

## **REGULAR MEETING**

**June 2, 2015**

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: Commissioner Michelle Stanford, Commissioner Kitty Walter, Commissioner Mark Hager, Commissioner Kat Souza, City Manager Ron Strickland, City Attorney Brad Jantz, and City Clerk Debra Wendt. Mayor Chuck Miller was absent. The meeting was conducted by Vice-Mayor Stanford.

The meeting was opened with the Pledge of Allegiance. A motion was made by Commissioner Hager, seconded by Commissioner Souza, to approve the minutes of the meeting of May 19, 2015. Motion carried, all voting, “Aye.” Appropriation Ordinance #P0525-15 was discussed and reviewed. There were no additional agenda items. It was discussed as to whether agenda item #14, City Manager performance evaluation, should be removed from the agenda, since the Mayor was not present. It was decided to leave it on the agenda. A motion was made by Commissioner Hager, seconded by Commissioner Souza, to approve the agenda. Motion carried, all voting, “Aye.”

An ordinance that would add Section 1-109 to the City Code Book was read by Commissioner Hager. This provides for governing body compensation.

### **ORDINANCE NO. 1770**

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF HERINGTON, KANSAS TO SUPPLEMENT AND ADD A SECTION IN CHAPTER 1, ARTICLE 2, SECTION 1-109 ESTABLISHING PERMITTED COMPENSATION TO BE PAID TO MEMBERS OF THE GOVERNING BODY OF THE CITY OF HERINGTON, KANSAS; PROVIDING FOR THE FIXING OF SUCH COMPENSATION BY CITY ORDINANCE; AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS IN CONFLICT HEREWITH.**

A motion was made by Commissioner Hager, seconded by Commissioner Walter, to adopt Ordinance No. 1770. The vote was as follows:

Ayes: Commissioners Stanford, Walter, Hager, and Souza.

Nays: None. Motion carried.

Commissioner Souza said that she still plans to donate her compensation.

Commissioner Hager then read an ordinance that would set the Governing Body compensation at \$60.00/month for the Mayor, and \$50.00/month for the Commissioners.

### **ORDINANCE NO. 1771**

**AN ORDINANCE ESTABLISHING AND FIXING COMPENSATION TO BE PAID MEMBERS OF THE GOVERNING BODY OF THE CITY OF HERINGTON, KANSAS, AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH.**

A motion was made by Commissioner Hager, seconded by Commissioner Walter, to adopt Ordinance No. 1771. The vote was as follows:

Ayes: Commissioners Stanford, Walter, Hager, and Souza.  
None. Motion carried.

An ordinance to remove term limits from the Housing Authority Board was considered. Mark explained that this was at the request of the Housing Authority Board.

#### **ORDINANCE NO. 1772**

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF HERINGTON, KANSAS, TO REPEAL AND REPLACE CHAPTER 1, ARTICLE 6, SECTION 1-603 REGULATING THE APPOINTMENT OF MEMBERS OF THE BOARD OF THE HERINGTON HOUSING AUTHORITY; LENGTH AND LIMITS OF TERMS; AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH.**

A motion was made by Commissioner Hager, seconded by Commissioner Souza, to adopt Ordinance No. 1772. After the motion, Ron stated that it is unusual to not have term limits, and he doesn't agree with taking them off. Mark said that they have had trouble finding people to serve on this board. The vote was as follows:

Ayes: Commissioners Stanford, Walter, Hager, and Souza.  
Nays: None. Motion carried.

The contract for audit services for 2014 with Lindburg, Vogel, Peirce, Faris, Chartered was presented. Ron said it is the same as we have had in the past, we have dealt with the firm for many years, and he recommended approval of the contract. Kitty indicated that she favored getting proposals from other firms. After more discussion, a motion was made by Commissioner Hager, seconded by Commissioner Stanford, to approve the 2014 audit contract with Lindburg, Vogel, Pierce, Fairs, at a cost not to exceed \$11,845. Motion carried, all voting, "Aye."

Sabrina Burt gave an update from the fireworks committee. She said they are thinking about selling VIP seating for the fireworks show near the shelter house at the old lake. They would like to rope off a section and perhaps provide a meal, and she asked for permission to do this. Brad said that there are not any legal issues with this. A motion was made by Commissioner Hager, seconded by Commissioner Souza, to allow the fireworks committee to sell reserved seating at the lake during the fireworks. Motion carried, all voting, "Aye."

Ron talked about our tree trimming policy. He said that we have to trim out of power lines, and that we also trim street trees that are over the sidewalk, even though this is the home owner's responsibility. Two of our employees have been to arborist training. It was brought up to hire some of the people that have City tree trimming licenses to do the work. Kat thought an actual ISA certified arborist would be helpful. It was noted that City tree trimming licenses are issued to anyone who provides proof of insurance, a surety bond, and a \$10.00 annual fee. They are not required to have arborist training. Mark doesn't believe we can afford to hire someone to trim trees, especially a certified arborist. Mike Wendt

commented on trimming out of power lines. When he was asked about removing stumps, he said that we don't have a stump removal machine, but we are hoping to get a stump removal attachment for our skid steer next year. Rick Freeman, D.J. Neuberger, Cynthia Naylor, Natasha Barnett, Ray Perez, and Brandy Collins offered some comments. Notification of tree trimming to the property owners was discussed. Citizens have the right to trim their own street trees if they don't want the City to trim them.

Ron said that he is working on the 2016 budget and the electric rate study. A big concern is the roof at the Power Plant. Water filters are housed in the same building. A consulting firm may need to be utilized to see if the building should be saved or torn down and replaced with several smaller metal buildings. Kat asked Ron if he researched any USDA grants and loans that are available, and Mark thought we need to look at getting rid of the old building.

Time clocks were discussed. Michelle passed around some information on time clocks she and Kat had obtained. Ron asked the Commission why they think we need time clocks. Kat replied with "why do you think we don't?" Mike Wendt said that all of the supervisors are very conscientious and have strict rules governing the employees' working hours. He then asked the Commission why they don't trust the employees. Linda Herbel said that time clocks would be a big waste of money. Michelle said that she has had "hundreds" of complaints from citizens because the City does not use time clocks. D.J. Neuberger felt that the time to add up and process all of the time clock information would take employees away from their other duties. Tandi Reiff brought up emergency situations, and encouraged the Commission to visit the departments and see how the present system works. Dave Peters commented on mowing at the water tower near his house. Paula Strickland felt that because of the vast area that city workers cover, it seems inefficient to have time clocks, and it would take time away from what they are doing. Mike Wendt explained how the "on call" system works. Dave Jones, Brandy Collins, and Stephanie Gilbert offered some comments. Ron added that time clocks may even cost the City more money, as many employees arrive at work early, and stay until their daily tasks are finished, with no extra compensation. When asked if he realizes this is illegal, Ron replied that he does. He was told that this is unacceptable.

Brad presented the public forum policy. It included a three minute time limit, the stipulation that the citizen must sign in and state the subject matter, and would be located at the beginning of the agenda. After discussion, a motion was made by Commissioner Hager, seconded by Commissioner Stanford, to adopt the public forum policy. Motion carried, all voting, "Aye."

At 7:18 p.m. a motion was made by Commissioner Hager, seconded by Commissioner Souza, for the City Attorney and City Commission to go into executive session for 20 minutes to discuss non-elected personnel, City Manager evaluation, with the right to call the City Manager into the session. Motion carried, all voting, "Aye." At 7:38 p.m. a motion was made by Commissioner Hager, seconded by Commissioner Souza, to re-convene into regular session. Motion carried, all voting, "Aye." No action was taken.

Kat asked Ron if the KSU Parachute Club is paying rental fees to use our airport. When asked if the storm drains have been checked and cleaned, Ron replied they were checked during the storms.

Mark commented that even if it will be unpopular, we need to either raise taxes or utilities, or cut jobs. He was not in favor of raising taxes, and he added that our water rates are low and our electric rates “not that high.”

Michelle thanked the audience for telling the Commission they should use the microphone at the meeting.

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

Also present at the meeting were Mike Herbel, Linda Herbel, Sabrina Burt, Ken Walters, Gloria Boomer, Katrina Hager, David Kahle, Stephanie Gilbert, Ron Biehler, Dave Jones, Tandi Reiff, Cynthia Naylor, Dave Peters, Roger Burt, Anastasia Force, Natasha Barnett, Bob Clark, Ruth Clark, D.J. Neuberger, Ray Perez, Ethan Moorman-Meador, Mike Wendt, Paula Strickland, Brandy Collins, Rick Freeman, Eric Gares, and J.R. Sparke.

Debra Wendt  
City Clerk