

Hillsboro, Kansas
January 7, 2020

1. The city council met in regular session on Tuesday, January 7, 2020 in council chambers with Mayor Lou Thurston and Council members Byron McCarty, Renee Gehring, and Brent Driggers present. Absent: Council member David Loewen.

2. Others Present: Jerry Schwilling, 202 S. Kennedy; Dan Kinning, Police Chief; Mike James, 301 Willow Road; Terry Unruh, 315 S. Cedar; Jonah Gehring, Marion County Commissioner; Terry Ens, Tabor College; Josh Boehm, City Attorney; Phyllis Zorn, Hillsboro Star Journal; Laura Paulus, Hillsboro Free Press; Larry Paine, City Administrator; and, Jan Meisinger, City Clerk.

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

4. PUBLIC COMMENTS – none

5. MINUTES – Motion was made by Council member Driggers and seconded by Council member McCarty to approve the minutes of the 12/17/19 regular meeting and the minutes of the 12-23-19 special meeting as submitted. 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 \$391,720.41. Motion carried unanimously.

7. DISCUSS CHANGE OF CHARTER ORDINANCE FOR OATHS OF OFFICE – City Administrator Paine said in 2016, the Kansas Legislature moved city elections from April to November, and made the second Monday in January as the day they would be sworn in. In our case, this requires a special meeting. In 2019, the Legislature passed SB105 that allows cities to change the date elected officials can be sworn in. If council wants to change this to our first regular meeting in January, we would need to change our Charter Ordinance #19. The mayor and council concurred. A new charter ordinance will be ready for the next council meeting.

8. SPECIAL PURPOSE VEHICLE ORDINANCE – City Attorney Boehm prepared three different ordinances with different options:

Option A is no golf carts after dark unless with lights and turn signals, but not otherwise required.

Option B is all lights required all of the time.

Option C is no golf carts after dark, but lights not required.

Police Chief Kinning was present at the meeting and had sent an e-mail to the mayor and council on 12-24-19 stating that he firmly believed there should be minimal light requirements during the day, such as brake lights and turn signals on golf carts. As one of those responsible for the overall safety of the community, he believed this could be a serious safety issue. Without proper lighting, it makes it difficult to determine whether a vehicle is stopping or to determine which direction they plan to travel at an intersection. His concern was not only for those operating the carts, but for those sharing the roadway with them. He also did some research on lighting costs. They begin at around \$50.00 for an aftermarket kit to \$100.00-\$150.00 for a premium package. Terry Ens said Tabor College uses their golf carts mostly in the crosswalks, and they are rarely off campus or used at night, but are occasionally on Adams & Lincoln Streets. City Administrator Paine said when the previous ordinance on golf carts was approved,

an exception was made for Tabor College. This could be done again and their zoning district (S-1) could be expanded. Council concurred. After further discussion, it was agreed that Tabor College not have to comply with light requirements for their golf carts; they do not need to be licensed (registered) or inspected; but they will need to have general liability insurance coverage. Golf carts used elsewhere need to have headlights, turn signals, brake lights, insurance coverage, licensed and inspected. City Administrator Paine and City Attorney Boehm will work on the final draft for the next meeting.

9. KDHE PAY REQUEST REIMBURSEMENT #17 – Motion was made by Council member McCarty and seconded by Council member Driggers to approve Pay Request #17 to KDHE for Goins Enterprises (Pay Est #3), \$122,801.05, (remote read water meters); and, Invoice #12338 to EBH & Associates, \$18,666.74, (professional services). Motion carried unanimously.

10. PAY ESTIMATE #7 – HETT CONSTRUCTION – Motion was made by Council member McCarty and seconded by Council member Gehring to approve Pay Estimate #7 to Hett Construction, \$115,603.03, for work done on Washington, Lincoln & Jefferson. Motion carried unanimously.

11. EBH INVOICE 12342 – STREET IMPROVEMENTS – Motion was made by Council member Driggers and seconded by Council member McCarty to approve payment to EBH & Associates for Invoice #12342, \$12,365.52, for professional services – street improvements. Motion carried unanimously.

12. ELECTRIC SMALL BUCKET TRUCK BID AWARD – City Administrator Paine said the 2020 budget includes the replacement of a small bucket truck for the Electric Department as a lease purchase. The existing small bucket truck will be kept in the fleet, but transferring to the Street Department for tree trimming, etc. The truck being proposed is a new Ford chassis coming off the assembly line in late February. Its price is \$130,908.52. Motion was made by Council member Gehring and seconded by Council member Driggers to approve the purchase of a 2019 Ford Chassis small bucket truck for the Electric Department for \$130,908.52 (Equipment Technologies, LLC) to be financed through a lease purchase contract. Motion carried unanimously.

13. ELCON INVOICE – Motion was made by Council member Driggers and seconded by Council member McCarty to approve payment of Invoice 11890 to Elcon Services, Inc. for work done at the water department - \$341.98. Vote: Council member Driggers, yes; Council member McCarty, yes; Council member Gehring, abstained. Motion carried.

14. JERRY SCHWILLING – DISC GOLF – Mr. Schwilling told council that last year, a 9-hole disc golf course was installed on city property with grant and donation funds. Mr. Schwilling would like to set up an additional 9 holes (baskets) in the Sports Complex area. He said he had talked to Doug Sisk, the recreation director, and will meet with the Recreation Commission at their meeting next week. The cost is approximately \$2,655.00. He is applying for another grant, and the rest of the cost will come from private donations. Motion was made by Council member Driggers and seconded by Council member McCarty to approve Mr. Schwilling's request pending funding and approval of the Recreation Commission. Motion carried unanimously.

15. BOARD APPOINTMENTS – none

16. CITY ADMINISTRATOR'S REPORT – Reports included in the packet show a slight growth in sales tax revenue over the past two years.

Also included in the packet was the 2019 Year in Review.

17. ADJOURNMENT – Council meeting adjourned at 4:40 p.m.

/s/
LOUIS THURSTON, MAYOR

ATTEST:

/s/
JANICE K. MEISINGER, CITY CLERK