**Regular Meeting**

**March 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 Mark Hager, Commissioner Sarah Nistler, Commissioner Marcus Hawkes, City Clerk and Interim City Manager Brenda Wildman, and City Attorney Brad Jantz. Absent was Commissioner Robbin Bell.

The meeting opened with the Pledge of Allegiance. A motion was made by Commissioner Hager, seconded by Commissioner Nistler to approve the minutes of the February 20, 2018 meeting. Motion carried, all voting “Aye.”

Appropriation Ordinance P0223-18 was reviewed.

During Public Forum Rick Freeman talked about the use of microphones and former employees going through paperwork in the city office. Natasha Barnett discussed the budget hearing. D.J. Neuberger talked about 17 W. Walnut and the search for a new City Manager, Jim Dougherty had questions regarding code violations.

A motion was made by Mayor Jones, seconded by Commissioner Hager to approve the agenda. Motion carried, all voting “Aye.”

Buck Driggs gave an update on the Water Treatment Plant. A motion was made by Commissioner Hager, seconded by Commissioner Nistler to approve Amendment #2 Water Treatment Plant Engineering Services Contract. Motion carried, all voting “Aye.”

Ren Morton and Nikki Harrison from the League of Kansas Municipalities gave a presentation for the city manager search. A motion was made by Mayor Jones, seconded by Commissioner Hager to hire the League of Kansas Municipalities to conduct the city manager search. Motion carried, all voting “Aye.”

Tom Saitta and Paul Mahlberg from KMEA discussed the benefits of WAPA and SPA.

A motion was made by Mayor Jones, seconded by Commissioner Hager to approve the ADA project the NW Corner of Broadway and Walnut Street $12,335.00 and SW Corner of Broadway and Walnut Street $17,001.75. Motion carried, all voting “Aye.”

Distressed Property Hearing for 5 West Walnut opened at 7:20 p.m. A motion was made by Commissioner Hager, seconded by Commissioner Nistler to continue the hearing to April 3, 2018. Motion carried, all voting “Aye.” Distressed Property Hearing was closed at 7:27 p.m. Regular Meeting resumed.

**ORDINANCE NO. 1800**

## **AN ORDINANCE AMENDING CHAPTER IV, ARTICLES 1,2,4, 6, AND 9 RELATING TO BUILDING, PLUMBING, PROPERTY MAINTENANCE, MECHANICAL, SOLAR ENERGY PROVISIONS, RESIDENTIAL CODE, NATIONAL ELECTRIC CODE, FUEL GAS, ZONING, EXSITING BUILDING, GREEN CONSTRUCTION, PRIVATE SEWER, WILDLAND-URBAN INTERFACE, CODE COUNCIL PERFORMANCE, SWIMMING POOL AND SPA, ENERGY CONSERVATION, LIFE SAFETY AND FIRE CODES, SECTIONS 4-101, 4- 102, AND 4-103; SECTIONS 4-201,4-210; SECTIONS 4-401,4-402, 4-411, AND 4-412; SECTIONS 4-001,4-602 4-606; AND SECTION 4-901 OF THE CODE OF THE CITY OF HERINGTON, KANSAS, AS CURRENTLY IN EFFECT; PERTAINING TO THE ADOPTION BY REFERENCE OF THE INTERNATIONAL BUILDING CODES, 2015 EDITION, NFPA-101 2015 EDITION AND THE NFPA 1911 AND THE ATTENDANT AMENDMENTS AS MAY BE PERIDODICALLY ADOPTED AS IT RELATES BY REFERENCE THROUGHOUT CHAPTER IV OF THE CODE OF THE CITY Of HERINGTON, KANSAS.**

## A motion was made by Commissioner Hager, seconded by Commissioner Nistler to approve Ordinance #1800 amending the current 2006 Edition IBC-ICC Codes in the city code book to the 2015 Edition (Series) of the same to include, 101, ISEP and 2017 NFPA 1911 and NFPA 70 Codes. Motion carried, all voting “Aye.”

## Clean Up Week is scheduled for April 23-27 2018.

## Interim City Manager Brenda Wildman advised the commission that Carl Brown with Getting Great Rates has been hired to perform a water and sewer rate study.

## The Land Bank will have a meeting on March 13, 2018 at 5:00 p.m. to approve their annual budget.

## A motion was made by Mayor Jones, seconded by Commissioner Hawkes to re-appoint Jenette Clark to the Library Board for a four (4) year term, term to expire March 14, 2022. Motion carried, all voting “Aye.”

A motion was made by Mayor Jones, seconded by Commissioner Hager to recess into Executive Session Attorney Client Relationship K.S.A 75-4319 (b)(2) consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship relating to contract negotiation. To include the Governing Body and City Attorney. The open meeting to resume in the City Hall Board Room at 8:16 p.m. Motion carried, all voting “Aye.” Meeting resumed with no action taken.

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 potential business moving to the Herington Regional Airport, pursuant to the confidential data relating to financial affairs or trade secrets of corporations, partnerships, trust, and individual proprietorships. To include the Governing Body and City Attorney Brad Jantz. The open meeting to resume in the City Hall Board Room at 8:38 p.m. Motion carried, all voting “Aye.” Meeting resumed with no action taken.

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 potential business moving to the Herington Regional Airport, pursuant to the confidential data relating to financial affairs or trade secrets of corporations, partnerships, trust, and individual proprietorships. To include the Governing Body and City Attorney Brad Jantz. The open meeting to resume in the City Hall Board Room at 8:59 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 Non-Elected Personnel K.S.A 75-4319 (b)(1) to protect the privacy of the individual being discussed and related personnel matters, pursuant to personnel matter on non-elected personnel. To include the Governing Body, City Attorney, and Interim City Manager. The open meeting to resume in the City Hall Board Room at 9:20 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 Non-Elected Personnel K.S.A 75-4319 (b)(1) to protect the privacy of the individual being discussed and related personnel matters, pursuant to personnel matter on non-elected personnel. To include the Governing Body, City Attorney, and Interim City Manager. The open meeting to resume in the City Hall Board Room at 9:36 p.m. Motion carried, all voting “Aye.” Meeting resumed with no action taken.

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

## Also present: Rick Freeman, Natasha Barnett, Scott Melcher, Leo Schlesener, Virginia Neuberger, D.J. Neuberger, David Kahle, David Gehrke, Cynthia Naylor, Tandi Reiff, and Paul Mahlberg.

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 Brenda Wildman, City Clerk