

REGULAR MEETING

April 7, 2015

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 Miller, to approve the minutes of the meeting of March 19, 2015. Motion carried, all voting, “Aye.” Appropriation Ordinance #P0325-15 was discussed and reviewed. There were no additional agenda items. A motion was made by Commissioner Stanford, seconded by Commissioner Walter, to approve the agenda. Motion carried, all voting, “Aye.”

Mayor Wade read the results of the March 3, 2015 Primary Election.

HERINGTON CITY COMMISSION

*Mark Hager	156	
*Kathleen Souza	127	
*Curtis Hartman	62	
*L. Beth Wade	48	
Cynthia Naylor		46
Carl Brown	32	
John Bell	26	

Beth read a proclamation declaring May 1, 2015 as Arbor Day in Herington. A motion was made by Commissioner Stanford, seconded by Commissioner Olsen, to authorize the Mayor to sign the proclamation. Motion carried, all voting, “Aye.”

A motion was made by Commissioner Olsen, seconded by Mayor Wade, to re-appoint Jean Owens and LeRoy Gentz to the Hilltop Advisory Board, term to expire 3-20-18. Motion carried, all voting, “Aye.”

A motion was made by Mayor Wade, seconded by Commissioner Stanford, to re-appoint Virginia Neuberger to the Planning Commission, term to expire 12-31-17. Motion carried, all voting, “Aye.”

A motion was made by Commissioner Stanford, seconded by Commissioner Olsen, to appoint Julie Newbury to the Planning Commission to fill a vacancy, term to expire 12-31-17. Motion carried, all voting, “Aye.”

A motion was made by Commissioner Olsen, seconded by Commissioner Stanford, to re-appoint Mike Wendt as Director #1 on the KMEA Board of Directors for a two-year term, to expire 4-30-17. Motion carried, all voting, “Aye.”

A motion was made by Mayor Wade, seconded by Commissioner Stanford, to re-appoint Fred Olsen as the alternate director on the KMEA Board of Directors for a two-year term, to expire 4-30-17. The motion passed, with Mayor Wade and Commissioners Miller, Stanford, and Walter voting "Aye," and Commissioner Olsen abstaining.

A motion was made by Mayor Wade, seconded by Commissioner Miller, to approve a cereal malt beverage special event permit for David Gehrke, American Legion, for April 24, 2015, 4:00 p.m.-midnight on Broadway from Main to Walnut. Motion carried, all voting, "Aye."

The following Resolution was considered:

RESOLUTION NO. 864

A RESOLUTION AUTHORIZING THE SALE, POSSESSION, AND CONSUMPTION OF CEREAL MALT BEVERAGES UPON CERTAIN PROPERTY WITHIN THE CITY OF HERINGTON, KANSAS.

Be It Resolved by the Governing Body of the City of Herington, Kansas that:

Section 1. Pursuant to Section 5-111 of the Code of the City of Herington, Kansas, the sale, possession, and consumption of cereal malt beverages shall be permitted on the following described real property: Broadway Street from Main to Walnut, commencing on April 24, 2015 at 4:00 p.m. and ending on April 24, 2015 at midnight.

A motion was made by Mayor Wade, seconded by Commissioner Olsen, to adopt Resolution No. 864. Motion carried, all voting, "Aye."

A motion was made by Commissioner Olsen, seconded by Commissioner Miller, to approve a cereal malt beverage special event permit for David Gehrke, American Legion, for April 25, 2015, noon to midnight, at the Herington Regional Airport. Motion carried, all voting, "Aye."

The following Resolution was considered:

RESOLUTION NO. 865

A RESOLUTION AUTHORIZING THE SALE, POSSESSION, AND CONSUMPTION OF CEREAL MALT BEVERAGES UPON CERTAIN PUBLIC PROPERTY WITHIN THE CITY OF HERINGTON, KANSAS.

Be It Resolved by the Governing Body of the City of Herington, Kansas that:

Section 1. Pursuant to Section 5-111 of the Code of the City of Herington, Kansas, the sale, possession, and consumption of cereal malt beverages shall be permitted on the following described real property: Drag Race Arena, Herington Regional Airport, commencing on April 25, 2015, noon, and ending on April 25, 2015 at midnight.

A motion was made by Mayor Wade, seconded by Commissioner Miller, to adopt Resolution No. 865. Motion carried, all voting, "Aye."

These special event permits and resolutions are in conjunction with the drag races, car show, and dance on April 24-25.

A motion was made by Commissioner Miller, seconded by Commissioner Stanford, to approve a cereal malt beverage special event permit for Tom Biehler, Herington Alumni Association, for May 22, 2015 from 6:00 p.m.-midnight on Broadway Street from Walnut to Day. Motion carried, all voting "Aye." This is for the HHS alumni weekend street dance.

The following resolution was considered:

RESOLUTION NO. 866

A RESOLUTION AUTHORIZING THE SALE, POSSESSION, AND CONSUMPTION OF CEREAL MALT BEVERAGES UPON CERTAIN PUBLIC PROPERTY WITHIN THE CITY OF HERINGTON, KANSAS.

Be It Resolved by the Governing Body of the City of Herington, Kansas, that:

Section 1. Pursuant to Section 5-111 of the Code of the City of Herington, Kansas, the sale, possession, and consumption of cereal malt beverages shall be permitted on the following described real property: Broadway Street from Walnut to Day, commencing on May 22, 2015 at 6:00 p.m., and ending on May 22, 2015 at midnight.

A motion was made by Commissioner Stanford, seconded by Commissioner Miller, to adopt Resolution No. 866. Motion carried, all voting, "Aye."

The ordinance that would establish a land bank was considered. Brad said that Section 16 was added to be consistent with our city code book.

ORDINANCE NO. 1768

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HERINGTON, KANSAS, TO SUPPLEMENT AND ADD A SECTION IN CHAPTER 1, ARTICLE 6, SECTION 6-607 ESTABLISHING A CITY LAND BANK PURSUANT TO K.S.A. 12-5901, *et. seq.* AND PROVIDING FOR THE ADMINISTRATION THEREOF, 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. 1768. The vote was as follows:

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

The bylaws and land bank policy will be approved at a later time by the Land Bank Board of Trustees.

Athena Emmans, 719 North B, was present to discuss the city's delinquent utility policy. She said that last summer she had a \$900 bill and had to seek help from some agencies. After she submitted vouchers, she was still charged a late fee. More recently, she paid her bill on line, the payment did not go through, and she was shut off for 24 hours. Ms. Emmans also stated that she did not receive a disconnect notice. She felt that notice needs to be given, such as going to the door, calling, etc. Russaad Emmans also spoke. He said he has no problem with the reconnection and late fees, but he feels the utilities should be turned back on the same day when payment is made. Chuck agreed that they should be turned back on the same day. Michelle thought this needs to be looked at and we should check with other towns and see what they do, and Fred thinks we need to knock on doors before disconnecting. Athena added that they lost food and it cost a lot of money, due to the electricity being off over night. She also thinks people are leaving town because the utility department is so hard to work with. Carl Brown related an incident that happened to him last October concerning his utilities, and cited internal negativity and not making Ron do his job as problems in this town. D.J. Neuberger said that mail has recently been mis-delivered all over town, and felt that door knockers and face to face contact may be better ways to inform customers of delinquencies. Chuck told everyone to "bear with us" because we will have a change coming in another month when we have two new commissioners. Russaad Emmans said that they are not very good at record keeping, and that they should have checked on their on line payment. Beth told everyone that we would be looking at our policy in the near future.

Chuck asked why we are hiring another police officer. Kitty asked about the Dickinson County Sheriff's Department providing police protection. Ron said he had met with the County Administrator and Sheriff about this, and it would cost us double what we are paying now for them to provide coverage. Michelle asked why we have so many police vehicles and why the officers need to take the vehicles home. She also asked about getting financial reports monthly instead of quarterly. A motion was made by Commissioner Stanford, seconded by Mayor Wade, to have the City Commission receive financial reports monthly. Motion carried, all voting, "Aye."

Michelle said she has had three complaints about tree trimming, and asked that the City Manager comments be put on the City's web page. The Commission asked that the delinquent bill collection policy be put on the next agenda.

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

Also present at the meeting were Mike Mowat, Curtis Hartman, Eric Gares, Wendy Jones, Brandy Collins, Athena Emmans, Russaad Emmans, D.J. Neuberger, Carl Brown, Mark Hager, Kat Souza, Rick Freeman, Gloria Boomer, Mike Ryan, David Gehrke, Paula Strickland, Scott Collins, Rita Gehrke, Cynthia Naylor, Tandi Arevalo, Stephanie Gilbert, and J. R. Sparke.

Debra Wendt

City Clerk