

REGULAR MEETING

May 7, 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 D.J. Neuberger, Commissioner Beth Wade, Commissioner Chuck Miller, City Manager Ron Strickland, City Attorney Brad Jantz, and City Clerk Debra Wendt.

The results of the City election held on April 2, 2013 are as follows:

HOSPITAL TRUSTEE

*Walter G. Clark 189

CITY COMMISSIONER

*Chuck Miller 145

The oath of office was administered to newly-elected Commissioner Chuck Miller by City Clerk Debra Wendt.

The annual reorganization of the Commission was held at this time. A motion was made by Commissioner Wade, seconded by Commissioner Olsen, to elect Robbin Bell as Mayor of the City of Herington. The motion passed, with Commissioners Olsen, Neuberger, Wade, and Miller voting “Aye,” and Mayor Bell abstaining. A motion was made by Mayor Bell, seconded by Commissioner Wade, to elect Fred Olsen as the Vice-Mayor of the City of Herington. Motion carried, all voting, “Aye.”

A motion was made by Commissioner Neuberger, seconded by Commissioner Olsen, to approve the minutes of the meeting of April 16, 2013. Motion carried, all voting, “Aye.”

Appropriation Ordinance #P0425-13 was discussed and reviewed. There were no additional agenda items. A motion was made by Commissioner Neuberger, seconded by Commissioner Wade, to approve the agenda. Motion carried, all voting, “Aye.”

The Mayor read a proclamation declaring Saturday, May 18, 2013 as “National Kids to Park Day” in Herington. A motion was made by Commissioner Wade, seconded by Commissioner Olsen, to authorize the Mayor to sign the proclamation. Motion carried, all voting, “Aye.”

The Mayor then read a proclamation declaring May 10 through May 19, 2013 as “Hillbilly Hot Spot” week in honor of the Great Plains Theatre in Abilene. A motion was made by Commissioner Wade, seconded by Mayor Bell, to approve the proclamation. Motion carried, all voting, “Aye.”

Herington Mutual Insurance agent Tandi Arevalo read a letter from EMC and presented a check for \$10,567.07, which is the City’s share of the KMU Safety Group dividend refund.

Pat Moyer presented the Hospital’s third quarter financial statement. She reminded the Commission that their fiscal year runs from July 1st through June 30th. Pat went over the net loss for the first nine months and the outstanding accounts receivable. She mentioned that the Hospital would be asking for a \$125,000 grant from the City, but then they would pay \$132,211 in delinquent utility bills. Mike Ryan said that the alarm system is ready to be tested at the Homestead apartments, he reported on the recent town hall meetings that were held, and he explained the District Hospital procedure. D.J. asked how many days out the accounts payable are. Pat said the average is 60 days, and that all of their vendors are current, except Great Plains Health Alliance and the City. She also said that the cash flow is in better shape than it has been in the past.

A letter was received from the hospital asking for a grant for \$125,000. In exchange, the hospital would pay the City \$132,211 to be applied to their delinquent electric bills. Ron noted that the grant would come from the revolving loan money that is in the hospital fund, which came originally from our equipment reserve fund. He also mentioned that the electric fund is "not doing well." Fred and Robbin both expressed their concerns about what to do next year, and urged the hospital to come up with another plan. Mike Ryan explained that the Hospital is looking at forming a Hospital District, which would then set their own tax rates. D.J. asked what would happen if the district fails, and he also wanted to know who is responsible for the hospital web page. He pointed out that the site states that the hospital receives no tax support, even though they receive 2.861 mills from the City. Pat Moyer said that the web page needs to be re-done, and Mike Ryan said that the update has not been a priority. Discussion continued. Pat said that the Hospital is in better shape than they were, and they have built up some cash reserves. Mike added that the changes in the physical therapy department should bring in more cash, and that they have added some specialty doctors this year. D.J. commented that the electric fund is broke and he doesn't want to put any more burden on our citizens. A motion was made by Commissioner Olsen to grant \$125,000 to the hospital. After more discussion, the motion died due to lack of a second. Another motion was then made by Commissioner Olsen, seconded by Mayor Bell, to grant the hospital \$125,000, to be paid in two increments of \$62,500 each, to be paid by June 30, 2013. The motion passed 4-1, with Commissioner Neuberger casting the dissenting vote.

The preliminary bridge hand rail design for the Broadway Street Bridge was reviewed. A motion was made by Mayor Bell, seconded by Commissioner Wade, to approve the bridge design. Motion carried, all voting, "Aye."

The following ordinance was considered:

ORDINANCE NO. 1748

AN ORDINANCE REPEALING AND REPLACING ORDINANCE NUMBER 1621 OF THE CODE OF THE CITY OF HERINGTON WHICH ADOPTED BY REFERENCE THE STANDARD CODE IDENTIFIED AS "CODE OF PROCEDURE FOR KANSAS CITIES, FIRST EDITION (2005)"; TO UPDATE AND ADOPT THE MOST CURRENT EDITION OF THE "CODE OF PROCEDURE FOR KANSAS CITIES, SECOND EDITION (2006)" AS PREPARED BY THE LEAGUE OF KANSAS MUNICIPALITIES UNDER THE PROVISIONS OF KANSAS STATUTES ANNOTATED 12-3009 THROUGH 12-3012 EXCEPT SUCH PORTIONS AS NOTED FOR DELETION, MODIFICATION OR AMENDMENT; AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS IN CONFLICT HEREWITH.

A motion was made by Commissioner Neuberger, seconded by Mayor Bell, to adopt Ordinance No. 1748. The vote was as follows:

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

An ordinance to amend Chapter 1, Article 1, Section 1-104 of the City Code Book dealing with the Commission meeting times and the code of procedure was reviewed. The times considered were 4:30 p.m., 5:30 p.m., and 6:00 p.m. Fred favored leaving the meeting at 4:30 p.m., while D.J. thought we should have the meetings later, with the option of changing the time back in three months. This was discussed, and the ordinance leaving the time at 4:30 p.m. on the first and third Tuesdays of each month was considered:

ORDINANCE NO. 1749

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HERINGTON, KANSAS TO REPEAL AND REPLACE CHAPTER 1, ARTICLE 1, SECTION 1-104 ESTABLISHING THE DATES AND TIMES FOR REGULAR MEETINGS OF THE HERINGTON CITY COMMISSION; ADOPTION BY REFERENCE OF THE CURRENT "CODE OF PROCEDURE FOR KANSAS CITIES, SECOND EDITION" (2006) AS PREPARED BY THE LEAGUE OF KANSAS MUNICIPALITIES UNDER THE PROVISIONS OF KANSAS STATUTES ANNOTATED 12-3009 THROUGH 12-3012 EXCEPT SUCH PORTIONS AS NOTED FOR DELETION, MODIFICATION OR AMENDMENT; AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS THEREOF IN CONFLICT HERewith.

A motion was made by Commissioner Olsen, seconded by Mayor Bell, to adopt Ordinance No. 1749. The vote was as follows:

Ayes: Mayor Bell, Commissioners Olsen, Wade, Miller.
Nays: Commissioner Neuberger. Motion carried.

Two people have expressed an interest in purchasing some City-owned land on South 5th Street. Ron said that the legal description is complete, and the land is in the flood area so nothing can be built on it. A motion was made by Commissioner Wade, seconded by Mayor Bell, to advertise for the sale of this property in the newspaper for two weeks. Motion carried, all voting, "Aye."

Even though the lake has come up, Ron recommended staying on the water watch. Beth said she would be attending the Governing Body Institute this Saturday. D.J. encouraged everyone to attend the "Shop Local" awareness kick off sponsored by the Chamber of Commerce on Thursday, and he also said that we need a plan on getting our streets fixed. Robbin presented some information on a free course sponsored by the Kansas Department of Wildlife, Parks, and Tourism entitled "Aquatic Nuisance Species Certification."

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

Also present at the meeting were Mark Wendt, Paula Strickland, Mike Ryan, Pat Moyer, Virginia Neuberger, Alice Bell, Rick Freeman, B.J. Davis, Debbie Goembel, Rita Gehrke, Larry Mann, Karla Mann, Woodie Haire, Wendy Jones, Dave Jones, Michelle Stanford, Tandi Arevalo, Tammy Miller, Ray Perez, Larry Mein, Cynthia Naylor, Ruth Clark, Bob Clark, Bart Hinkle, Gloria Boomer, Dale Harris, J.D. Barrett, J.R. Sparke, and Stephanie Berry of the Herington Times.

Debra Wendt
City Clerk