

Hillsboro, Kansas  
November 19, 2019

1. The city council met in regular session on Tuesday, November 19, 2019 at 4:00 p.m. in council chambers with Mayor Lou Thurston and Council members David Loewen, Byron McCarty, and Brent Driggers present.

2. Others Present: Former Council member Jonah Gehring; Council member-elect Renee Gehring; Josh Boehm, City Attorney; J.T. Klaus & Tyler Heffron, Triplett, Woolf Garretson; Anthony Roy, Economic Development Director; Phyllis Zorn, Hillsboro Star Journal; Laura Paulus, Hillsboro Free Press; James Hefley, 301 Floral Drive; Robert Williamson, 311 N. Washington; Larry Paine, City Administrator; and, Jan Meisinger, City Clerk.

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

**4. PRESENTATION TO JONAH GEHRING** – Mayor Thurston said the city has received and accepted the resignation from Jonah Gehring, who on Monday, was sworn in as a new county commissioner. Mayor Thurston presented a plaque to Jonah and thanked him for his two year service as a city council member.

**5. APPOINTMENT AND OATH OF OFFICE – RENEE GEHRING** – Jonah’s resignation leaves a vacancy on the council. Mayor Thurston appointed Renee Gehring to fill this unexpired term until January when she will be sworn in for her elected term. Motion was made by Council member Driggers and seconded by Council member McCarty to approve this appointment. Motion carried unanimously. City Clerk Meisinger then administered the oath of office to Renee Gehring.

Council member Loewen excused himself and left council chambers at 4:06 p.m. (David is coaching middle school boy’s basketball).

**6. PUBLIC COMMENTS** – none

**7. MINUTES** – Motion was made by Council member McCarty and seconded by Council member Driggers to approve the minutes of the 11-5-19 meeting as submitted. Motion carried unanimously.

**8. VOUCHERS** – Motion was made by Council member McCarty and seconded by Council member Driggers to approve the vouchers in the amount of \$564,510.18. Motion carried unanimously.

**9. EXECUTIVE SESSION** – Motion was made by Council member Gehring and seconded by Council member McCarty 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). Attendance will include J.T. Klaus, Tyler Heffron, Josh Boehm, and Larry Paine. The open meeting will resume in the council chamber at 4:25 p.m. Motion carried unanimously. Council resumed at 4:25 p.m. No action was taken.

**10. AMENDMENT TO SUBLEASE – HILLSBORO COMMUNITY HOSPITAL** – Tyler Heffron told council that the bankruptcy court judge has conditionally approved the sale of the hospital. The closing will be December 2<sup>nd</sup> or 3<sup>rd</sup>. Prior to closing, the assignment and amendment of sublease needs to be approved. The primary change is the amortization of rent payments from the hospital to the city. All of the money owed to the city will continue to be paid after the bonds have matured. Motion was made by Council member Driggers and seconded by Council member McCarty to approve the Form of Assignment and Amendment of Sublease between (1) the City of Hillsboro, Kansas (2) Brent King, in his capacity as the Chapter 11 Trustee for CAH Acquisition Company #5, LLC, and (3) Hillsboro Hospital, LLC, and authorize the mayor and city clerk to sign, with any necessary changes (including regarding its subordination to the primary loan) which changes, if any, shall be evidenced by the execution of the mayor, all in consideration with the city’s counsel. Motion carried unanimously. Mayor Thurston personally thanked J.T. and Tyler for the great job they have done for the city.

**11. HETT CONSTRUCTION – PAY ESTIMATE REVISION** – At the last meeting, we presented a request for payment to Hett Construction. EBH mistakenly submitted the prior request for payment. The amount was not sufficient to cover the amount due. City Administrator Paine agreed that Davey Hett would cash the check and submit another request for the balance of \$13,928.30. Motion was made by Council member McCarty and seconded by Council member Gehring to approve Pay Estimate #5 (revised) in the amount of \$13,928.30. Motion carried unanimously.

**12. SPECIAL PURPOSE VEHICLE ORDINANCE** – City Administrator Paine said the changes made to the draft ordinance since the last council meeting were:

- Includes removal of the restriction of vehicles to have lights as required for motorcycles. It now reads the lights are required for daytime and nighttime driving.
- Repeals Ordinances 1184 and 1185.
- Removes the requirement for a slow moving vehicle sign on vehicles that can travel at 40 mph.

Jim Hefley and Robert Williamson met with council to express their support for allowing use of these types of vehicles. City Attorney Boehm said most of the work was done, it just needed to be wrapped up, cleaned up, and reorganized. Mayor Thurston said he would like to see the proposed ordinance posted on Facebook and the city’s website for public comment before final adoption. After further discussion, motion was made by Council member Driggers and seconded by Council member McCarty to table this agenda item until the next meeting. Motion carried unanimously.

**13. STRATEGIC PLANNING SESSION** – City Administrator Paine said he and the mayor are wanting to develop a new strategic plan for at least the next 4-5 years for what the city needs to do and how to be financially prepared for those needs for the betterment of the community. City Administrator Paine said he has had experience with the firm, Hometown Connections, who prepared strategic plans for both KMU & KPP. They are suggesting the week of January 13<sup>th</sup>. The session would be one and a half days. The cost would be around \$5,000.00. We are trying to share the week with KMU, as they want to revisit their strategic plan. That way, KMU and the city can share some of the travel expenses. City Administrator Paine will resend his e-mail so council can respond with their preference of days.

**14. PARRISH ASBESTOS REMOVAL** – ACM Removal-Kansas, LLC found asbestos in the siding and furnace flue in one of the houses the city purchased from Christopher Parrish. The estimate for ACM to remove the asbestos is \$13,460.00. Motion was made by Council member McCarty and seconded by Council member Gehring to approve the proposal for removal. Motion carried unanimously.

**15. LAND BANK INTRODUCTORY INFORMATION** - City Administrator Paine said the primary purpose of a land bank is to acquire distressed property, clear titles, and get the property back into useful life in the community. One of the benefits of the land bank is the ability to wipe out back taxes and make property affordable for the future purchaser. We have a number of properties that we currently pay taxes on while we are holding them. The unimproved land in Willow Glen is a good example. City Attorney Boehm said most cities have land banks, and there wasn’t a good reason not to have one. City Administrator Paine will proceed with this.

**16. PBC MEETING – INVOICE FROM FLAMING’S INC.** – At 5:15 p.m., council recessed into a Public Building Commission meeting to approve an invoice to Flaming’s Inc. regarding the installation of a new service line to Salem Home. The meeting adjourned at 5:17 p.m. and the regular council meeting resumed.

**17. BOARD APPOINTMENTS** – Mayor Thurston appointed Jennifer Axelrad (the new motel manager) to the CVB. Motion was made by Council member McCarty and seconded by Council member Driggers to approve this appointment expiring 12/31/2020 (replacing Rod Hamm). Motion carried unanimously.

**18. CITY ADMINISTRATOR’S REPORT** – City Administrator Paine said most of the work was completed on Washington Street; however, it was not yet open to traffic.

**19. ADJOURNMENT** – Council meeting adjourned at 5:20 p.m.

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

ATTEST:

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