**Regular Meeting**

**December 5, 2017**

**6:00 p.m.**

The Board of City Commissioners of the City of Herington, Kansas met at City Hall at 6:00 p.m. on the above date – the following being present: Mayor Kat Souza, Commissioner Michelle Stanford, Commissioner Dave Jones, Commissioner Sarah Nistler, City Manager Ed Patton, City Attorney Brad Jantz, City Clerk Brenda Wildman. Absent was Commissioner Mark Hager.

The meeting opened with the Pledge of Allegiance. A motion was made by Commissioner Stanford, seconded by Commissioner Nistler to approve the minutes of the meeting of December 5, 2017. Motion carried, all voting “Aye.”

Appropriation Ordinance #P1201-17 was reviewed.

At Public Forum D.J. Neuberger question the ownership of the Herington Municipal Hospital and possible KOMA violation regarding side conversation with Commissioner Stanford, Commissioner Jones, and Mayor Souza. Mayor Souza addressed his concerns by explaining the following: Commissioner Stanford was mumbling to herself and Mayor Souza had to repeat her comment due to the fact people in the audience couldn’t hear her.

A motion was made by Commissioner Jones, seconded by Commissioner Stanford to approve the agenda with the addition of 12a - Discussion on non-billed utilities. Motion carried, all voting “Aye.”

Mayor Souza opened the Public Hearing at 6:06 p.m. – Rezoning of 101 East Main from R-3 Residential to B-4 General Business. Mayor Souza read the notice. There was no questions from the audience. Mayor Souza closed the hearing at 6:09 p.m. Regular Meeting resumed.

**ORDINANCE NO. 1796**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF HERINGTON, KANSAS, ZONING REGULATION (ORDINANCE NO. 1490).**

A motion was made by Commissioner Jones, seconded by Commissioner Nistler to approve Ordinance #1796 Amending the Zoning Map of the City of Herington. Motion carried, all voting “Aye.”

A motion was made by Commissioner Jones, seconded by Commissioner Nistler to approve the agreement with the Dickinson County EDC Partnership. Motion carried, all voting “Aye.”

The Commission discussed the RMS-CAD upgrade for the Herington Police Department.

A motion was made by Commissioner Jones, seconded by Commissioner Nistler to approve Cereal Malt Beverage License Renewals for Consumption on the Premises for Pizza Hut, The Spot, and Uncle Bob’s Bowling Center. Motion carried, all voting “Aye.”

A motion was made by Commissioner Jones, seconded by Commissioner Stanford to approve the Cereal Malt Beverage License Renewals for Packaged Only for Ampride, The Spot, and Barnes Food Center. Motion carried, all voting “Aye.”

A motion was made by Commissioner Stanford, seconded by Mayor Souza to table the approval of the Resolution to approve the Retail Sales Tax. Motion carried, all voting, “Aye.”

A motion was made by Commissioner Jones, Seconded by Commissioner Stanford to table the discussion of the Land Bank until the December 19, 2017 Commission Meeting. Motion carried, all voting “Aye.”

Commissioner Jones presented a worksheet he made regarding the non - billed utilities for the City of Herington with the main focus being on The Hilltop and The Homestead. Commissioner Jones wants the Commissioners to consider billing utilities by June 2018. Commissioner Stanford suggested a work session to include Lori Dornbusch.

A motion was made by Commissioner Jones, seconded by Commissioner Stanford to recess into Executive Session for non-elected personnel K.S.A 75-4319 (b)(1) to protect the privacy rights of the individual being discussed to include: Governing Body and City Attorney with the option to call the City Manager. Meeting to resume at 7:19 p.m. Motion carried, all voting “Aye.” Meeting resumed with no action taken.

A motion was made by Commissioner Stanford, seconded by Commissioner Nistler to adjourn. Motion carried, all voting “Aye.”

Also present: Rick Freeman, Virginia Neuberger, D.J. Neuberger, Natasha Barnett, Cynthia Naylor, Ed Mueller, Ken Walters, Duane Bauer, Marcus Hawkes, and Dave Baker.