

Hillsboro, Kansas
January 8, 2019

1. The city council met in special session on Tuesday, January 8, 2019 at 6:00 p.m. in council chambers with Mayor Lou Thurston and Council members David Loewen, Jonah Gehring, and Brent Driggers present. Absent: Council member Byron McCarty.

2. Others Present: Phyllis Zorn, Hillsboro Star Journal; Patty Decker, Hillsboro Free Press; Cindy Reeh; Anthony Roy, Economic Development Director; Josh Boehm, City Attorney; Larry Paine, City Administrator; and Jan Meisinger, City Clerk.

3. CALL TO ORDER – Mayor Lou Thurston called the meeting to order at 6:00 p.m.

4. PUBLIC COMMENTS – none

5. MINUTES – Motion was made by Council member Loewen and seconded by Council member Gehring to approve the minutes of the 12/18/18 and 12/27/18 special meetings as submitted. Motion carried unanimously.

6. VOUCHERS – Motion was made by Council member Driggers and seconded by Council member Loewen to approve the vouchers in the amount of \$308,777.64. Motion carried unanimously.

7. CO-OP LAND PURCHASE – Anthony Roy, Economic Development Director, told council the contract from the Co-op is for a land purchase (37.43 acres) north of the city's sewer lagoons for \$112,290.00 (\$3,000.00/acre). Closing is to be on or before 1-30-19. The seller will pay all unpaid taxes in 2018 and any prior years. The buyer will reimburse the seller for the 2019 property taxes in the amount of \$736.44. The seller will not charge the buyer any lease payments for 2019. In regard to utilities:

- (a) Water line will be provided to the buyer by the City of Hillsboro to the water meter can. Service line from the water meter can to the building will be the responsibility of the buyer. Cost of meter can and meter will be part of the building permit process.
- (b) Sewer will be the responsibility of the buyer. A pump station will need to be built that will connect to the collection box on the west side of the sewer lagoons. Buyer will have reasonable access to seller's property and/or easements. The buyer will be responsible for the tap from their system to the collection box. The tap will be done under the supervision and specifications of the City of Hillsboro.
- (c) Electric line (3 Phase) will be provided to the buyer by the City of Hillsboro to the transformer. Service line from the transformer to the building will be the responsibility of the buyer. The buyer will need to work with the City of Hillsboro Electric Department so they can provide the proper supply and size. The cost of the transformer, meter can, and meter will be part of the building permit process.

Until the city receives a copy of the building plans, we won't know exactly what the Co-op will need. Right now, Flint Hills is providing power to the sewer lagoons. However, this area is considered part of the city's service area. City Administrator Paine said he had sent a letter to Flint Hills telling them it is our intent to take over the electric service for this area and the lagoons. Motion was made by Council member Driggers and seconded by Council member Loewen to authorize the mayor to sign the contract with the Co-op as submitted. Motion carried unanimously.

8. CMB MODEL ORDINANCE – This is a draft ordinance sent out by the League of Kansas Municipalities for council's review. City Administrator Paine said he wanted to do a little more research on it before we adopt it.

9. KDHE WATER PROJECT PAY ESTIMATE REQUEST #5 – Motion was made by Council member Driggers and seconded by Council member Gehring to approve Pay Estimate #4 to J&K Contracting \$129,693.91 and Invoice 11800 to EBH & Associates \$20,446.77, both of which are listed on Pay Request #5 to KDHE for the Water System Improvements project. Motion carried unanimously.

10. EBH ENGINEERING INVOICE (HWY 56 & INDUSTRIAL ROAD) – EBH has submitted an invoice for survey work (Intersection Improvement – Hwy 56 & Industrial Road) in the amount of \$6,827.06. This will probably be a spring 2020 project. Motion was made by Council member Driggers and seconded by Council member Gehring to approve payment of this invoice. Motion carried unanimously.

11. PBC MEETING – TRIPLETT WOOLF GARRETSON INVOICE – At 6:24 p.m., council recessed into a Public Building Commission meeting to approve an invoice relating to the old hospital/Salem Home lot split. The meeting adjourned at 6:27 p.m. and the special city council meeting resumed.

12. HOSPITAL UTILITIES (Tabled 12-27-18) – Mayor Thurston read the following: “I want to announce that I have directed City Administrator Larry Paine to shut off electric service to the Hillsboro Community Hospital at 12:00 noon Friday if they have not paid the outstanding balance on their electric bill. We understand that we may have been sued as a possible defendant in foreclosure action regarding their loan with the Bank of Hays. Any further discussion we have as a council must occur in executive session under attorney/client privilege at the end of the meeting”.

13. BOARD APPOINTMENTS – Mayor Thurston appointed David Ediger to the Hillsboro Recreation Commission, replacing Rod Hamm, whose term has expired. Motion was made by Council member Driggers and seconded by Council member Gehring to approve this appointment. Motion carried unanimously.

14. CITY ADMINISTRATOR’S REPORT – deferred

15. EXECUTIVE SESSION – Motion was made by Council member Loewen and seconded by Council member Driggers to recess into executive session regarding consultation with an attorney, which would be deemed privileged in the attorney-client relationship pursuant to K.S.A. 75-4319(b)(2). The open meeting will resume in the council chamber at 7:00 p.m. Motion carried unanimously. Also present in executive session: City Attorney Josh Boehm and City Administrator Larry Paine. The special city council meeting resumed at 7:02 p.m. No action was taken.

16. ADJOURNMENT – Meeting adjourned at 7:02 p.m.

_____/s/_____
LOUIS THURSTON

ATTEST:

_____/s/_____
JANICE K. MEISINGER, CITY CLERK