**Regular Meeting**

**June 18, 2019**

**5:30 p.m.**

The Board of City Commissioners of the City of Herington, Kansas met at City Hall at 5:30 p.m. on the above date – the following being present: Mayor Dave Jones, Commissioner Robbin Bell, Commissioner Curtis Hartman, Commissioner Debi Urbanek, Commissioner Eric Gares, City Manager Matt Townsend, City Clerk Brenda Wildman, and City Attorney Brad Jantz.

The meeting opened with the Pledge of Allegiance. A motion was made by Commissioner Urbanek, seconded by Commissioner Gares to approve the minutes of the regular meeting June 4, 2019. Motion carried all voting “Aye.” Appropriation Ordinances #C0531-19 and #P0614-19 were discussed.

A motion was made by Mayor Jones, seconded by Commissioner Bell to approve the agenda with the addition of 6A Representative Dave Baker, move #8 to 18A Highway 77 Annexation, add 20A Executive Session for non-elected personnel. Motion carried all voting “Aye.”

Representative Dave Baker presented Ed Mueller an award. The VFW presented Cody Oswald and John Kershner individual awards.

A motion was made by Mayor Jones, seconded by Commissioner Gares to recess until 6:15 p.m. City Attorney Brad Jantz arrived at 6:10 p.m. Regular meeting resumed at 6:15 p.m.

A motion was made by Mayor Jones, seconded by Commissioner Bell 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 corporations, partnerships, trusts, and individual proprietorships; to include the Governing Body, City Attorney Brad Jantz and City Manager Matt Townsend, CFO and CEO from the Herington Hospital. Meeting to resume at 6:37 p.m. Motion carried, all voting “Aye.” No action taken.

A motion was made by Mayor Jones, seconded by Commissioner Bell 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 corporations, partnerships, trusts, and individual proprietorships; to include the Governing Body, City Attorney Brad Jantz and City Manager Matt Townsend, CFO and CEO from the Herington Hospital. Meeting to resume at 6:54 p.m. Motion carried, all voting “Aye.” No action taken.

Mayor Jones opened the distress property hearing for 5 West Walnut. A motion was made by Mayor Jones, seconded by Commissioner Hartman to continue the distress property hearing to the regular meeting on July 2, 2019. Motion carried, all voting “Aye.”

A motion was made by Commissioner Urbanek, seconded by Commissioner Bell to approve the letter of resignation from the Library Board from Jenette Clark. Motion carried, all voting “Aye.”

A motion was made by Commissioner Urbanek, second by Commissioner Bell to re-appoint Connie Haage to the Library Board for a four-year term, term to expire March 14, 2023. Motion carried, all voting “Aye.”

A motion was made by Commissioner Urbanek, second by Commissioner Bell to re-appoint Pam Dalton to the Library Board for a four-year term, term to expire March 14, 2023. Motion carried, all voting “Aye.”

**ORDINANCE NO. 1816**

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF HERINGTON, KANSAS, TO REPEAL AND REPLACE CHAPTER VII, ARTICLE 7, SECTION 722 IN ITS ENTIRETY, REGULATING MONTHLY CHARGES PER DWELLING UNIT FOR RESIDENTIAL CUSTOMERS OF THE MUNICIPAL SOLID WASTE UTILITY, AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH.**

A motion was made by Mayor Jones, seconded by Commissioner Gares to approve Ordinance #1816 to increase the Trash Service Fee. Motion carried, 4-1 with Commissioner Urbanek casting the “Nay” vote.

 **RESOLUTION NO. 918**

**A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 214 N. B STREET IN THE CITY OF HERINGTON, DICKINSON COUNTY, KANSAS, IS UNSAFE OR DANGEROUS AND DIRECTING THAT THE STRUCTURE BE DEMOLISHED AND THE PREMISES MADE SAFE AND SECURE.**

A motion was made by Mayor Jones, seconded by Commissioner Bell to approve the Distress Property Resolution #918 for 214 North B. Motion carried, all voting “Aye.”

**RESOLUTION NO. 919**

**A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 812 W. DAY STREET IN THE CITY OF HERINGTON, DICKINSON COUNTY, KANSAS, IS UNSAFE OR DANGEROUS AND DIRECTING THAT THE STRUCTURE BE DEMOLISHED AND THE PREMISES MADE SAFE AND SECURE.**

A motion was made by Commissioner Bell, seconded by Mayor Jones to approve the Distress Property Resolution #919 for 812 West Day. Motion carried, all voting “Aye.”

**RESOLUTION NO. 920**

**A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 105 S. 9th STREET IN THE CITY OF HERINGTON, DICKINSON COUNTY, KANSAS, IS UNSAFE OR DANGEROUS AND DIRECTING THAT THE STRUCTURE BE DEMOLISHED AND THE PREMISES MADE SAFE AND SECURE.**

A motion was made by Commissioner Gares, seconded by Commissioner Bell to approve the Distress Property Resolution #920 for 105 South 9th. Motion carried, all voting “Aye.”

**RESOLUTION NO. 921**

**A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 205 W. TRAPP STREET IN THE CITY OF HERINGTON, DICKINSON COUNTY, KANSAS, IS UNSAFE OR DANGEROUS AND DIRECTING THAT THE STRUCTURE BE DEMOLISHED AND THE PREMISES MADE SAFE AND SECURE.**

A motion was made by Commissioner Urbanek, seconded by Commissioner Bell to approve the Distress Property Resolution #921 for 205 W Trapp. Motion carried, all voting “Aye.”

**RESOLUTION NO. 922**

**A RESOLUTION OF THE CITY OF HERINGTON, KANSAS DECLARING AN INTEREST IN, AND ESTABLISHING A PUBLIC HEARING DATE FOR CONSIDERING THE ANNEXATION OF CERTAIN LANDS TO THE CITY OF HERINGTON, KANSAS.**

A motion was made by Commissioner Urbanek, seconded by Commissioner Gares to approve Ordinance #922 for Highway 77 Annexation. Motion carried, all voting “Aye.”

A motion was made by Commissioner Urbanek, seconded by Commissioner Bell to approve Cereal Malt Beverage License; Special Event Permit, Lauren Spelts for June 30, 2019 at the Herington Community Building from 3:00 p.m. to 10:00 p.m. Motion carried, all voting “Aye.”

A motion was made by Commissioner Urbanek, seconded by Commissioner Bell to approve Cereal Malt Beverage Licenses; Special Event Permit, Lauren Spelts for July 11, 12, and 13, 2019 at the Fair Grounds from 3:00 p.m. to 11:00 p.m. Motion carried, all voting “Aye.”

A motion was made by Mayor Jones, seconded by Commissioner Bell to recess into executive session K.S.A. 75-4319 (b)(1) for non-elect personnel; to include the Governing Body, City Attorney Brad Jantz, City Manager Matt Townsend, and Police Chief Brian Hornaday. Meeting to resume at 7:46 p.m. Motion carried, all voting “Aye.” No action taken.

A motion was made by Commissioner Urbanek, seconded by Commissioner Gares to Adjourn. Motion carried, all voting “Aye.”

Also present: Scott Melcher, Carl Urbanek, Bev Oswald, Courtney Mai, Cody Oswald, Sean Oswald, Melissa Oswald, Gisela Mueller, Edwin Mueller II, Ed Mueller, Brian Hornaday, Duane Bauer, Sandy Adams, Howard Adams, Butch Knight, Shirley Meyer, Gloria Boomer, Dave Baker, Anna Moeller, Isabel Schmedemann, Mike and Jody Tomsello, Melissa Mueller, Clay and Katharine Bigham, Jessica and Ashley Mascareno, Janet Wade, Vance Donahue II, Bryan Coffey.

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 Brenda Wildman, City Clerk