

Hillsboro, Kansas  
November 3, 2009

1. The city council met in regular session on Tuesday, November 3, 2009 at 4:00 p.m. in council chambers with Mayor Delores Dalke and Council members Bob Watson, Shelby Dirks, Kevin Suderman & Byron McCarty present.

2. Others Present: Dan Baldwin, City Attorney; Don Ratzlaff, Hillsboro Free Press; Adam Stewart, Hillsboro Star Journal; Gari-Anne Patzwald; Gary Andrews, Golf Superintendent; Ken Carlson, Refuse Department Head; Morgan Marler, Sr. Water Treatment Technician; Larry Paine, City Administrator; and, Jan Meisinger, City Clerk

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

4. **PUBLIC COMMENTS** – none

5. **MINUTES** – The minutes of the 10-19-09 special meeting and the minutes of the 10-20-09 regular meeting were both approved as distributed.

6. **VOUCHERS** – Motion was made by Council member Dirks and seconded by Council member Suderman to approve the vouchers in the amount of \$145,942.45. Motion carried unanimously.

7. **PRESENTATION OF LEAGUE SERVICE AWARDS** – Mayor Dalke presented the following League service awards:

Morgan Marler – 10 years  
Ken Carlson – 10 years  
Gary Andrews – 15 years  
Jan Meisinger – 30 years

8. **ORDINANCE 1189 – SEWER RATES** – After discussion, motion was made by Council member Watson and seconded by Council member Suderman to approve Ordinance 1189 – (AN ORDINANCE RELATING TO SEWAGE DISPOSAL SYSTEM CHARGES, AMENDING SECTION 14-102 AND EXPRESSLY REPEALING SAID ORIGINAL SECTIONS). Council was polled with the following vote: Watson, yes; Dirks, yes; McCarty, no; Suderman, yes. Motion carried. These new rates become effective after publication and with the January 1, 2010 billing.

9. **DISCUSSION OF 10-YEAR COMMITMENT OF POWER PURCHASE WITH KPP** – The KPP is asking member agencies to agree to a 10-year power supply commitment. The current agreement states a member agency can withdraw by giving two years notice. The KPP has negotiated a 50 megawatt 10-year firm power contract with Westar. It will become effective when enough cities agree to cover the 50 mw load and commit to a 10-year agreement. Hillsboro could commit up to 6 mw of the 50 mw needed. This would lock in a base cost of \$37.78 per mw. After discussion, motion was made by Council member Dirks and seconded by

Council member McCarty to approve the 10-year contract with KPP. Motion carried unanimously.

**10. CONSIDERATION OF LIST OF SEWER EQUIPMENT PURCHASES FROM SEWER BOND FUND** – Items on the list for council approval are as follows:

Backhoe with 4-way bucket extend a hoe 1000 hrs	\$ 65,000.00
Multi-gas Detector	2,600.00
Locator Schoenstat GA-52 CX	725.00
Camera for Sewer Line Inspection (Aries III)	<u>40,000.00</u>
	\$108,325.00

After approval from council, we have an approval process to work through with Rural Development. Our plan is to do cured in place pipe and sewer manhole rehabilitation/repair. The equipment purchases are the third priority and will be paid for using grant money. After discussion, motion was made by Council member McCarty and seconded by Council member Suderman to approve this list of equipment needed for the sewer system. Motion carried unanimously.

**11. ENGINEER’S REPORT** – deferred

**12. BOARD APPOINTMENTS** – Mayor Dalke appointed Larry Paine to the Marion County Economic Development group. Motion was made by Council member Dirks and seconded by Council member Suderman to approve this appointment. Motion carried unanimously.

Mayor Dalke appointed Shelby Dirks, since he is council president, to meet with the HDC group to raise money to help pay for the salary of the economic development director. Motion was made by Council member McCarty and seconded by Council member Watson to approve this appointment. Motion carried unanimously.

**13. CITY ADMINISTRATOR’S REPORT** –

*D Street* – D Street is being striped today. City Administrator Paine talked to Joe Palic, Marion KDOT, and he did not recommend the emulsion seal because it would release next summer and get on people’s cars. The condition of D Street has improved since it was brushed.

**14. EXECUTIVE SESSION – ATTORNEY CLIENT PRIVILEGE** – Motion was made by Council member McCarty and seconded by Council member Suderman to recess into executive session at 4:35 p.m. for 15 minutes to discuss attorney client privilege. The meeting would be scheduled to resume at 4:50 p.m. Motion carried unanimously. Also present in executive session: City Administrator Paine & City Attorney Baldwin. At 4:50 p.m., motion was made by Council member Watson and seconded by Council member McCarty to extend the executive session an additional 15 minutes. Motion carried unanimously. At 5:05 p.m., motion was made by Council member McCarty and seconded by Council member Suderman to extend the executive session an additional 10 minutes. Motion carried unanimously. The city council meeting resumed at 5:15 p.m. Mayor Dalke said council is giving the city attorney instructions

to work with the contractor who built the pool in regard to problems that still exist. The city can make a potential claim against the contractor's performance bond. Also, council is asking the city attorney to work with the Willow Glen Homeowners Association, on behalf of the city, regarding the covenants & restrictions for this development. The city owns 9 lots in Willow Glen.

**15. EXECUTIVE SESSION – NON-ELECTED PERSONNEL** – deferred

**16. ADJOURNMENT** – Motion was made by Council member Watson and seconded by Council member Dirks to adjourn at 5:16 p.m. Motion carried unanimously.

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DELORES DALKE, MAYOR

ATTEST:

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JANICE K. MEISINGER, CITY CLERK