

Hillsboro, Kansas  
December 18, 2018

1. The city council met in special session on Tuesday, December 18, 2018 at 6:00 p.m. in council chambers with Mayor Lou Thurston, and Council members David Loewen, Byron McCarty, Jonah Gehring, and Brent Driggers present.
2. Others Present: Anthony Roy, Economic Development Director; Ben Steketee, Fire Chief/Building Inspector; Jackie Kent; Cindy Reeh; Diane Novak, Randy Dallke, and Kent Becker, Marion County Commissioners; Dale Dalke, Street Superintendent; Dr. Michael Reeh; Dick & Carla Hein, Owners of 312 W. Grand; Kevin Bartel; Renee Gilkey; JoAnn Knaak; Mike Beneke; Jesse Hamm; Peter Mungai, Salem Home; Patty Decker, Hillsboro Free Press; Tom Koslowsky; Josh Boehm, City Attorney; Larry Paine; City Administrator; and, Jan Meisinger, City Clerk.
3. **CALL TO ORDER** – Mayor Lou Thurston called the meeting to order at 6:01 p.m. and welcomed the guests present.
4. **PUBLIC COMMENTS** – County Commissioner Randy Dallke said they were having a meeting at 9:00 a.m. Thursday morning to divide the county into 5 districts. He said they would welcome new ideas and wanted to hear how Hillsboro felt. Mayor Thurston said he had heard on the street that Hillsboro was going to adjust our wards – that is not true, we do not have any plans to do that. Mayor Thurston shared copies of a map with the county divided into 5 districts that he said he was happy with.
5. **MINUTES** – Motion was made by Council member Driggers and seconded by Council member Loewen to approve the minutes of the 12-4-18 regular meeting as printed. Motion carried unanimously.
6. **VOUCHERS** – Motion was made by Council member McCarty and seconded by Council member Driggers to approve the vouchers in the amount of \$500,243.17. Motion carried unanimously.
7. **PUBLIC HEARING – 312 WEST GRAND** – At 6:07 p.m., council recessed into a public hearing regarding the condition of the private residence at 312 West Grand. The original 12-4-18 public hearing was recessed at the request of the property owner’s attorney until today. Ben Steketee, City Building Inspector, said there were 10 items that needed to be corrected in his report submitted 1-31-18. To date, four items have been completed. Some others are in the process of being completed. Property Owner Dick Hein said the property stands as is. He said he would be doing the repairs; and, Mr. Schafer has been paid for the work he did. Mr. Hein has had surgery, due to a work comp claim, and has not been released by the doctor. His next appointment is in four weeks. Because of this, he could not give council a date as to when the repairs could be completed. Neighbors expressed concerns about the safety of this property.

The public hearing closed at 6:18 p.m. and the special council meeting resumed.

City Attorney Boehm said council had three options:

1. Find the structure not unsafe.
2. Ask for a resolution declaring the structure unsafe and dangerous.
3. Table vote on resolution until a future meeting date and time.

After further discussion, the final motion was made by Council member McCarty and seconded by Council member Gehring to pass a resolution declaring the structure (at 312 W. Grand) to be unsafe and dangerous, and allow eight weeks for the property owner to show progress on the six remaining items that need to be addressed. Motion carried unanimously.

**8. PUBLIC HEARING 2018 BUDGET AMENDMENT** – At 6:30 p.m., council recessed into a public hearing for amending the 2018 budget. The amendment is as follows:

<u>Fund</u>	<u>2018 Budget Expenditures</u>	<u>2018 Amended Expenditures</u>
106 Airport Revolving	\$ 10,600.00	\$ 13,000.00
216 Municipal Court	\$ 14,500.00	\$ 23,000.00
300 Equipment Reserve	\$ 75,660.00	\$ 110,000.00
440 HCMC PP & Equip	\$ -	\$ 175,000.00
458 PBC FAC 2005 P&I	\$ -	\$ 362,317.00
460 Street Improv Proj	\$ -	\$ 686,921.00
462 Wtr Improv Proj	\$ -	\$ 345,066.00
620 Refuse Utility	\$ 237,490.00	\$ 347,600.00
622 Meter Deposits Active	\$ -	\$ 1,500.00
	\$ 338,250.00	\$ 2,064,404.00

City Administrator Paine explained why each fund was being amended. A large part of the amendment is because of the street and water projects. No public comments were received.

The public hearing closed at 6:35 p.m. and the special council meeting resumed.

Motion was made by Council member McCarty and seconded by Council member Driggers to approve the 2018 budget amendment as printed. Motion carried unanimously.

**9. TRASH & RECYCLING CONTAINER PURCHASE** – Dale Dalke submitted a report, that was included in the council packets, about trash containers, recycling containers, and trash dumpsters. Because we are going to a one-person department, we will probably have a lot of experimenting to do. Our goal is to provide good service and a better level of service than what we would get if the service was contracted out. His idea is to pick up residential trash once per week and recycling once every other week. Our hope is that we increase our recycling. Dale said he would welcome ideas and suggestions. The next step is to go out for bids for the containers. There are several vendors that will be contacted.

**10. SALEM HOME LOT SPLIT** – We have the documents for the lot split for Salem Home and the old hospital. There are three documents that will cause the lot split to be completed:

1. Resolution 2018-08 that authorizes the city to submit the application to the planning commission.
2. The Declaration of easements, covenants, condition and restrictions.
3. The lot split application.

The council must approve the resolution to initiate the process. The planning commission meeting will probably be sometime in January. Motion was made by Council member McCarty and seconded by Council member Driggers to approve Resolution 2018-08 – (A RESOLUTION OF THE CITY OF HILLSBORO, KANSAS APPROVING APPLICATION FOR A LOT SPLIT OF CERTAIN CITY “OWNED” PROPERTY; APPROVING THE DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS, AND AUTHORIZING THE LOT SPLIT OF LOT 2, BLOCK 6, COUNTY CLERK’S TENTH HILLSBORO PLAT). Council was polled with the following vote: Council member Loewen, yes; McCarty, yes; Gehring, yes; Driggers, yes. Motion carried unanimously.

**11. PBC MEETING – 2018 TAXES AND EBH INVOICE** – At 6:55 p.m., council recessed into a Public Building Commission meeting to approve invoices relating to the old hospital building. The meeting adjourned at 6:59 p.m. and the special city council meeting resumed.

**12. ELCON INVOICES** – Motion was made by Council member McCarty and seconded by Council member Driggers to approve Invoice #11188 in the amount of \$237.75; and, Invoice #11195 in the amount of \$50.93. Motion was made by Council member McCarty and seconded by Council member Driggers to approve payment of these two invoices. Vote: Council members Loewen, McCarty, and Driggers, yes; Council member Gehring, abstained. Motion carried.

**13. BOARD APPOINTMENTS** – none

**14. CITY ADMINISTRATOR’S REPORT** –

*Dashboard* – City Administrator Paine reviewed the city’s financial dashboard as of 11-30-18. Some of the funds listed will be amended as per action taken earlier in the meeting.

Meeting 3-7-19 – There will be an Incident Command class (weather related) on March 7, 2019 at City Hall from 6:30 – 10:00 p.m. This will be for the governing body and department heads.

**15. EXECUTIVE SESSION** – Motion was made by Council member Loewen and seconded by Council member Driggers to recess into executive session to discuss the following subject, legal questions regarding breach of contract, the justification of such motion is for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship, K.S.A. 75-4319(b)(2) to include City Administrator Paine and Economic Development Director Anthony Roy. The open meeting will resume in the council room at 7:37 p.m. Motion carried unanimously. At 7:37 p.m., motion was made by Council member Gehring and seconded by Council member Driggers to extend the executive session until 7:55 p.m. Motion carried unanimously. The council meeting resumed at 7:55 p.m. No action was taken.

Dr. Reeh – Mayor Thurston thanked Dr. Reeh for selling the lots back to the city for the community plaza/splash pad. He also thanked him for his service as a physician for our community. Dr. Reeh told council that he has filed papers to start a Marion County Community Health Center. It will be a non-profit organization focusing on low-income patients. It would receive federal funding from grants for the cost of treatment of patients who are given discounts for low income. He said they would be interested in leasing a building rather than building a facility. They must have an emergency department and all patients must be treated whether or not they have the ability to pay for treatment. There must be a sliding fee schedule from no charge to full price for people who earn double the poverty level and above.

**16. ADJOURNMENT** – Council meeting adjourned at 8:03 p.m.

\_\_\_\_\_/s/\_\_\_\_\_  
LOUIS THURSTON, MAYOR

ATTEST:

\_\_\_\_\_/s/\_\_\_\_\_  
JANICE K. MEISINGER, CITY CLERK