**Regular Meeting**

**February 6, 2018**

**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 Dave Jones, Commissioner Kat Souza, Commissioner Mark Hager, Commissioner Sarah Nistler, Commissioner Marcus Hawkes,

City Attorney Brad Jantz, and City Clerk Brenda Wildman.

The meeting opened with the Pledge of Allegiance. The presentation of the EMT Award from the VFW is rescheduled and will be on February 20, 2018.

A motion was made by Commissioner Hager, and seconded by Commissioner Nistler to approve the minutes of the meetings of January 16, 2018, Special Meeting January 22, 2018, Special Meeting January 24, 2018, and Special Meeting February 2, 2018. Motion carried, all voting “Aye.”

The commissioner reviewed appropriation ordinances #C1231-17 and #P0126-18.

The following spoke during Public Forum: Rick Freeman: Parking at Herington Housing Authority, Jeff Ledy and Glenn Catlin: Waive building permit fees for the First Baptist Church, Frank Meyer: Letter of approval to attach to the Hope water line, Natasha Barnett: Policy needed on city hiring, Gabby Simmons: 12th Street Trailer.

A motion was made by Mayor Jones, seconded by Commissioner Hager to approve the agenda with the addition of the following: add 16a Consider Building Fee Reduction for the First Baptist Church and move #7 to 16b. Motion carried, all voting “Aye.”

A motion was made by Mayor Jones, seconded by Commissioner Hager to continue the Occupancy at 801 North D to the February 20, 2018 meeting. Motion carried 4-1, with Commissioner Nistler casting the “Nay” vote.

A motion was made by Commissioner Souza, seconded by Commissioner Hager to appoint Jason Alt as Director #2 to the KMEA Board of Directors. Motion carried, all voting “Aye.”

A motion was made by Commissioner Hager, seconded by Commissioner Nistler to appoint Mayor Dave Jones as Alternate to the KMEA Board of Directors. Motion carried, all voting “Aye.”

Mayor Jones opened the Distressed Property Hearing for 5 West Walnut at 6:26 p.m. A motion was made by Commissioner Hager, seconded by Commissioner Nistler to continue the hearing the regular meeting on March 6, 2018. Motion carried, all voting “Aye.” Mayor Jones closed the public hearing at 6:31 p.m. Regular meeting resumed.

A motion was made by Mayor Jones, seconded by Commissioner Hawkes to reappoint Gloria Lansbury to the Library Board term to expire March 14, 2022. Motion carried, all voting “Aye.”

A motion was made by Commissioner Nistler, seconded by Commissioner Hawkes to reappoint Cassie Moore to the Dickinson County EDC term to expire March 1, 2019. Motion carried, all voting “Aye.”

A motion was made by Mayor Jones, seconded by Commissioner Hager to appoint Joan Mattan to the Hilltop Advisory Board term to expire March 10, 2021. Motion carried, all voting “Aye.”

Article 2. Dogs, Cats, and Domestic Animals: 2-201,2-204, 2-20- and 2-201 were discussed with instruction for City Attorney Brad Jantz to add 2-201(f) to change the fees.

Discussion on the Land Bank was held with the suggestion of the new committee consist of the 5 city commissioners and 3 at large members. The chairman will be a nonvoting member.

A motion was made by Commissioner Souza, seconded by Commissioner Nistler to reduce the building permit fee for the First Baptist Church by 50%. Motion carried. Commissioner Souza and Commissioner Nistler both voting “Aye.” Commissioner Hawkes, Commissioner Hager, and Mayor Jones recused themselves due to being members of the First Baptist Church.

A motion was made by Mayor Jones, seconded by Commissioner Hager to recess into executive session K.S.A. 75-4319(b)(4) to discuss business opportunity, pursuant to the confidential data relating to financial affairs or trade secrets of corporation, partnerships, trusts, and individual proprietorships. To include: Governing Body, City Attorney Brad Jantz, Airport Manager Merlin Oswald, and Chuck Jarnot. The open meeting will resume in the City Hall Board Room at 7:26 p.m. Motion carried, all voting “Aye.” Meeting resumed with no action taken.

A motion was made by Mayor Jones, seconded by Commissioner Nistler to recess into executive session K.S.A. 75-4319(b)(2) for attorney-client privilege matters relating to potential litigation. To include: Governing Body and City Attorney Brad Jantz. The open meeting will resume in the City Hall Board Room at 7:48 p.m. Motion carried, all voting “Aye.” Meeting resumed with no action taken.

A motion was made by Mayor Jones, seconded by Commissioner Nistler to recess into executive session K.S.A. 75-4319(b)(2) for attorney-client privilege matters relating to potential litigation. To include: Governing Body and City Attorney Brad Jantz. The open meeting will resume in the City Hall Board Room at 8:04 p.m. Motion carried, all voting “Aye.” Meeting resumed with no action taken.

A motion was made by Mayor Jones, seconded Commissioner Hager to remove #18 Executive Session K.S.A 75-4319 (b)(1). Motion carried, 4-1 Commissioner Souza abstained.

A motion was made by Mayor Jones, seconded by Commissioner Hager to recess into executive session K.S.A. 75-43198 (b)(1) to discuss interim city manager candidates and alternative for interim management, pursuant to personnel matters on non-elected personnel. To include: Governing Body and City Attorney Brad Jantz. The open meeting to resume in the City Hall Board Room at 8:36 p.m. Motion carried 4-1, Commissioner Souza casting the “Nay” vote. Commissioner Souza didn’t go into the executive session. Meeting resumed with no action taken.

The City Commission will interview 4 candidates on February 14th, 15th, and 16th with 1 hour increments.

City Clerk Brenda Wildman updated the commission. A motion was made by Mayor Jones, seconded by Commissioner Hawkes to approve Brenda Wildman, City Clerk to sign the authorization agreement between the City of Herington and Driggs Design Group, PA. Motion carried, all voting “Aye.”

Commissioner Kat Souza read her letter of resignation effective immediately during city commissioner comments.

A motion was made by Major Jones, seconded by Commissioner Hager to amend the agenda and add 21A: Acceptance of Commissioner Kat Souza’s letter of resignation, 21B Nomination of Vice-Mayor. Motion carried, all voting “Aye.”

A motion was made by Commissioner Hager, seconded by Mayor Jones to accept Commissioner Souza’s letter of resignation. Motion carried, all voting “Aye.”

A motion was made by Commissioner Nistler, seconded by Commissioner Hawkes nominating Commissioner Mark Hager as Vice-Mayor. Motion carried, all voting “Aye.”

A motion was made by Mayor Jones, seconded by Commissioner Hager to designate Dennis Albrecht, director of public works as temporary signee in place of the city manager on the appropriation ordinances.

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

Also present: Rick Freeman, Jeff Ledy, Duane Bauer, Gabriele Simmons, Glenn Catlin, Merlin Oswald, Ken Walters, Frank Meyer, Shirley Meyer, Natasha Barnett, Gloria Boomer, Audra Reber, Cynthia Naylor, and J.R. Sparke.

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 Brenda Wildman, City Clerk