

Hillsboro, Kansas  
October 6, 2020

1. The City Council met in regular session on Tuesday, October 6, 2020 at 4:00 p.m. in the City Hall East Meeting Room with Mayor Lou Thurston and Council members Byron McCarty, Renee Gehring, and David Loewen present. Council member Brent Driggers was present via phone.

2. Others Present: Phyllis Zorn, Hillsboro Star Journal; Byron Coffey, CFO Herington Hospital; Ben Steketee, Fire Chief/Building Inspector; Matt Stiles, City Administrator; and, Jan Meisinger, City Clerk.  
Absent: City Attorney Josh Boehm.

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

**4. PUBLIC COMMENTS** – Herington Hospital/Hillsboro Clinic has donated \$100,000.00 to the Hillsboro Community Plaza project. Bryan Coffey, CFO of Herington Hospital and the person in charge of the updates to the clinic on Main Street, said they had been blessed by God and wanted to tie back to the communities they serve. Mayor Thurston thanked him and the hospital for their generous donation.

**5. MINUTES** – Motion was made by Council member Gehring and seconded by Council member McCarty to approve the minutes of the 9-15-2020 regular meeting as submitted. Motion carried unanimously.

**6. VOUCHERS** – Motion was made by Council member Loewen and seconded by Council member McCarty to approve the vouchers in the amount of \$502,825.99. Motion carried unanimously.

**7. TCW – GROUND LEASE** – The proposed ground lease is for the central office located on the Community Plaza project area. This is where all the cables and traffic are routed. The prefabricated building and ground loop have already been placed on the property, with the City's permission. The lease is for an initial term of 10 years, renewable in 5-year chunks, up to a total of 30 years. The lease payment to the City is \$10.00/month, which will be applied to the City's service bill. Motion was made by Council member McCarty and seconded by Council member Loewen to approve the ground lease with TCW and authorize the mayor to sign. Motion carried unanimously.

**8. TCW FRANCHISE ORDINANCE 1319** – Ordinance 1319 will levy a franchise fee of 5% on TC Wireless service for the use of the public right-of-ways. Motion was made by Council member McCarty and seconded by Council member Loewen to approve Ordinance 1319 – (*A CONTRACT FRANCHISE AUTHORIZING TC WIRELESS, INC ("TC WIRELESS") TO CONSTRUCT, MAINTAIN AND OPERATE AS A TELECOMMUNICATIONS SERVICES PROVIDER IN THE PUBLIC RIGHT-OF-WAY WITHIN THE CITY OF HILLSBORO, KANSAS*). Council was polled with the following vote: Council member Driggers, yes; Gehring, yes; McCarty, yes; Loewen, yes. Motion carried unanimously.

**9. ORDINANCE 1320 – SUNDAY LIQUOR SALES** – Motion was made by Council member Gehring and seconded by Council member McCarty to approve Ordinance 1320 – (*AN ORDINANCE AUTHORIZING SUNDAY SALES OF ALCOHOLIC LIQUOR AND CEREAL LMALT BEVERAGE IN THE ORIGINAL PACKAGE WITHIN THE CITY OF HILLSBORO*). Council was polled with the following vote: Council member Driggers, yes; Gehring, yes; McCarty, yes; Loewen, no. Motion carried. This ordinance shall take effect 60 days after final publication, unless a sufficient petition for a proposition is filed, requiring a proposition be submitted to the voters as provided for in K.S.A. 41-2911, in which case, this ordinance shall become effective upon approval by a majority of the electors voting thereon.

**10. FAIR HOUSING POLICY** – The proposed Civil Rights/Fair Housing Policy is a requirement of the CDBG-CV funding. Any civil rights complaints or housing discrimination complaints will be heard by the City Council and referred to HUD or The Kansas Human Rights Commission. Motion was made by Council member Loewen and seconded by Council member McCarty to approve the Civil Rights/Fair Housing Policy and authorize the mayor to sign. Motion carried unanimously. City Clerk's Note: We have put up posters at City Hall and at the Housing Authority regarding civil rights for our 2020 Fair Housing Activity, which is another HUD regulation.

**11. SALEM HOME DEED TRANSFER** – City Attorney Boehm is still working on this. There are four easements that need to be recorded.

**12. ELCON INVOICES** – Motion was made by Council member McCarty and seconded by Council member Loewen to approve Invoice 12341 to Elcon Services for work done at the welding school -

\$150.15; and, Invoice 12373 for items for the old hospital quarantine center - \$133.53. Vote: Council members Driggers, McCarty, and Loewen, yes; Gehring, abstained. Motion carried.

**13. PAY REQUEST #26 – KDHE WATER PROJECT** – Motion was made by Council member McCarty and seconded by Council member Gehring to approve Pay Reimbursement Request #26 to EBH & Associates in the amount of \$731.00. Motion carried unanimously.

**14. PBC MEETING TO APPROVE INVOICES** – At 4:17 p.m., Council recessed into a Public Building Commission meeting to approve invoices relating to the old hospital. The meeting adjourned at 4:23 p.m. and the regular council meeting resumed.

**15. LAND BANK MEETING – TRANSFER PROPERTIES TO LAND BANK & CONSIDER ACCEPTING OLD POST OFFICE BUILDING** – At 4:23 p.m., council recessed into a Land Bank meeting to transfer properties to the Land Bank; and, to consider accepting the old post office building as a donation. The meeting adjourned at 4:30 p.m. and the regular council meeting resumed.

**16. TEACHING REQUEST** – City Administrator Stiles asked for permission to serve as an adjunct instructor at WSU for one class in the spring of 2021 and one class in the summer of 2021. Both courses are 100% online and would be completed in his time off. Over the last few terms, he has taught State/Local Government Administration in the spring; and, State/Local Budgeting in the summer. Both courses are graduate level courses in the Masters of Public Administration program. He felt personally, it was important to give back to the profession of Public Management to help develop future public servants. Motion was made by Council member McCarty and seconded by Council member Loewen to approve this request. Motion carried unanimously.

**17. BOARD APPOINTMENTS** – Mayor Thurston appointed Todd Jost to the Museum Board. Motion was made by Council member McCarty and seconded by Council member Gehring to approve this appointment. Motion carried unanimously.

**18. ANNUAL FIRE REPORT** – Fire Chief Ben Steketee met with Council to deliver the annual Fire Department report. There are 21 members on the roster, including the two newest members, Kaleb Spencer and David Lockwood. He gave a report on the condition of all of the trucks and equipment. They are getting ready to order new bunker gear, which will be paid by the FEMA grant. They have had fewer fire drills due to COVID-19; and, there were 111 fire runs in 2019. Fire Chief Steketee said the summer's "Spray & Play" program was a success. Mayor Thurston thanked him for his leadership and for the untold volunteer hours of the members of the department.

#### **19. CITY ADMINISTRATOR' REPORT –**

*Fiber Project Groundbreaking* – We will be having our groundbreaking ceremony on Thursday, October 15 at 4:30 PM. It will be held at the central office site and feature numerous elected officials as speakers. The event is open to the public and everyone is encouraged to attend, if possible.

*Fiber Project* – TCW has been actively working at the central office location and pulling in fiber from US-56 on the east side of town. We also had our first utility hit. Weirdly enough, it was on overhead line and not a buried line. It was hit by an excavator bucket by the central office site. The biggest challenge for our crews is keeping up with the utility locating requests. Representatives from TCW have been meeting with businesses and residents, and have begun the sign-up process. Mayor Thurston, Anthony Roy and City Administrator Stiles all recorded interviews for a promotional commercial that will be starting shortly.

*Housing* – City Administrator Stiles had a meeting with Russell Groves about his housing development on Third Street. There are some opportunities and tools that we can use to help kick-start housing. We've started working on a Housing Assessment Tool (HAT) that must be completed to qualify for Kansas Department of Commerce programs. City Administrator Stiles is also going to be having conversations with some other builders and developers for specialty properties like patio homes for seniors and starter homes. There is also a potential for the City to develop a new park in that area. It could be a natural park with a walking path, and maybe some outdoor exercise stations. It would be a low cost investment project that would give the area another drawing feature. More will be forthcoming on housing as we progress in this area.

*Fair 4-H Building* – City Administrator Stiles met with Brent Unruh about the Fair Board's plans regarding alcohol. The Board is still determining how they are going to proceed. Working with City Attorney Boehm, we determined it would be better to know their plans specifically before we take action. City

Administrator Stiles will continue to work closely with the Fair Board and present an official action when plans are completed.

*Sewer and Lagoon Update* – Our City staff met with EBH to talk about the sewer system and lagoons. KDHE has stricter ammonia limits coming in the future. Taking care of our inflow and infiltration and ammonia levels would dramatically reduce smell issues and improve function at the lagoons. We discussed many options, including rerouting the backwash from the water plant flushing filters out of the sanitary sewer and into drainage ways. We will also likely be recommending adding fine bubble air diffusers into the lagoons. Those blowers are approximately \$15,000.00 per unit, but it is unclear how many we would need at this point. EBH's team is working on getting our options formally written and submitted to KDHE.

*Community Plaza* – The Community Plaza group has narrowed down architecture proposals to two companies. They will select one and move forward with the project. The hope is to have the design finished in early 2021 to begin work on the site in spring.

*Financial Report* – Council received copies of the Financial Dashboard report for the data through the month of August. The early meeting scheduled in September meant that we didn't reconcile the banks until after our second meeting. The fund balance in the General Fund continues to be lower than we'd like, but overall, things are in good shape. The utility funds are performing as anticipated and remain stable. We do have rate adjustments planned for water and electric in FY21. Sales tax continues to perform better than expected. Year-to-date collections are +8.2% higher than 2019 and +8.5% above the three-year average (2017-19).

**20. ADJOURNMENT** – Council meeting adjourned at 4:53 p.m.

\_\_\_\_\_/s/\_\_\_\_\_  
LOUIS THURSTON, MAYOR

ATTEST:

\_\_\_\_\_/s/\_\_\_\_\_  
JANICE K. MEISINGER, CITY CLERK