

Hillsboro, Kansas  
December 4, 2019

1. The city council met in regular session on Tuesday, December 3, 2019 at 4:00 p.m. in council chambers with Mayor Lou Thurston and Council members Byron McCarty, Renee Gehring, and Brent Driggers present. Absent: Council member David Loewen.

2. Others Present: Logan Oborny, Ava Weisbeck, Faith Dalke, Callie Arnold, Hillsboro High School Students; Dan Kinning, Chief of Police; Jim Hefley, 301 Floral Drive; Anthony Roy, Economic Development Director; Josh Boehm, City Attorney; Larry Paine, City Administrator; and, Jan Meisinger, City Clerk.

**3. CALL TO ORDER** – Mayor Thurston called the meeting to order at 4:05 p.m.

**4. PUBLIC COMMENTS** – Mayor Thurston welcomed the Hillsboro High School students who were in attendance.

Mayor Thurston thanked Police Chief Kinning and his officers, the highway patrol, McPherson County Sheriff's officers, and everyone who helped apprehend the armed suspect who ended up in Hillsboro yesterday. He felt they did a super job diffusing a situation that could have gone deadly very quickly.

**5. MINUTES** – Motion was made by Council member Driggers and seconded by Council member McCarty to approve the minutes of the 11-19-19 regular meeting as submitted. 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 \$618,960.29. Motion carried unanimously.

**7. HETT CONSTRUCTION – PAY ESTIMATE #6** – Motion was made by Council member McCarty and seconded by Council member Driggers to approve Pay Estimate #6 to Hett Construction, for work on Washington Street, in the amount of \$143,839.69. Motion carried unanimously.

**8. VOGTS PARGA – PAY ESTIMATE #5** – Motion was made by Council member McCarty and seconded by Council member Gehring to approve Pay Estimate #5 to Vogts Parga, for work on waterline street improvements, in the amount of \$871.04. Motion carried unanimously.

**9. REIMBURSEMENT #16 – KDHE WATER IMPROVEMENTS** – Reimbursement #16 includes: EBH Invoice \$36,330.80 and Pay Estimate #2 to Goins Enterprises, Inc \$89,257.66 for a total of \$107,179.88. Motion was made by Council member McCarty and seconded by Council member Gehring to approve Pay Request #16 to KDHE in the amount of \$107,179.88. Motion carried unanimously.

**10. ELCON INVOICES** – Motion was made by Council member Driggers and seconded by Council member McCarty to pay invoices 11799 and 11804 to Elcon Services, Inc for a total amount of \$241.13. Vote: Council member Driggers and McCarty, yes; Council member Gehring, abstained. Motion carried.

**11. EBH INVOICE 12294 – STREET IMPROVEMENTS** – Motion was made by Council member McCarty and seconded by Council member Driggers to approve Invoice 12294, to EBH & Associates for

professional services regarding street improvements, in the amount of \$17,741.53. Motion carried unanimously.

**12. REVISED ORDINANCE FOR CEREAL MALT BEVERAGES (#1304)** – As city staff began to implement CMB Ordinance #1297, we discovered a few problems with the ordinance. After speaking with an attorney at the League of Municipalities, we discovered that they had revised the ordinance we passed in March. We used the new LKM ordinance with a few changes outlined below:

- 1) Removed any reference to a city health officer – These inspections will be done by the city fire chief.
- 2) Removed any reference to a city-county health department – Our county health department does not do these kinds of inspections.
- 3) Removed the requirement that new applicants attend city council meetings – This isn't something that has been done in the past.

City Attorney Boehm said the ordinance would become effective 1-1-20. Motion was made by Council member Driggers and seconded by Council member McCarty to approve Ordinance No. 1304 – (*AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 1297 OF THE CITY OF HILLSBORO, KANSAS REGULATING THE SALE OF CEREAL MALT BEVERAGE OR BEER CONTAINING NOT MORE THAN 6% ALCOHOL BY VOLUME WITHIN THE CITY OF HILLSBORO, KANSAS*). Council was polled with the following vote: Council member McCarty, yes; Council member Gehring, yes; Council member Driggers, yes. Motion carried unanimously.

**13. PBC MEETING – INVOICE FROM TWG & 1<sup>ST</sup> HALF TAXES – OLD HOSPITAL** – At 4:26 p.m., council recessed into a Public Building Commission meeting to approve an invoice from Triplett Woolf Garretson and to approve 1<sup>st</sup> half taxes on old hospital. The meeting adjourned at 4:29 p.m. and the regular council meeting resumed.

**14. ORDINANCE 1305 – 2019 STANDARD TRAFFIC ORDINANCE** – Motion was made by Council member McCarty and seconded by Council member Driggers to approve Ordinance 1305 – (*AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF HILLSBORO, KANSAS, INCORPORATING BY REFERENCE THE “2019 STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES”, 47<sup>th</sup> EDITION; PROVIDING CERTAIN PENALTIES; REPEALING SECTION 16-101 OF THE CODE OF THE CITY OF HILLSBORO, KANSAS, PERTAINING TO THE 2018 EDITION OF THE STANDARD TRAFFIC ORDINANCE; REPEALING ORDINANCE NO. 1292; AND CONFIRMING ALL OTHER PROVISIONS OF CHAPTER XVI OF SAID CODE OF THE CITY OF HILLSBORO*). Council was polled with the following vote: Council member McCarty, yes; Council member Gehring, yes; Council member Driggers, yes. Motion carried unanimously.

**15. ORDINANCE 1306 - 2019 UNIFORM PUBLIC OFFENSE CODE** – Motion was made by Council member McCarty and seconded by Council member Driggers to approve Ordinance 1306 – (*AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF HILLSBORO, KANSAS; INCORPORATING BY REFERENCE THE “2019 UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES” 35<sup>TH</sup> EDITION; REPEALING SECTION 12-101 OF THE CODE OF THE CITY OF HILLSBORO, KANSAS; REPEALING ORDINANCE 1293; AND CONFIRMING ALL OTHER PROVISIONS OF CHAPTER XII OF SAID CODE*). Council was polled with the following vote: Council member McCarty, yes; Council member Gehring, yes; Council member Driggers, yes. Motion carried unanimously.

**16. 2019 BUDGET AMENDMENT** – Three funds will need to be amended:

Special Law	Expenditures \$25,570	Proposed Budget \$55,261
Tax Increment	Expenditures \$30,380	Proposed Budget \$37,285
Active Meter Deposits	Expenditures -0-	Proposed Budget \$1,300

Motion was made by Council member Driggers and seconded by Council member McCarty to approve holding the hearing for the 2019 budget amendment on Monday, December 23<sup>rd</sup> at 4:00 p.m. Motion carried unanimously.

**17. STRATEGIC PLAN** – Motion was made by Council member McCarty and seconded by Council member Driggers to approve the Strategic Plan on January 16 and 17 (1/2 day) at an estimated cost of \$8,500.00. Motion carried unanimously.

**18. PROPOSAL FOR POLICE VEHICLE** – Motion was made by Council member McCarty and seconded by Council member Driggers to approve the purchase of a 2020 Ford Explorer for the Police Department. Cost after trade-in - \$29,925.00. This will be set up as a lease purchase. Motion carried unanimously.

**19. BOARD APPOINTMENTS** – none

**20. CITY ADMINISTRATOR’S REPORT** – City Administrator Paine gave an update on the progress of the different street projects.

**21. ADJOURNMENT** – Council meeting adjourned at 5:03 p.m.

\_\_\_\_\_  
/s/  
LOUS THURSTON, MAYOR

ATTEST:

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