

**REGULAR MEETING**  
**December 2, 2014**

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 Beth Wade, Commissioner Fred Olsen, Commissioner Chuck Miller, Commissioner Michelle Stanford, Commissioner Kitty Walter, City Manager Ron Strickland, City Attorney Brad Jantz, and City Clerk Debra Wendt.

The meeting was opened with the Pledge of Allegiance. A motion was made by Commissioner Stanford, seconded by Commissioner Olsen, to approve the minutes of the meeting of November 18, 2014. Motion carried, all voting, “Aye.” Appropriation Ordinance #P1125-14 was discussed and reviewed. There were no additional agenda items. A motion was made by Mayor Wade, seconded by Commissioner Stanford, to approve the agenda. Motion carried, all voting, “Aye.”

A motion was made by Commissioner Olsen, seconded by Commissioner Miller, to re-appoint Karen Ketterer to the Housing Authority for a four-year term, to expire 12-31-18. Motion carried, all voting, “Aye.”

Several properties were recently purchased at a county tax sale, and mowing charges were discovered after the purchases. The new owners were present to ask for forgiveness of the mowing charges. The first was at 401 North E for \$650.00, purchased by John Bell and Kim Ditto. A motion was made by Commissioner Olsen, seconded by Commissioner Miller, to waive the special assessment for mowing at 401 North E for \$650.00. Motion carried, all voting, “Aye.” They also purchased 315 North Broadway. A motion was made by Mayor Wade, seconded by Commissioner Stanford, to waive the special assessment for mowing at 315 North Broadway for \$850.00. Motion carried, all voting, “Aye.” William Morman purchased the property at 219 South 11<sup>th</sup>, and the mowing specials were \$3,275.00. A motion was made by Commissioner Stanford, seconded by Commissioner Miller, to waive the special assessment for mowing at 219 South 11<sup>th</sup> for \$3,275.00. Motion carried, all voting, “Aye.” The final property to be considered was 12 North Broadway, which was purchased by Brandy Collins with a special assessment of \$825.00. A motion was made by Mayor Wade, seconded by Commissioner Olsen, to waive the special assessment for mowing at 12 North Broadway for \$825.00. Motion carried, all voting, “Aye.”

Rick Freeman, 201 East Helen, spoke to the Commission about having police officers standing by at City Commission meetings. The Mayor said she requested having an officer at the last meeting. Rick then asked the Commission why they feel the overtime can be warranted at a public meeting, and stated that if they are that concerned that their life is in danger, they should resign.

Next the City Manager gave a presentation on land banks. He went over the uses and benefits of a land bank, and said it could work for the revitalization of property on which there are delinquent taxes or specials. He said once a land bank is established, the land bank board is responsible for mowing and upkeep of the property, and they can sell, rent, or give away the property. He added that the land bank answers to the City Commission, and he believes it is a good program with good benefits. Brad explained that the Land Bank Board of Trustees would be established by ordinance, and have from 3-7 members. He said the program has been around for about five years, and falls under the same requirements for cities for open meetings, open records, etc. Brad said he could provide more information about this, and said that the goal is to get properties where they are marketable and usable.

The Memorandum of Understanding with the hospital was discussed. At the Hospital Board meeting, the board decided that they would like to have "once the deficiency of the delinquent electric bill is paid in full, the MOU would be terminated" added to the MOU. Brad will make this change and bring it back to the next meeting for the City Commission's consideration.

A water rate increase was discussed. Ron said that he had heard back from the FAA, and they would have issues with using airport funds for water tower maintenance. We need to add two water towers to our existing contract, and Ron suggested raising the minimum water rate by \$5.00 per month, to \$23.75. Jake Dugger from Utility Service Company was present to answer questions. He noted that his company would refurbish, repair, paint, inspect, and clean the towers to meet KDHE requirements, and spread the cost out over five years with no interest. Ron stated that we have no emergency water fund, and that this work needs to be done to protect the City and its interests. After more discussion, the following ordinance that would raise the base rate for water from \$18.75 to \$23.75 was considered:

#### **ORDINANCE NO. 1766**

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF HERINGTON, KANSAS, TO REPEAL AND REPLACE CHAPTER VII, ARTICLE 2, SECTION 7-214 ESTABLISHING WATER RATES TO BE CHARGED FOR WATER SOLD FROM THE HERINGTON MUNICIPAL WATER SYSTEM; AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS THEREOF IN CONFLICT HERewith.**

A motion was made by Commissioner Olsen, seconded by Mayor Wade, to adopt Ordinance No. 1766. The vote was as follows:

Ayes:	Mayor Wade, Commissioners Olsen, Miller, Stanford, and Walter.
Nays:	None. Motion carried.

An ordinance that would amend Chapter 2, Article 2, Section 2-208 of the City code book was considered. This would eliminate the breed ban on dogs. Michelle suggested removing the ban, but then have stricter regulations for all power breed owners, such as higher registration fees, certificate of taking a class dealing with power breeds, and a one-bite clause. It was brought up that if Section 2-208 (c) (dealing with pit bulls) is removed, then Section 2-209 would also need to be removed, as it also is about pit bulls. A motion was made by Mayor Wade, seconded by Commissioner Stanford, to table this item. Motion carried, all voting, "Aye." Brad will re-do the proposed ordinance and bring it back to the next meeting for consideration.

Ron reported that the employees would take a vacation day on December 26<sup>th</sup> and the City would be closed. Beth commented on the downtown Christmas lights. Ron said that his City Manager report is for the City Commission, and not anyone else. He also reported on the paving on Arnold Street. Fred brought up a potentially dangerous situation on the curve by John's Service.

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

Also present at the meeting were Kat Souza, Carl Brown, John Bell, Kim Ditto, Rick Freeman, Gloria Boomer, Ed Mueller, Paula Strickland, Tammy Miller, William Morman, Brandy Collins, Tandi Arevalo, Ruth Clark, Bob Clark, David Gehrke, Steven Pitterman, Mike Ryan, Stephanie Gilbert, Cynthia Naylor, Ray Perez, Jake Dugger, and J.R. Sparke.

Debra Wendt

City Clerk