski called the meeting to order at 5:05 p.m.

2. Pledge of Allegiance

3. Roll Call

Council members present:

Greg Swiatkowski, Mayor

Adrian Hernandez

Lana Mireles, arrived at 6:32

Paul Velasco

Troy Schultz

Council members absent: none

Staff/Officials present:

Jim Keehne, Administrator

Others present:

Hal McNerney

Glen Marciniak

4. Review and Approve Agenda

Motion by Schultz and second from Hernandez to approve the agenda as presented.

Motion passed unanimously.

Mireles: Absent

Velasco: Aye

Hernandez: Aye

Schultz: Aye

Swiatkowski: Aye

5. Consent Agenda

Motion by Hernandez and second from Schultz to approve consent agenda, which consisted of the Sept. 26, 2022, minutes.

Motion passed unanimously.

Mireles: Absent

Velasco: Aye

Hernandez: Aye

Schultz: Aye

Swiatkowski: Aye

6. Public comment: None

7. Public hearings: None

8. Unfinished Business – none

9. New Business

A. Appointment of mayor pro tem

Velasco was nominated by Hernandez and second by Schultz to serve as mayor pro tem.

Motion passed unanimously.

Mireles: Absent	Velasco: Aye	Schultz: Aye
Hernandez: Aye	Swiatkowski: Aye	

B. Approval of new mayor pro tem to be added as signator on all city bank account signature cards and to remove Brent Carter as signator from all bank account signature cards.

Motion from Schultz and second by Hernandez remove Brent Carter as signator and approve new mayor pro tem Velasco as signator on all bank accounts.

Motion passed unanimously.

Mireles: Absent	Velasco: Aye	Schultz: Aye
Hernandez: Aye	Swiatkowski: Aye	

C. Approve mayor's signature on Dispatch Service Agreement with Kit Carson County.

Motion by Hernandez and second by Velasco to approve the mayor's signature on Dispatch Service Agreement with Kit Carson County.

Motion passed unanimously.

Mireles: Absent	Velasco: Aye	Schultz: Aye
Hernandez: Aye	Swiatkowski: Aye	

D. Review and discuss candidate letters of intent/resumes received to fill two council seat vacancies

Keehne introduced each applicant and asked council to read letters of intent/resumes. One for Hal McNerney to serve 3.5 years and one for Glen Marciniak to serve 1.5 years.

Motion by Schultz and second from Hernandez to approve letters of intent/resumes for vacant council seats.

Motion passed unanimously.

Mireles: Absent	Velasco: Aye	Schultz: Aye
Hernandez: Aye	Swiatkowski: Aye	

10. Reports from city departments

Administrator-Jim Keehne Clerk-Georgia Gilley, Absent

Council took a break for dinner and reconvened at 6:15 p.m. for the work session.

WORK SESSION

A. Proposed 2023 Budget

Keehne gave an overview of all aspects of the proposed 2023 Budget.

11. Council comments

12. Adjournment

With a motion by McNerney, a second from Hernandez, and a unanimous vote, the meeting adjourned at 10:02 p.m.

Greg Swiatkowski, Mayor

ATTEST:

Georgia Gilley, City Clerk

DRAFT



October 31, 2022

City Administrator's Summary Report

October 10 - 31, 2022

Administration

- **1% Sales Tax – Streets only**

Basis Partners is completing the engineering for the concrete design for the intersection in the Industrial Park. Project has not been put out to bid as of yet though we continue to monitor closely and work with Basis to move forward on this project. We have confidence that the work to be performed will stay local and future work to be performed will stay as local as possible. Currently, basis has provided us with fee structure to perform the engineering and project management aspect of Industrial Park Project and performing street analysis at priority areas in the community.

- **2023 Budget Development**

After last meetings draft budget introduction, the budget was reviewed and corrections made. At this weeks meeting, a new draft budget will be provided for your review and discussion. It is important that council engage in these discussions as we truly begin our process for mapping out the future and setting priorities for the city, not only for 2023 but beyond. Information received will be addressed and placed or removed from the budget as determined by council. This work will be done before the public hearing scheduled for November 14th. Additional changes can be made after that but must be completed before year end when funds must be appropriated.

- **Burlington Child Care Center**

Since the Burlington Child Care Center Board received and signed off on the Land Lease Agreement, they have been pursuing funding opportunities through grants and loans, having discovered that without ownership of the property they have been unable to secure grants and loans to secure their vision of opening a Childcare facility in Burlington.

Question: Would the City be interested in deeding the land to the Burlington Childcare Center Project? If so, what would the terms and conditions be?

The need for this type of facility in Burlington is obvious. Should the City be interested in deeding the property for this purpose, we would need to draft such an agreement whose language would include that the property could not be offered for sale, or encumbered in anyway. Once the property ceased to be used for childcare by the existing non-profit, the land and all structures would revert back to the city. Just some thoughts and ideas to mull over as we discuss further on Monday night.

- **Rail Spur discussion**

The city has been approached with the idea of a private entity acquiring the rail spur, a 3,588 linear feet of track currently owned and maintained by the city located in the Industrial Park area of the city. The city conducts no operations on the track and currently the spur services only one entity. No funds are collected by the city for the track though the city did experience a large capital outlay (partially grant funded) in 1986 when the spur was developed.

Existing agreements are in place with Kyle Railroad and the city to maintain, operate and insure the track that would become a concern for potential buyers.

- **Ongoing projects**
 - Development of process for feral cat applications and permits
 - Property abatement – 474 Main Street
 - Building site development (Carousel Court)
 - Budget updates

Operations/Public Works

- **Water/Wastewater**
 - Daily well checks and testing.
 - Daily checks and maintenance at WWTP
 - Annual audit for water and wastewater is in process
 - Well 4, 100 block 17th Street, has seen nitrate rates climbing and approaching the 10 MCL level. The well is being monitored daily and experiencing line flushing to reduce nitrate levels. The well is a direct conduit to our distribution system, so valves have been closed until we can work with state to identify a solution to this issue. For future capital planning, we will be looking towards acquiring additional wells to convert to municipal use that will go to blending plant prior to system distribution. Since last meeting, nitrate levels at Well 4 have been steadily rising, approaching the MCL. The well has been temporarily shut down to protect public interests and our water supply. Dialoguing with state on work around and to keep them properly informed. The state has recommended that the well be placed in standby mode for the winter, then to have the casing cleaned and then retest nitrate levels. Often times well that sit idle will have nitrate levels return to normal.
 - Influent meter has been changed at WWTP, and hydrant maintenance and repair is taking place.
- **Parks**
 - Maintenance of facilities and equipment
 - Mowing has been completed for the season
 - Weed abatement in parks
 - Winterizing systems has been completed
 - Replaced door at Parmer Park bathroom, damaged due to vandalism.
 - Installation of vandal proof fixtures in South Parmer Park bathrooms in process.
- **Streets**
 - Alley maintenance.
 - Pothole repair and maintenance in process.
 - Equipment service and maintenance.
 - Street sweeping taking place daily
- **Electric**
 - Permits from railroad to cross their track with west loop and to run underground parallel to track have been received from the railroad. Currently working with Damian Berger (Atwell) our electric system engineer and Corey Coker (Main Electric) our contractor to identify date for when to begin work. Both Berger and Coker are aware that this needs to be completed before the snow flies. Atwell, in conjunction

with Northwinds Surveys is performing the staking process for the underground line. Will get junction box set prior to Main Electric arrival to speed up process.

- Also working with Atwell to plan and schedule work to be performed at Light Plant regarding upgrading the re-closers, allowing for work arounds with our system to repair and maintain lines. Hopefully can get this project underway before year end so that funds needed for project can be spent this year, otherwise this will be a part of next year's capital plan.
- Atwell will be performing engineering for placing south loop to underground. The engineering will be performed in 2023 with placement to underground taking place in 2024. This is being done to protect our most exposed circuit from high winds and damaging weather events.
- Street light repair
- Pole Replacement
- In process of hiring additional linemen to strengthen our team and provide for better energy service and line maintenance.

Intergovernmental/Upcoming Events

- Management Team Meeting – In Person at Community Building – Wednesdays 2:00 P.M.
- Burlington Housing Authority Regular Meeting – Wednesday, November 2nd, 11:30 A.M
- Council Meeting – Monday, October 31, 2022, 5:00 PM
 - Fiscal year 2023 draft budget discussion
- Council meeting – November 14, 2022, 6:30 PM
 - FY 2023 Budget – Public Hearing



To: City council members
From: Georgia Gilley, Clerk
Date: Oct. 31, 2022
Subject: Clerk's report to Council

Public Hearings

Our Hometown Charitable Foundation (OHCF) applied for a special events permit for an event Nov. 19 at The Midway Theater. Notice for public hearing has been posted for 10 days, and the public hearing is on the agenda. OHCF has applied for numerous special permits in the past and have not had any incidents with the permits. Staff recommends approving the one-day permit.

Official for Corner Market 65 LLC, dba Corner Market, located at 415 S. Lincoln St., asked for a postponement for the public hearing due to that fact they could not have an attorney present for the public hearing. It will be rescheduled for Nov. 14.

Liquor licenses renewals

Applications for liquor license renewals have been submitted by the following:

Chen Vuong Thai Inc.
BLT Liquor Investments LLC dba Burlington Liquors
Valson's Restaurants, LLC dba The Post Bar and Grill

There have been no incidents at any of these establishments. Staff recommends council approve renewal of these licenses.



To: City Council
From: Becky Castillo, City Treasurer
Date: 10/27/2022
Re: Treasurer's Report

- Utility meters are physically read and billed monthly. If a customer pays their utility bill after the 15th the penalty assessed is 10% of the account unpaid balance. Shut off occurs on the 25th or next business day if it falls on a weekend or holiday and has an additional penalty of \$70. This month we had 13 on the shut off list due to non-payment.
- COVID-19 precautions have been lifted at City Hall. We have hand sanitizer and masks available for anyone that would like them. To help prevent the spread of germs all utility payments can still be made online through Xpress bill pay or by dropping off payments in the night drop box at the front of City Hall.
- Process payroll on a bi-weekly basis, payroll taxes, and monthly Utility and Airport Sales tax. Process Quarterly 941 and SUTA payroll tax reports.
- Process accounts payable weekly.
- I have updated all employee records to current worker's comp categories that they are using. We had an audit of records and found out we needed to update some of the position categories we have.
- Lorraine came out mid-month and we were able to work through a few more things with the bank rec. I have gained a little bit more knowledge and have some research and changes to try to simplify our credit card process on the back side of things.
- The investment we took from a CD and moved to Colo Trust has been set up for slightly over a month now. As of today, the 27th, we have earned \$294.53 in interest. We are currently earning 3.2% and raising daily.
- Outback Bus has 2 part time drivers and is working out well. The riders are ready for the new upcoming bus that we will be getting the latter part of next year. We will re-evaluate a 3rd driver if/when the need arises.

ECONOMIC DEVELOPMENT REPORT FROM ROL

I am assuming that the opening of the new Safeway store will draw a huge crowd as I am getting five or six calls a day asking when it will be open.

I am sure you now have information about the opening; however, in case you do not it is scheduled for Tuesday, November 2. I believe grand opening festivities begin at 8 a.m.

Store hours for the new facility are tentatively set for 6 a.m. to 10 p.m. seven days a week.

If you have not had an opportunity to see the new store, I would highly recommend you attend the grand opening. It is a fantastic addition to our community and will draw many, many people from a 60-mile radius.

On the discussion table are several projects that, when they become a reality, will make a huge impact on Burlington.

We do feel quite positive about the proposals and look forward to completion of them.

We have been talking to several parties who have indicated plans are being developed and hope to begin construction in the spring. Obviously, they will have to annex the property after it is purchased. City Administrator Jim Keehne has been in conversations with them in regard to the annexation process.

I met last week with the owners of the property along with Public Works Director Mike Konecne. Mike came on board to answer several questions about water and sewer. He came to the meeting on very short notice and was extremely helpful in answering their questions.

I have had several discussions with another group that has shown an interest in possibly purchasing the Kit Carson Correctional Center. This is strictly in the thinking stage; however, it is the first time we have had an inquiry of this nature.

Keep in mind, we do not know if Core Civic has any interest in selling the private prison complex in Burlington.

I would assume that any decision made by Core Civic depends on what they anticipate the federal and state governments do in regard to crime.

If the Republicans win back the House and the Senate, I would assume there would be more need for prisons. Strictly a guess on my part.

I am unable to tell you at this point in time what new businesses may be coming to Burlington or anything else about the private prison.

It is necessary, at this point in time, to keep all discussions confidential between the parties, Jim and myself.

Nothing is for certain until you see dirt moving.

In closing....Happy Halloween!



14111 US Highway 385 - Burlington CO 80807 - 719.346.5352

Council Report 10.31.2022

- Working on a Letter of agreement with the FAA to work closer during bad weather to provide quicker notification of runway conditions and closures.
- Sent the application to receive a flight simulator from CDOT Aeronautics. They will announce recipients at the December board meeting
- Hosted the Bethune school for aviation day. We had a great time teaching around 75 kids about aviation.
- Zach and I are participating in the Trunk or Treat for the airport.

September 2021 Fuel

Total- 3,087.06 Gallons

Avgas- 125.06 gallons

Jet fuel- 2,962.00 Gallons

Gross sales- \$ 10,832.13

September 2022 Fuel

Total- 2,459.96 Gallons

Avgas- 660.52 Gallons

Jet fuel- 1,799.44 Gallons

Gross sales- \$ 14,500.67



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Burlington Activities Department

October 24, 2022

→ NFL Flag Football league wrapped up with a league tournament over the weekend of October 14-16. We also were able to schedule games with the top 2 teams from Wray in both the 1st/2nd and 3rd/4th divisions. Wray doesn't offer flag football for 5th/6th division, or we would have had games for that group as well. The games with the teams from the Wray league were held here in Burlington on October 22nd. It was a great experience for everyone and there was quite the crowd on hand to watch some great flag football games. This program would not have been possible without the parents who volunteered to coach, or without the help of Coach Jon Bailey and the high school football players who helped officiate all the games.

→ Martial Arts continues to operate on a monthly registration fee but has moved back to meeting twice a week (Monday evenings and Saturday mornings) now that school is back in session. There are 33 participants currently. We anticipate a few new participants now that summer is over. We continue to search for a permanent home for them as they are beginning to have some students move up in rank and are needing a place to have more equipment, but with all the programs and rentals we have in the rec room, we just don't have a permanent place for this program yet.

→ Soul Steppin' Studios once again has a great turnout of dancers! We have 60 participants in the program for this school year. Class is held on Thursdays at the community center in the rec room.

→ We currently are taking registrations for the Future Cougars Basketball Skills Camp for girls and boys in grades 1st through 6th. The 1st/2nd grade kids will be a 2-day camp (Nov. 11 & 18) at BMS and will be co-ed. For the 3rd through 6th grades, boys will be at BHS and girls at BMS for a 4-day camp (Nov. 11, 12, 18 & 19). The high school basketball head coaches (Coach Keenan Williams – girls, Coach David Norton – boys) will be instructing the camps along with the high school players. We had a good turnout of participants last year and look to have even stronger numbers this year. Shortly after the camp gets started, we will begin registrations for the team basketball for 1st/2nd grades (intramural co-ed league), 3rd/4th grades and 5th/6th (traveling leagues for girls and boys).

→ The softball field renovation is complete! They finished back on Sept. 22 and the BHS softball team was able to play their homecoming game on Oct. 7th. The fields look really good and we are excited to get back on them next spring/summer!

→ We are working on the funding to have essentially the same thing done at Merchant's Park next summer. The estimated cost for this field to get renovated is roughly \$100,000. Currently, the Rotary Club is going to donate \$40,000 and then Our Hometown Charitable Foundation has pledged \$25,000. OHCF is hosting a fundraiser on Nov. 19 called Merchant's Comedy Night down at the theater. Tickets are currently being sold by high school baseball/softball players for \$50 each. There will be a cash bar and concessions available beginning at 6pm with the show beginning at 7pm. Hopefully we can sell out and fill the theater!

I have also talked with the school board about the school potentially partnering on this project and matching the city with \$17,500, which would give us the total of the estimated cost of the project. Will hopefully hear back from the school board in November.

→ Youth Council is working on the annual haunted house. We had almost 24 members go to Elitch Gardens on Oct. 23 to get a behind the scenes tour of the haunted houses that they put on to hopefully gain some great ideas and insight for our haunted house. We began building our haunted house on Monday, Oct. 24 and will have it ready to go by Saturday, Oct. 29. We will run a “family-friendly” version 3-5pm in conjunction with Old Town Ghost Town. We will also operate that evening 7-9pm and have a “scary” version. Admission is \$5 per person and can receive \$1 off for a non-perishable food item that will be donated to our local food bank. We will then tear down on Sunday, Oct. 30 at 1pm and then have youth council members go around town for a couple of hours doing a program called Trick-or-Treat So Kids Can Eat. They are collecting non-perishable food items to donate with the cans we get from the haunted house with a goal of donating at least 500 pounds of food. Last year we donated almost 350 pounds, so looking to improve on that!

→ Tumbleweed Gymnastics from Colby with instructor Katrina Sullivan is currently in the middle of a 4-session fall gymnastics program held here at the community center. She has two dates left (Oct. 28 and Nov. 4) and has 46 participants registered. We had her come over this summer for a two-day camp. With the turnout we had there, she was able to work out a schedule for this fall session. Hopefully we will be able to schedule a winter session with her as well.

→ The community center continues to be busy with several rentals. We are still looking to hire a custodian/maintenance person. Even though we are shorthanded, we have been able to keep up with everything. Hopefully we will get someone on staff soon. We have several big events approaching (Gift Gala, Craft Fair, and Breakfast with Santa) that would be great to be back to full staff for.

→ **Other Activities in the works:** Rentals of Community Center, Pickleball, Youth Council, Tumbleweed Gymnastics, Future Cougars Basketball Camp, Basketball for grades 1st through 6th, Gift Gala, Craft Fair, Breakfast with Santa, No Till Conference

October 2022 City Council Report—Old Town Museum

- Old Town Ghost Town will be October 29th from 3pm-5pm. We have received some very generous donations of cash and candy to help us produce the event. The weather looks to be nice, so we anticipate about 500 kids to attend.
- We are also making plans for our annual Winter Wonderlights event. Our plan is to start stringing lights in the next or two as weather allows. Revenue from Pioneer Days will be used to purchase additional lights/attractions, and supplies for the event. Winter Wonderlights will kick off on December 10th. Our dates for this season are Dec 10th, 15-17, 20-23 with operating hours of 5pm-9pm. We will have Santa on 4 nights, the Hitchcock train, a live nativity scene, and horse drawn wagon rides in addition to our refreshments, carolers, decorated trees in each building and 80,000+ lights throughout the grounds. Whew!
- Russell has been working on re-mudding the sod house. It has turned into quite the chore and the cooler temps aren't helping matters. We hope to get it totally finished before the snow flies.
- I have been working with GMS Consulting on the bid specs for our buildings that were damaged in the hail storm. This is of course an opportunity to make much needed repairs to several buildings that we otherwise would not have been able to do financially. Work will take place throughout the 2023 year.

The Library

10/31/22

- Grants
 - ELO Grant- \$3,000
 - Zoom meeting on November 1st
 - SIPA Grant- \$3,000
 - Waiting on Check
 - Seeking Grants for digitizing historical newspapers
- Programs
 - Continue to offer six regular programs weekly
 - History Day on October 26th (Shoot Out at the OK Corral)
 - History and Donuts- 3rd Thursday, seek to identify people in old photos
 - Book Signing for local author on November 3rd
- Participated in Trunk-or-Treat
- Historical Archive continues to grow and garner interest in the community

Checkouts: 1039

Visits: 1136

Programs: 25 for 229 people

Nick McCarty-Daniels

**Burlington Police Department
Council Report
October 31, 2022**

- The Burlington Police Department has continued working with the schools to revamp their safety plans.

- The Burlington Police Department held our Faith and Blue event. We had several families there and a good time was had by everyone. We'd like to thank Pastor Bill Verguitz for his assistance and participation in this year's event. We were really happy with how it all turned out.

- Burlington Police Department held our annual dog vaccination clinic. We had a good turn out and got several dogs vaccinated at a fraction of the regular price. As always a big thank you to Vondy and Powell Veterinary for their help with that!

- As part of the Eastern Colorado Investigative task force, Burlington Police Department was recently called to assist with a suspected homicide which occurred in Washington County. This is an ongoing investigation.

- Burlington Police Department was pleased to participate in Trunk or Treat again this year.