

Hillsboro, Kansas
September 4, 2007

1. The city council met in regular session on Tuesday, September 4, 2007 at 4:00 p.m. in council chambers with Mayor Delores Dalke and Council members Shelby Dirks, Byron McCarty & Shane Marler present. Absent: Bob Watson.

2. Others Present: Larry Kleeman, M&I Bank; Don Ratzlaff, Hillsboro Free Press; Susan Berg & Josie Bartel, Hillsboro Star Journal; Gari-Ann Patzward; Dan Mount, Hillsboro Water Department; Dan Baldwin, City Attorney; 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 – Dan Mount, Water Department, met with council to answer questions regarding any concerns they may have about the city's water quality. The Water Department has been doing yearly maintenance on the distribution system. Normally, they use combined chlorine for treatment, but have switched to free chlorine to "burn out" the pipes and water towers. The change in the chlorine is what is causing the taste and odor problems. The heat in the two water towers has compounded the problem. The water is not leaving the plant with any taste or odor. They have switched back to using combined chlorine, but with a million gallons of water in the pipes in the distribution system, and a half million gallons in the towers, it should take another week to ten days before the water is back to normal.

5. MINUTES – The minutes of the 8-14-07 special meeting and the minutes of the 8-21-07 regular meeting were approved as distributed.

6. VOUCHERS – Motion was made by Council member McCarty and seconded by Council member Dirks to approve the vouchers in the amount of \$219,588.24. Motion carried unanimously.

7. APPROVE BIDS ON PUBLIC SALE OF BONDS FOR MB CHURCH ADDITION; ORDINANCE 1152; AND RESOLUTION 2007-11 – Two bids were received: Cooper Malone, average net interest rate - 5.1223650%; and, M&I Bank, average net interest rate – 5.3002200%. Cooper Malone has the lowest interest rate, and Mr. Kleeman recommended that the city accept their bid. Motion was made by Council member Marler and seconded by Council member McCarty to approve Ordinance 1152 – *(AN ORDINANCE OF THE CITY OF HILLSBORO, KANSAS, AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES A, 2007, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$78,358.00 FOR THE PURPOSE OF FINANCING THE OTHERWISE UNPAID COSTS OF MULTIPLE CAPITAL IMPROVEMENTS IN THE CITY PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS; AND, MAKING CERTAIN COVENANTS WITH RESPECT THERETO).*

Council was polled with the following vote: Marler, yes; McCarty, yes; Dirks, yes. Motion carried unanimously.

Motion was made by Council member Dirks and seconded by Council member Marler to approve Resolution 2007-11 – *(A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION BONDS, SERIES A, 2007, IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF \$78,358.00 OF THE CITY OF HILLSBORO, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 1152 OF THE CITY; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH)*. Council was polled with the following vote: Marler, yes; McCarty, yes; Dirks, yes. Motion carried unanimously.

The bond issue will close on September 25th.

8. ORDINANCE 1153 – 2007 UNIFORM PUBLIC OFFENSE CODE – Motion was made by Council member McCarty and seconded by Council member Marler to approve Ordinance 1153 – *(AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF HILLSBORO, KANSAS; INCORPORATING BY REFERENCE THE “2007 UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES’ 23RD EDITION; REPEALING SECTION 12-101 OF THE CODE OF THE CITY OF HILLSBORO, KANSAS; REPEALING ORDINANCE 1133; AND CONFIRMING ALL OTHER PROVISIONS OF CHAPTER XII OF SAID CODE)*. Council was polled with the following vote: Marler, yes; McCarty, yes; Dirks, yes. Motion carried unanimously.

9. ORDINANCE 1154 – 2007 STANDARD TRAFFIC ORDINANCE – Motion was made by Council member Marler and seconded by Council member Dirks to approve Ordinance 1154 – *(AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF HILLSBORO, KANSAS; INCORPORATING BY REFERENCE THE “2007 STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES”, 35TH EDITION; PROVIDING CERTAIN PENALTIES; REPEALING SECTION 16-101 OF THE CODE OF THE CITY OF HILLSBORO, KANSAS PERTAINING TO THE 2006 EDITION OF THE STANDARD TRAFFIC ORDINANCE; REPEALING ORDINANCE NO. 1134; AND CONFIRMING ALL OTHER PROVISIONS OF CHAPTER XVI OF SAID CODE OF THE CITY OF HILLSBORO.)* Council was polled with the following vote: Marler, yes; McCarty, yes; Dirks, yes. Motion carried unanimously.

10. INVOICE FROM BURBACH AQUATICS – Motion was made by Council member Dirks and seconded by Council member Marler to approve Invoice #07272 to Burbach Aquatics for reimbursable charges, Phase III, Basic Services, in the amount of \$2,038.19. Motion carried unanimously.

11. MODIFICATIONS TO JOB DESCRIPTIONS FOR BUILDING INSPECTOR AND CODE ENFORCEMENT OFFICER – The new job description blends the code

enforcement officer and building inspector positions. Motion was made by Council member Marler and seconded by Council member McCarty to approve the job description for building inspector. Motion carried unanimously.

12. SELECT CDBG GRANT ADMINISTRATOR – The rating sheet was determined as follows: SCKEDD, 97 points; Pittsburg State, 135 points; Ranson Financial, 169 points. Motion was made by Council member McCarty and seconded by Council member Marler to select Ranson Financial as grant administrator. Motion carried unanimously.

13. LEAGUE VOTING DELEGATES – The league meeting is October 7-8 & 9. Motion was made by Council member Dirks and seconded by Council member Marler to elect Larry Paine as a voting delegate for the city. Motion carried unanimously. Motion was made by Council member Marler and seconded by Council member McCarty to elect Delores Dalke as voting delegate for the city. Motion carried unanimously.

Motion was made by Council member Marler and seconded by Council member McCarty to elect Council member Dirks as an alternate voting delegate. Motion carried unanimously. Motion was made by Council member Dirks and seconded by Council member McCarty to elect Council member Marler as an alternate voting delegate. Motion carried unanimously.

14. NUISANCE ABATEMENT RESOLUTIONS – Motion was made by Council member Dirks and seconded by Council member Marler to approve Resolution 2007-12 (Nuisance – 301 N. Madison, weeds in excess of 12” – owner, Alvin Kroupa.) Council was polled with the following vote: Marler, yes; McCarty, yes; Dirks, yes. Motion carried unanimously.

Motion was made by Council member Marler and seconded by Council member Dirks to approve Resolution 2007-13 (Nuisance – 310 S. Ash, weeds in excess of 12” – owner, David Greenberg). Council was polled with the following vote: Marler, yes; McCarty, yes; Dirks, yes. Motion carried unanimously.

15. ENGINEER’S REPORT – none

16. BOARD APPOINTMENTS – Mayor Dalke appointed Larry Paine as public officer and code enforcement officer until this position is filled. Motion was made by Council member McCarty and seconded by Council member Marler to approve this appointment. Motion carried unanimously.

17. FOLLOW-UP FROM PREVIOUS COUNCIL MEETINGS –

Item 2 – Lease with USD 410 can be removed from the list.

Item 3 – Insurance for AMPI building can be removed from the list. The building cannot be insured until the repairs are made.

Item 6 – Noise ordinance is ready to be discussed by the city attorney and city administrator.

Item 8 – Change to Policy 69 – The sentence in question is appropriate according to KMIT.

Item 9 – Utility Bill Inserts – A written policy needs to be drafted.

18. CITY ADMINISTRATOR’S REPORT –

HEALTH INSURANCE – City Administrator Paine distributed information regarding the city’s health insurance renewal. Our current plan will no longer be available after September 30th. There are several different options available, and prescription drug coverage can be added. Item deferred until the next council meeting.

LACABANA, INC. – Shane Marler said he has formed a corporation with the owners of LaCabana Restaurant, and they are attempting to get a state license. A zoning form needs to be signed at the city level for them to begin this process. City Attorney Baldwin questioned off-street parking, but according to the zoning book, “No off-street parking spaces need to be provided for property located in the Central Business District Overlay”. City Attorney Baldwin said the city could allow what the county allows, and he authorized City Clerk Meisinger to sign the form.

19. ADJOURNMENT – Motion was made by Council member Dirks and seconded by Council member Marler to adjourn at 4:50 p.m. Motion carried unanimously.

DELORES DALKE, MAYOR

ATTEST:

JANICE K. MEISINGER, CITY CLERK