

Hillsboro, Kansas
January 22, 2008

1. The city council met in special session on Tuesday, January 22, 2008 at 4:00 p.m. in council chambers with Mayor Delores Dalke and Council members Shane Marler, Byron McCarty, Shelby Dirks & Bob Watson present.

2. Others Present: Don Ratzlaff, Hillsboro Free Press; Susan Berg, Hillsboro Star Journal; Dan Baldwin, City Attorney; Mark Pankratz, 218 N. Adams; Frank Morey, Jordan Simmons, Dermot Morey, Evan Wienck, David Wienck, Dillon Martin & Lee Clark, representing Boy Scouts; Larry Paine, City Administrator; and, Jan Meisinger, City Clerk

3. CALL TO ORDER – Mayor Delores Dalke called the meeting to order at 4:00 p.m.

4. PUBLIC COMMENTS – Mark Pankratz expressed concerns that there were no distance restrictions for taverns (which are allowed in commercial areas) because most commercial areas are adjacent to residential areas. Any changes to this would need to be handled through the planning commission. The state has distance restrictions regarding liquor stores, and bars can serve up to 2:00 a.m. Council members Dirks asked if this was a problem. Mr. Pankratz said no, but he could see it becoming a problem in the future.

5. MINUTES – The minutes of the 1-2-08 special meeting were approved as distributed.

6. VOUCHERS – After questions, motion was made by Council member Watson and seconded by Council member Marler to approve the vouchers in the amount of \$304,605.23. Motion carried unanimously.

7. REQUEST FROM BOY SCOUTS – Representatives of Boy Scout Troop 129 met with council to ask that the city allow fireworks to be discharged through Saturday, July 5th this year since the 4th falls on Friday and they expect many families will celebrate over the weekend of the 5th & 6th. City Ordinance 1130, Section 11(2) allows the governing body to exempt restrictions by majority vote. Police Chief Kinning did not have a problem with the 5th, but he did recommend that the cut-off time be 11:00 p.m. Motion was made by Council member Marler and seconded by Council member Dirks to extend the allowed shooting time through July 5th, up to 11:00 p.m., subject to approval of the fire chief. Motion carried unanimously.

8. POLICE VEHICLE REPLACEMENT – Police Chief Kinning requested permission to proceed with obtaining bids to replace the 1998 Lumina with an Explorer, Trailblazer or Durango. Council member Dirks said there were a lot of things council needed to talk about, and he would feel more comfortable digging a little deeper into the budget to see where we were before purchasing another police vehicle. Motion was made by Council member Marler and seconded by Council member Dirks to table this agenda item. Motion carried unanimously.

9. TABOR EASEMENTS – Approximately six weeks ago, Bob Previterra prepared easements relating to water, sewer, streets and electric on the property the city sold to Tabor College. City Administrator Paine received a letter from Tabor College regarding the relocation of a 12” water line when USD 410 & Tabor College make improvements to Reimer Field. The placement of the stadium seating is currently designed over a portion of the water line. Mr. Fadenrecht requested that the city council officially express and record a willingness to grant permission for the water line to be moved to a mutually acceptable location at the time construction commences for the joint improvement project. Assuming the architect’s current design proposed is ultimately accepted by the school district and college, it would be practical for the water line to be routed further to the west under a planned parking lot, as it is directed to the south from the water tower before it is routed east toward Wilson Street, south of the football stadium. The easements granted to the city would need to be voided and new easements provided for the relocated route of the water line. After further discussion, motion was made by Council member Marler and seconded by Council member Watson to approve the granting of the easements from Tabor College contingent upon the water line relocation be at the specifications of the city engineer and that the City of Hillsboro not incur the cost for relocation or engineering fees. Motion carried unanimously.

10. ADOPTION OF POWER SUPPLY AGREEMENT WITH KPP – City Administrator Paine said when the city considered the KPP/Westar agreement last fall, David Schupe, Westar, said that we ought to defer until Westar & KEPCO work out some issues regarding a similar agreement between the two. Their negotiation is going slow. Not having an agreement leaves Hillsboro without a permanent power supply agreement. KPP will buy power for us regardless, but that does not guarantee that we will get the same power prices that the other members get because of their participation in the agreement. By approving the agreement, Hillsboro will become part of the dedicated power supplied by KPP by Westar. Without the approved agreement, Westar could deliver less than what we need in an emergency situation. In that situation, we would buy power on the open market, but that would be very expensive. The KPP’s recommendation is that we approve the agreement (resolution). It is possible that amendments might be necessary after the final agreement between Westar & KEPCO. Motion was made by Council member Watson and seconded by Council member Marler to approve Resolution 2008-01 – *A RESOLUTION APPROVING THE COST-BASED FORMULA RATE AGREEMENT FOR BASE LOAD REQUIREMENTS ELECTRIC SERVICE BETWEEN WESTAR ENERGY, INC. AND THE CITY OF HILLSBORO.* Council was polled with the following vote: Marler, yes; McCarty, yes; Dirks, yes; Watson, yes. Motion carried unanimously.

11. PRELIMINARY DISCUSSION REGARDING NEIGHBORHOOD REVITALIZATION PLAN RENEWAL – The city’s existing Neighborhood Revitalization program in the northeast part of town expires May 4, 2009. The current owners of the former McDonald’s building do not want to proceed unless the city includes this area in a new Neighborhood Revitalization program. City Administrator Paine asked council if they wanted to create a new district, and if so, asked what the

boundaries should be. Council members expressed that they did not like this tactic, but they could see the necessity of creating a new district. Mayor Dalke said she had not realized, until she really looked at the areas along “D” Street, that they were deteriorated. She felt the entire “D” Street from east to west, extending back 150’ on each side, should be designated. According to the county, \$98,000.00 has been refunded from this program since it was started. Property owners still have to pay taxes on current value. To qualify for 95% abatement, participants would need to make \$5,000.00 of appraised improvements on residential property, and \$15,000.00 of appraised improvements on commercial property. After further discussion, council instructed City Administrator Paine to start the papers to designate “D” Street, plus 150’ on each side; the areas on Birch & Cedar (where the city applied for a CDBG grant), and the residential area on South Ash as a Neighborhood Revitalization District.

12. PHONE SYSTEM REPLACEMENT – To replace the phone system at City Hall & Police Department, the cost would be \$24,588.00. To include wireless connections for the museum, sports complex, water, electric & street is an additional \$18,460.00. City Administrator Paine said he was struggling with the cost for the wireless portion because he felt the cost was too high. The police internet system must be totally independent of any other system due to security issues required by the KBI. Council member Dirks said he would feel more comfortable after he knew where we were with the 2008 budget. Motion was made by Council member Dirks and seconded by Council member Marler to table this agenda item. Motion carried unanimously.

13. UTILITY RATES – A strategic planning and utility rate work session will be held after the special council meeting on Wednesday, February 6th.

14. BUXTON – Council received copies of Buxton’s report. The evaluation process will begin soon to help select ten contacts.

15. SET DATE FOR WORK SESSION – A strategic planning work session with department heads will be Wednesday, February 27th at 4:00 p.m.

16. BOARD APPOINTMENTS – deferred

17. ENGINEER’S REPORT – deferred

18. FOLLOW-UP FROM PREVIOUS MEETINGS –

Noise Ordinance – Council asked that this be ready for approval at the next meeting.

Policy, RE: Level Pay – The city has an existing policy (#43) regarding level payment plan for utilities. City Administrator Paine said staff would be reviewing this mid-year to catch large amounts due.

19. CITY ADMINISTRATOR’S REPORT –

Hillsboro Heights – The city has received a purchase agreement from Gib Suderman for Lot 12, Block 5 in Hillsboro Heights for \$11,750.00. City Administrator Paine said Mayor Dalke was not receiving any compensation for negotiating the contract, so there would be no conflict of interest. Motion was made by Council member Dirks and seconded by Council member Marler to accept this contract. Motion carried unanimously.

KDOT Invoice – The city received an invoice from KDOT for interest due on the Adams Street project in the amount of \$8,079.62. Motion was made by Council member Marler and seconded by Council member Watson to approve payment of this invoice. Motion carried unanimously.

Museum KHC Grant – The museum received a Kansas Humanities Council Grant for \$12,089.00 for an orientation exhibit in the museum’s visitor center.

20. EXECUTIVE SESSION – NON-ELECTED PERSONNEL – Motion was made by Council member Marler and seconded by Council member Watson to recess into executive session at 5:50 p.m. for ten minutes to discuss non-elected personnel. The meeting would be scheduled to resume at 6:00 p.m. Motion carried unanimously. Also present in executive session: City Attorney Dan Baldwin & City Administrator Larry Paine. At 6:00 p.m., motion was made by Council member Marler and seconded by Council member Dirks to extend the executive session an additional ten minutes. Motion carried unanimously. The city council meeting resumed at 6:20 p.m. No action was taken.

21. ADJOURNMENT – Council meeting adjourned at 6:20 p.m.

DELORES DALKE, MAYOR

ATTEST:

JANICE K. MEISINGER, CITY CLERK