

Hillsboro, Kansas
March 5, 2019

1. The city council met in regular session on Tuesday, March 5, 2019 at 4:00 p.m. in council chambers with Mayor Lou Thurston and Council members David Loewen, Jonah Gehring, and Byron McCarty present. Council member Brent Driggers arrived at 4:22 p.m. Absent: City Attorney Josh Boehm.

2. Others Present: Dale Dalke, Street Superintendent; Darin Neufeld, EBH Engineers; Steve Fast, Museum Coordinator; Patty Decker & Laura Paulus, Hillsboro Free Press; Phyllis Zorn, Hillsboro Star Journal; Jeremy Loewen; Staci Janzen; Larry Paine, City Administrator; and, Jan Meisinger, City Clerk.

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

4. PUBLIC COMMENTS – Jeremy Loewen and Staci Janzen met with council to discuss concerns regarding wind farms (setback issues and health concerns). There is a public hearing April 28th and they want everyone to have a voice in this matter. Council member Gehring said he wanted to personally thank Jeremy for returning home and working from here.

5. MINUTES – Motion was made by Council member Gehring and seconded by Council member McCarty to approve the minutes of the 2-19-19 regular meeting as submitted. Motion carried unanimously.

6. VOUCHERS – Motion was made by Council member McCarty and seconded by Council member Loewen to approve the vouchers in the amount of \$165,395.63. Motion carried unanimously.

7. WATER PROGRESS REQUEST #7 – Motion was made by Council member McCarty and seconded by Council member Gehring to approve Payment Request #7 for the water project. This includes EBH & Associates for engineering & inspection - \$10,871.18 and J&K Contracting for construction costs - \$74,283.82, total \$85,155.00. Motion carried unanimously.

8. DUMPSTER BIDS – The following bids were received for rear load dumpsters:

Kelly Equipment		\$ 93,890.00	
Downing Sales		\$ 93,837.00	No Poly Bid
Nedland Industries		\$ 118,885.00	
Armor Equipment		\$ 108,510.00	No Poly Bid
American Equipment		\$ 115,546.00	
Rehrig Pacific		\$ 6,525.00	No Steel Bid

Kelly Equipment is the low bidder for the complete package. Delivery time is 1-2 months. Dale recommended we purchase the dumpsters from Kelly Equipment for \$93,890.00 plus \$945.00 for extra wheels and lids to repair some of our existing dumpsters, total = \$94,835.00. Motion was made by Council member McCarty and seconded by Council member Gehring to approve the purchase of dumpsters from Kelly Equipment in the amount of \$94,835.00. Motion carried unanimously.

9. STREET CONSTRUCTION BIDS – Street construction bids were opened Tuesday morning. Darin Neufeld, EBH & Associates, explained the different options and time lines. Street Superintendent Dale

Dalke felt the city could save some money and not do the Ash & D intersection because of the work that was done on D Street this past summer. He felt that bought us some time. He would like to do a chip/seal on "D" Street next year, which should then hold the street for a long time.

He would also like to see the city use volunteer labor to redo the two blocks in front of the high school with brick that we already have and could salvage. Steve Fast, Museum Coordinator, agreed. He felt having a brick street in front of the Schaeffler House helped make it a destination. Brick streets do not need as much maintenance as asphalt streets, are good for drainage, and slows down traffic. The intersections would be concrete. Mayor Thurston said this was a lot to think about and would like more time before a decision is made. Motion was made by Council member Gehring and seconded by Council member Driggers to table the bid award until the next council meeting. Motion carried unanimously. Darin said the bids were good for 30 days.

10. APPA SUPPORT LETTER – City Administrator Paine said during his recent trip to Washington, DC, APPA delegates passed a motion calling for local utilities to support an effort sponsored by Representative Anna Eshoo (D, CA) calling for the overturn of a FCC ruling that asserts authority over public power pole attachments. APPA says the FCC action is specifically overstepping several sections of the Communications Act of 1934. Industry officials say that they needed the ruling to remove regulatory barriers for the proper deployment of infrastructure necessary to deploy new broadband services. Motion was made by Council member McCarty and seconded by Council member Driggers to approve adding the City of Hillsboro to the list of communities sending a letter to Representative Anna Eshoo supporting HR 530 calling to overturn the Federal Communications authority over pole attachments. Motion carried unanimously.

11. ELCON INVOICE – Motion was made by Council member Driggers and seconded by Council member McCarty to approve payment of Invoice 11303 to Elcon Services for a large LED light bulb for the welding school in the amount of \$244.00. Vote: Council members Driggers, McCarty and Loewen, yes. Council member Gehring abstained. Motion carried.

12. PUBLIC BUILDING COMMISSION MEETING – TWG LEGAL EXPENSES – At 5:15 p.m., council recessed into a Public Building Commission meeting to approve invoices related to the old hospital building and the new hospital. The meeting adjourned at 5:18 p.m. and the regular council meeting resumed.

13. BOARD APPOINTMENTS – none

14. EXECUTIVE SESSION – At 5:20 p.m., motion was made by Council member Driggers and seconded by Council member Gehring to recess into executive session for the purpose of discussing acquisition of real property pursuant to K.S.A. 75-4319(b)(6). The open meeting will resume in council chambers at 5:35 p.m. Motion carried unanimously. The regular council meeting resumed at 5:35 p.m. No action was taken.

15. CITY ADMINISTRATOR'S REPORT – City Administrator Paine gave council an update on what happened this morning in district court regarding the Hillsboro hospital. Basically, more power was granted to HCH Receiver Cohesive Health Care Management & Consulting. The judge also granted the hospital's attorney, Thomas Gilman, to withdraw from the case if the Appellate Court agrees.

Mayor Thurston said he wanted to recognize the economic development directors of Hillsboro and Marion. Today, they held the 4th Annual Youth Entrepreneurial Challenge. This helps our young people

understand what it takes to start and run a business. There were six teams. Five were from Hillsboro and one from Marion. Hillsboro had winners!

16. ADJOURNMENT – Council meeting adjourned at 5:52 p.m.

_____/s/_____
LOUIS THURSTON

ATTEST:

_____/s/_____
JANICE K. MEISINGER, CITY CLERK