

Hillsboro, Kansas
October 6, 2009

1. The city council met in regular session on Tuesday, October 6, 2009 at 4:00 p.m. in council chambers with Mayor Delores Dalke and Council members Bob Watson, Shelby Dirks, Byron McCarty & Kevin Suderman present.

2. Others Present: Adam Stewart, Hillsboro Star Journal; Don Ratzlaff, Hillsboro Free Press; Larry Paine, City Administrator; and, Jan Meisinger, City Clerk. Absent: Dan Baldwin, City Attorney.

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

4. **PUBLIC COMMENTS** – none

5. **APPROVAL OF MINUTES** – The minutes of the 9-22-09 special meeting were approved as distributed.

6. **VOUCHERS** – Motion was made by Council member Watson and seconded by Council member Suderman to approve the vouchers in the amount of \$110,857.57. Motion carried unanimously.

7. **WORK SITE VEHICLE ORDINANCE #1184** – City Administrator Paine said the license fee would be \$100 (per calendar year). The Police Department would do the inspections. Allowed areas would be Tabor College, Sports Complex west to airport, Hillsboro Heights & Hillsboro Business Park. Motion was made by Council member Watson and seconded by Council member Suderman to approve Ordinance 1184 – (*AN ORDINANCE AUTHORIZING THE OPERATION OF WORK-SITE UTILITY VEHICLES ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF HILLSBORO, KANSAS, PROVIDING FOR RELATED MATTERS, INCLUDING PENALTIES FOR VIOLATION THEREOF*). Council was polled with the following vote: Suderman, yes; McCarty, yes; Dirks, yes; Watson, yes. Motion carried unanimously.

8. **GOLF CART ORDINANCE** – City Administrator Paine said travel by golf carts would be limited to and from the golf course and only on streets where the speed limit is not over 30 miles per hour. They are not allowed on federal or state highways; however, they can cross a federal or state highway with a posted speed limit greater than 30 miles per hour. Motion was made by Council member McCarty and seconded by Council member Suderman to add to Section 2 so that it reads: No person shall operate a golf cart on any public highway, street, road or alley within the corporate limits of the city unless such person is 18 years of age and have a valid driver's license. Motion carried unanimously. Council also discussed children as passengers. They felt the driver should have their passengers under control. The danger probably wouldn't be that much different than a child riding a bicycle. Motion was made by Council member Suderman and seconded by Council member McCarty to allow the use of golf carts at the college (Institutional Zone) and at Parkside. Motion carried unanimously. Motion was made by Council member Watson and seconded by Council member Suderman to approve Ordinance 1185 – (*AN*

ORDINANCE AUTHORIZING THE OPERATION OF GOLF CARTS ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF HILLSBORO; PROVIDING FOR RELATED MATTERS, INCLUDING PENALTIES FOR VIOLATION THEREOF). Council was polled with the following vote: Suderman, yes; McCarty, yes; Dirks, yes; Watson, yes. Motion carried unanimously.

9. RECYCLING ORDINANCE – The recycling fee from McPherson Area Solid Waste Utility is increasing from \$1.85 to \$1.90 per customer, per month. City Administrator Paine said council could consider this and the next three ordinances as a first reading. Motion was made by Council member Suderman and seconded by Council member McCarty to table this tem until the next council meeting. Motion carried unanimously.

10. ELECTRIC RATE ORDINANCE – The base rate is being raised from \$5.00 to \$9.00 per customer, per month so money can be transferred from the Electric Fund to help support the General Fund Budget in 2010. Motion was made by Council member Watson and seconded by Council member McCarty to table this ordinance until the next meeting. Motion carried unanimously.

11. WATER RATE ORDINANCE – The monthly minimum charge is increasing from \$27.06 to \$28.06 per month. Motion was made by Council member Watson and seconded by Council member Suderman to table this ordinance until the next meeting. Motion carried unanimously.

12. SEWER RATE ORDINANCE – In order to pay off the new sewer bonds in 21 years rather than 40 years, an additional \$100,000.00 needs to be paid each year. The per month minimum charge will increase from \$16.75 to \$25.45. This will save \$2,756,600.50 in interest over the life of the bond. Motion was made by Council member Watson and seconded by Council member McCarty to table this ordinance until the next meeting. Motion carried unanimously.

13. CAFETERIA PLAN RESOLUTION – 2009-10 – With the approval of the new health insurance plan, a change in the Section 125 cafeteria plan eligibility is necessary. The health insurance contract will renew July 1, 2010 rather than October 1st as was the Blue Cross plan. This resolution will account for the short year, and then provide for annual renewals thereafter. Council felt child care expenses should be part of our 125 plan. Motion was made by Council member Suderman and seconded by Council member Watson to approve Resolution 2009-10 – *(A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF HILLSBORO, KANSAS, AMENDING THE PLAN YEAR OF THE SECTION 125 EMPLOYEE BENEFIT PLAN)* including child care expenses. Council was polled with the following vote: Suderman, yes; McCarty, yes; Dirks, yes; Watson, yes. Motion carried unanimously. *City Clerk's Note: After checking, we will not be able to include child care until the next open enrollment of June 1-30, 2010.

14. MIDWEST PUBLIC RISK RESOLUTION 2009-11 – By accepting the insurance policy with Midwest Public Risk, we become a member of the insurance pool. The by-laws need to be approved to complete our membership. Motion was made by Council member McCarty and seconded by Council member Watson to approve Resolution 2009-11 – *(A RESOLUTION APPROVING EXECUTION OF MIDWEST PUBLIC RISK OF KANSAS, INC. BY-LAWS)* and

changing names of Larry Paine to city administrator and Jan Meisinger to city clerk. Council was polled with the following vote: Suderman, yes; McCarty, yes; Dirks, yes; Watson, yes. Motion carried unanimously.

15. ENGINEER'S REPORT – none

16. BOARD APPOINTMENTS – none

17. CITY ADMINISTRATOR'S REPORT –

Cap and Trade – A webinar will be held with KMU on Friday at City Hall from 2-4 p.m. regarding cap & trade issues as they relate to the electric utility. The Marion city council has been invited to attend. This could potentially be very expensive to the city.

Compost Site – City crews have been working to clean up this area and transfer the space back to Tabor College. City Administrator Paine is proposing the city rent three acres along the city shop area from the school district (\$47.00 - \$60.00/acre) and move our compost site to that location. This will be more visible and should be kept in better condition. Motion was made by Council member Watson and seconded by Council member Suderman to authorize City Administrator Paine to continue negotiations with the school district for this property. Motion carried unanimously.

KMIT – The city is again a gold star winner with KMIT, the city's work comp carrier, resulting in a reduction in premiums.

ORDINANCE 1186 – The city needs to amend Ordinance 1151 that relates to the tax exemption for Flint Hills Industries. The manufacturer did not complete their expansion in the year 2007 as originally anticipated. This ordinance begins the exemption 1-1-09. Motion was made by Council member Watson and seconded by Council member McCarty to approve Ordinance 1186 – (*AN ORDINANCE OF THE CITY OF HILLSBORO, KANSAS AMENDING ORDINANCE NO. 1151 OF SAID CITY EXEMPTING CERTAIN PROPERTY FROM AD VALOREM TAXATION FOR ECONOMIC DEVELOPMENT PURPOSES*). Council was polled with the following vote: Suderman, yes; McCarty, yes; Dirks, yes; Watson, yes. Motion carried unanimously.

18. EXECUTIVE SESSION – PERSONNEL – Motion was made by Council member Watson and seconded by Council member McCarty to recess into executive session at 5:10 p.m. for 30 minutes to discuss personnel. The meeting would be scheduled to resume at 5:40 p.m. Motion carried unanimously. Also present in executive session: City Administrator Paine. The city council meeting resumed at 5:50 p.m. No action was taken.

19. ADJOURNMENT – Motion was made by Council member Watson and seconded by Council member McCarty to adjourn at 5:50 p.m. Motion carried unanimously.

DELORES DALKE, MAYOR

ATTEST:

JANICE K. MEISINGER, CITY CLERK