

Hillsboro, Kansas  
April 7, 2020

1. The city council met in regular session via Zoom due to the Corona virus pandemic on April 7, 2020 at 4:00 p.m. with Mayor Thurston and Council members David Loewen, Byron McCarty, Renee Gehring, and Brent Driggers participating.
2. Others Participating: Phyllis Zorn, Hillsboro Star Journal; Josh Boehm, City Attorney; Anthony Roy, Economic Development Director; Jonah Gehring, County Commissioner; Larry Paine, City Administrator; and, Jan Meisinger, City Clerk.

Mayor Thurston said: This council meeting is unusual because of COVID-19 virus. Because of the Governor's Stay-at-Home Order, all members of the Governing Body and staff are not in the same room. We are using an online meeting program called Zoom that allows for us to be in different places and participate as if we were all in the council chambers at City Hall. All of the requirements for the Kansas Open Meetings Act are still in effect during this online meeting. The Attorney General has given us guidelines to follow in online meetings. We will be making sure all those guidelines are being followed even though we are online. The Open Meeting Act (KOMA) requires that we allow the public to observe the meeting. It does not require the public be given the opportunity to participate in the meeting. However, it is our policy that we give the public opportunity to present comments for the council at the beginning of our meeting. With that in mind, here are the guidelines for participating in this Zoom format:

- 1) During the meeting, everyone will be muted so any conversation on your part will not interrupt another person's presentation.
- 2) On the bottom of your screen is a task bar that has a number of icons to manage the meeting. It appears when you move your mouse there. On an iPad, it will be on the top of the screen. If you have some other device, you will need to experiment to find the task bar.
- 3) There is a participant's icon in the middle of the task bar that you can press and it will show who is present in the meeting.
- 4) You may want to hover your name and change it. If your name comes up as iPad Joe, we ask that you change it to your proper name.
- 5) At the bottom of the participant's page is a blue "raised hand". By pressing the raised hand, it will appear next to your name at the top of the participant's page.
- 6) The raised hand will indicate you wish to speak.
- 7) The mayor will recognize you and you will be unmuted. (a) The Attorney General's online guidelines require that all participants give their name before speaking. All of us will be doing the same. For the record, please state your name and address.
- 8) When you speak, we expect good decorum. If, in our opinion, you vary from that, we will mute your microphone and ask that you behave appropriately.
- 9) If, after a warning and we unmute your mic, and if you return to the same behavior, we will mute you again and remove you from the meeting. You will not be allowed in again.
- 10) We are recording this meeting and a copy will be placed on our website and on FaceBook.
- 11) When we get to the public comment part of the agenda, I will remind everyone of the key principles I just stated.

Now, let's get started with the meeting.

**3. CALL TO ORDER** – Mayor Thurston called the meeting to order at 4:11 p.m.

**4. PUBLIC COMMENTS** – none

**5. MINUTES** – Motion was made by Council member Loewen and seconded by Council member McCarty to approve the minutes of the 3-17-2020 regular meeting as distributed. Vote: Council member Loewen, yes; Gehring, yes; Driggers, yes; McCarty, yes. 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 \$529,230.25. Vote: Council member Driggers, yes; Gehring, yes; Loewen, yes; McCarty, yes. Motion carried unanimously.

**7. EMERGENCY DECLARATION** – Because of Governor Kelly’s Executive Order 2020-16 that ordered all Kansans to stay at home to reduce the impact of the COVID-19 virus outbreak, we decided to close all public facilities. Those public facilities include the Hillsboro Municipal Golf Course and properties associated with the course; playgrounds and parks; and, all municipal offices. The purpose of the closures was to limit public gatherings to prevent the spread of the COVID-19 virus in the city of Hillsboro. Passage of Resolution 2020-03 will give the City of Hillsboro an opportunity to more easily file for FEMA reimbursements for actions we take in addressing the pandemic. Motion was made by Council member McCarty and seconded by Council member Gehring to approve Resolution 2020-03 – (*A RESOLUTION OF THE CITY OF HILLSBORO, KANSAS DECLARING A LOCAL STATE OF EMERGENCY; TEMPORARILY EXPANDING THE AUTHORITY OF THE MAYOR AND CITY ADMINISTRATOR TO ACT ON BEHALF OF THE CITY; AND RATIFYING PREVIOUS DECISIONS REGARDING THE COVID-19 EMERGENCY*). Council was polled with the following vote: Council member Driggers, yes; Gehring, yes; Loewen, yes; McCarty, yes. Motion carried unanimously.

**8. SOLAR PARALLEL GENERATION INTERCONNECTION STANDARDS AND PARALLEL GENERATION RATE RIDER** – We have received a request for information from a resident who wants to put a photo voltaic device on his home. This caused staff to review interconnection standards and prepare a generation rate rider. The interconnection standards describe how a customer can install a solar generation system on their property and how it connects to the city’s electric distribution system. The generator rate rider is basically the agreement and application to connect to our system. The documents are based on standards provided to us by the Kansas Power Pool. Once the two documents are approved by the council, KPP will assist in developing rate information so that the customer benefits from the self-generation for his unit and the City of Hillsboro is protected for the cost of providing distribution infrastructure when the customer cannot generate electricity. City Administrator Paine then reviewed a number of different sections of the agreement. A question was raised about the requirement of insurance and what that cost might be to the homeowner. After further discussion, motion was made by Council member McCarty and seconded by Council member Driggers to approve the Solar Parallel Generation Interconnection Standards and Parallel Generation Rate Rider. Vote: Council member Driggers, yes; Gehring, yes; Loewen, yes; McCarty, yes. Motion carried unanimously.

**9. GAAP WAIVER RESOLUTION** – Every year prior to the audit, we adopt a resolution exempting the city from the application of the Generally Accepted Accounting Principles (GAAP). The city operates on a cash basis system of accounting. Motion was made by Council member Loewen and seconded by Council member McCarty to approve Resolution 2020-02 – (*A RESOLUTION REGARDING THE WAIVER OF GENERAL ACCEPTED ACCOUNTING PRINCIPALS (GAAP) IN THE PREPARATION OF FINANCIAL STATEMENTS AND FINANCIAL REPORTS FOR THE CITY OF HILLSBORO, KANSAS FOR FISCAL YEAR 2019*).

Council was polled with the following vote: Council member Driggers, yes; Gehring, yes; Loewen, yes; McCarty, yes. Motion carried unanimously.

**10. VOGTS PARGA PAY ESTIMATE** – Motion was made by Council member McCarty and seconded by Council member Loewen to approve Pay Estimate #7 to Vogts Parga, for waterline street improvements, in the amount of \$165,706.95. Vote: Council member Driggers, yes; Gehring, yes; Loewen, yes; McCarty, yes. Motion carried unanimously.

**11. HETT CONSTRUCTION PAY ESTIMATE** – Motion was made by Council member McCarty and seconded by Council member Loewen to approve Pay Estimate #10 (Final) to Hett Construction for street improvements (Washington, Lincoln & Jefferson between 1<sup>st</sup> & 2<sup>nd</sup> Street) in the amount of \$88,091.86 (which includes the retainage). Vote: Council member McCarty, yes; Loewen, yes; Gehring, yes; Driggers, yes. Motion carried unanimously.

**12. REIMBURSEMENT REQUEST #20 – KDHE** – Motion was made by Council member McCarty and seconded by Council member Driggers to approve Reimbursement Request #20 from KDHE for water system improvements (Goins Enterprises Pay Estimate #6 - \$98,476.06, and EBH Engineers - \$18,845.36). Vote: Council member McCarty, yes; Loewen, yes; Gehring, yes; Driggers, yes. Motion carried unanimously.

**13. EBH PAY ESTIMATE HWY 56/INDUSTRIAL ROAD** – Motion was made by Council member McCarty and seconded by Council member Loewen to approve Request #8 to KDOT for reimbursement for engineering work on the Hwy 56/Industrial Road intersection improvements in the amount of \$15,712.08 (City 5% share is \$2,084.49). Vote: Council member Driggers, yes; Gehring, yes; Loewen, yes; McCarty, yes. Motion carried unanimously.

**14. STREET DEDICATION** – When work was done on North Adams for Groves Addition, it was discovered that at the curve (north of 3<sup>rd</sup> Street), part of the pavement was on private property. We have a warranty deed from Mike & Patti Duerksen, which fixes part of the problem on the east side, and are still waiting on a deed from the Schmidt's. Motion was made by Council member McCarty and seconded by Council member Gehring to approve the warranty deed from Mike & Patti Duerksen. Motion carried unanimously.

**15. ELCON INVOICES** – We have six invoices from Elcon Services, Inc (12022 - \$91.04; 12024 - \$113.75; 12027 - \$144.48; 12049 - \$56.03; 12056 - \$384.50; 12057 - \$17.82). Motion was made by Council member McCarty and seconded by Council member Loewen to pay these invoices. Vote: Council member McCarty, yes; Loewen, yes; Gehring, abstained; Driggers, yes. Motion carried.

**16. BOARD APPOINTMENTS** – none

**17. CITY ADMINISTRATOR'S REPORT** – none

**18. EXECUTIVE SESSION** – Motion was made by Council member Driggers and seconded by Council member McCarty to recess into executive session for the purpose of discussing personnel matters of non-elected personnel pursuant to K.S.A. 75-4319(b)(1). The open meeting will resume at 6:30 p.m. The meeting will include City Administrator Paine, John Deardoff, Don Osenbaugh, and City Attorney Boehm. Vote: Council member Driggers, yes; Council member Gehring, yes; Council member Loewen,

yes; Council member McCarty, yes. Motion carried unanimously. The council meeting resumed at 6:31 p.m. No action was taken.

**19. ADJOURNMENT** – Council meeting adjourned at 6:32 p.m.

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/s/  
LOUIS THURSTON, MAYOR

ATTEST:

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/s/  
JANICE K. MEISINGER, CITY CLERK