**Regular Meeting**

**March 20, 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, Commissioner Robbin Bell, Interim City Manager Brenda Wildman, and City Attorney Brad Jantz.

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 March 6, 2018 meeting. Motion carried, all voting “Aye.”

Appropriation Ordinances #C0228-18 and #P0309-18 were reviewed.

During Public Forum Natasha Barnett discussed the Land Bank.

A motion was made by Mayor Jones, seconded by Commissioner Bell to approve the agenda with the addition of 7A Consider Request for Obligation, Letter of Intent, and Letter of Conditions for the Rural Development Finance Water Treatment Facility. Motion carried, all voting “Aye.”

Rural Development Finance Loan Specialist Chelsea Morris presented an overview for the Water Treatment Facility. A motion was made by Mayor Jones, seconded by Commissioner Nistler to approve the Request for Obligation, Letter of Intent, and Letter of Conditions with Mayor Jones signing the documents. Motion carried, all voting “Aye.”

The Commission signed the SRT project agreement with Benesch.

Occupancy at 801 North D Street was discussed and Code Enforcement Officer Scott Melcher will issue a Certificate of Occupancy with a condition of monthly inspection until the project is complete. The matter before the commission is closed.

A motion was made by Commissioner Bell, seconded by Commissioner Hager to appoint Phyllis Smith (Hotel Rep.) to the Convention and Visitors Bureau for a two year term, term to expire March 20, 2020. Motion carried, all voting “Aye.”

A motion was made by Commissioner Bell, seconded by Commissioner Nistler to Re-Appoint LeRoy Gentz to the Hilltop Advisory Board for a three year term, term to expire March 20, 2021. Motion carried, all voting “Aye.”

A motion was made by Commissioner Bell to re-appoint Rick Freeman to the Convention and Visitors Bureau for a two year term, term to expire April 30, 2020. Motion carried, all voting “Aye”

A motion was made by Commissioner Hager, seconded by Commissioner Nistler to approve the Arbor Day Proclamation. Motion carried, all voting “Aye.”

A motion was made by Commissioner Hager, seconded by Commissioner Hawkes to approve the 50 Years Fair Housing Proclamation. Motion carried, all voting “Aye.”

**ORDINANCE NO. 1801**

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF HERINGTON, KANSAS, TO REPEAL AND REMOVE IN ITS ENTIRETY A SECTION IN CHAPTER 1, ARTICLE 6; TO SPECIFICALLY REPEAL SECTION 6-607 WHICH ESTABLISHED A CITY LAND BANK PURSUANT TO K.S.A. 12-5901, et seq. AND PROVIDED FOR THE ADMINSTRATION THEREOF; AND REPEALING ANY OTHER CURRENT ORDINANCE AND RELATED PROVISIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH.**

A motion was made by Commissioner Bell, seconded by Commissioner Hager to approve Ordinance No. #1801. Motion carried, 4-1.

 Aye: Commissioner Bell Nay: Mayor Jones

 Commissioner Hawkes

 Commissioner Nistler

A motion was made by Commissioner Bell, seconded by Commissioner Nistler to approve the resignation letters from Cherry Patton from the Board of Zoning Appeals, Planning Commission, and Convention and Visitors Bureau. Motion carried, all voting “Aye.”

A motion was made by Mayor Jones, seconded by Commissioner Hager to recess into Executive Session to discuss with Interim City Manager needed job requirements. K.S.A. 75-4319 (b)(1) pursuant to personnel matters of nonelected personnel. To include Governing Body, City Attorney and Interim City Manager. The open meeting to resume in the City Hall Board Room at 8:41 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)(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. The open meeting to resume at 9:12 p.m. in the City Hall Board Room. To include the Governing Board, City Attorney, and Interim City Manager. Motion carried, all voting “Aye.” Meeting resumed with no action taken.

Interim City Manager, City Attorney, and City Commission had comments.

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

Also present: Scott Melcher, Ed Mueller, Natasha Barnett, Rick Freeman, Chelsea Morris USDA RD, Ken Walters, Cynthia Naylor, Debi Urbanek, Carl Urbanek, Tandi Reiff, and Vance Donahue II.

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 Brenda Wildman, City Clerk