

REGULAR MEETING
March 5, 2013

The Board of City Commissioners of the City of Herington, Kansas met at City Hall at 4:30 p.m. on the above date—the following being present: Mayor Robbin Bell, Commissioner Fred Olsen, Commissioner Woodie Haire, Commissioner D.J. Neuberger, Commissioner Beth Wade, City Manager Ron Strickland, City Attorney Brad Jantz, and City Clerk Debra Wendt. Others present were approximately one hundred citizens and representatives from KWCH Channel 12 News.

The minutes of the meeting of February 19, 2013 were considered, and Commissioner Neuberger wanted to clarify that the City Manager's total vacation approved at that meeting for each year is four weeks. He then made a motion to approve the minutes with the clarification, seconded by Commissioner Wade, and the motion passed, with Commissioners Haire, Wade, and Neuberger voting "Aye," and Mayor Bell and Commissioner Olsen abstaining. Appropriation Ordinance #P0225-13 was discussed and reviewed. There were no additional agenda items. A motion was made by Commissioner Olsen, seconded by Commissioner Haire, to approve the agenda. Motion carried, all voting, "Aye."

At 4:37 p.m. a motion was made by Commissioner Haire, seconded by Commissioner Neuberger, for the City Commission and City Attorney to go into executive session for one hour to discuss non-elected personnel. Motion carried, all voting, "Aye." At 5:05 p.m. City Clerk Debbie Wendt was called into the executive session for five minutes, and at 5:17 p.m. City Manager Ron Strickland was called into the executive session for the duration of the session. At 5:37 p.m. a motion was made by Commissioner Haire, seconded by Commissioner Olsen, to re-convene into regular session. Motion carried, all voting, "Aye." At 5:38 p.m. a motion was made by Mayor Bell, seconded by Commissioner Wade, for the City Commission, City Attorney, and City Manager to go into executive session for another twenty minutes to discuss non-elected personnel. Motion carried, all voting, "Aye." At 5:58 p.m. a motion was made by Commissioner Haire, seconded by Commissioner Wade, to re-convene into regular session. Motion carried, all voting, "Aye."

The following Charter Ordinance was considered:

CHARTER ORDINANCE NO. 25

A CHARTER ORDINANCE EXEMPTING THE CITY OF HERINGTON, KANSAS FROM THE PROVISIONS OF K.S.A. 12-1222 RELATIVE TO RESIDENCE REQUIREMENTS OF LIBRARY BOARD MEMBERS AND PROVIDING A SUBSTITUTE PROVISION ON THE SUBJECT OF RESIDENCE REQUIREMENTS FOR LIBRARY BOARD MEMBERS.

This would allow not more than three of the seven members of the Library Board to reside outside of the city limits, within a 15 mile radius. A motion was made by Commissioner Neuberger, seconded by Mayor Bell, to adopt Charter Ordinance No. 25. The vote was as follows:

Ayes:	Mayor Bell, Commissioners Olsen, Haire, Neuberger, and Wade
Nays:	None. Motion carried.

Bart Hinkle was present to discuss the City Manager's contract. He pointed out that Section 16 requires annual evaluations, and since Ron has only received one written evaluation, he contended that the contract is null and void. Bart also found several flaws in the contract and asked who wrote it. Brad explained that Interim City Manager Dennis Kissinger prepared the RFP, interview questions, evaluation of candidates, and contract. Bart also noted that the contract does not have an ending date, pointed out that the surety bonds are not consistent, and said that he feels that the City Manager does not possess good oral, written, or interpersonal communication skills, as are required by his job description. Robbin

explained why the contract is “open ended,” but Bart insisted that the contract is horrible, and that it has been breached. He then asked if the moving expenses were for moving in or out of town and asked the Commission to terminate Mr. Strickland. Brad said that the contract is not “open ended,” and that it can be terminated at will, which would then be the end date. Brad also commented that evaluations can be done orally, and agreed that the first sentence in Section 19 should read “Section 18” instead of “Section 10.” Bart then stated that the City Manager’s bond expires on June 5, 2013 and asked that he be terminated at that time, and he also asked the Commission to re-visit the raise that was given to Ron at the last meeting.

The City Manager’s contract was discussed. A motion was made by Mayor Bell, seconded by Commissioner Neuberger, to modify the motion of the February 19, 2013 meeting that increased the City Manager’s annual salary by \$15,000, to instead increase the annual salary by \$5,000, retroactive to January 1, 2013. After the motion, D.J. wanted to clarify that the City Manager took a voluntary salary reduction of \$10,000 per year. The vote was taken, and the motion passed unanimously.

Ron spoke briefly about Trapp Street, and Woodie stated that he has lived in Herington all of his life, and has worked for the City, as well as his Dad and uncle. He thinks that Ron has done a good job, and was instrumental in working on the overpass, 5th Street, Community Building, and keeping the hospital open.

A motion was made by Commissioner Wade, seconded by Mayor Bell, to adjourn the meeting. Motion carried, all voting, “Aye.”

Also present at the meeting were Gail Bettles, Lindy Blank, Kenny Pigorsch, Melissa Barton, Jackie Mueller, Chuck Miller, Casey Lowmiller, Jonny Thiel, Dave Jones, Ray Perez, Heather Felpel, Marcia Mathias, Michelle Clore, Jodi Reeves, Walt Clark, Shannon Reeves, Virginia Neuberger, Shelly Langhofer, Dannie Idleman, Tammy Miller, Serena Weldon, Kristy Mueller, Traci Alt, Sondra Stahl, Bonnie Bowman, Galen Schneider, Rod Coon, Cindy Roberts, Tandi Arevalo, Rita Gehrke, David Gehrke, Lawrence Killer, Gaylene Staatz, Krista Pavek, Paula Strickland, Melissa Schaecher, Thomas Arevalo, Jerry Barta, Gloria Boomer, Larry Mein, C.G. Smithwick, Buck Buckner, Billy Alcorn, Rohoni Alcorn, Tracy Thiel, Pamela Dalton, Shigeko Juneau, Scott Sheahan, Kim Bell, John Bell, Randy Klug, Gary Floyd, Cynthia Naylor, Ruth Clark, Robert Clark, Shelly Jones, Paul Harrison, Rick Freeman, B.J. Davis, Karla Cartwright, Janet Wade, Wendy Jones, Mike Herbel, Linda Herbel, John Pritchard, Pat Moyer, Mike Ryan, Margaret Roediger, Terrie Greenemeyer, Hazel Wendt, Jill Granzow, Shirley Longabaugh, Sabrina Burt, Michelle Mansker, L.W. Wade, Karla Mann, Glen McMullen, Destiny McMullen, Terrance Burgess, Dale Hull, Glenn Catlin, Rhonda Simpson, Liz Wangerin, Chris Wangerin, Cynthia Gabe, Bart Hinkle, David Stroda, Brian Schantz, Miranda Christner, Larry Pearce, Eric Gares, Melissa Timmons, Craig Wendt, Greg Young, Pilar Pedraza, J.R. Sparke, and Stephanie Berry of the Herington Times.

Debra Wendt
City Clerk