

REGULAR MEETING

July 21, 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: Mayor Chuck Miller, Commissioner Michelle Stanford, Commissioner Kitty Walter, Commissioner Mark Hager, Commissioner Kat Souza, City Attorney Brad Jantz, and City Clerk Debra Wendt.

Prior to the meeting, the City Commission held a work session at the power/water plant at 5:00 p.m. to tour the facility. Also present were Buck Driggs, Ben Moore, Debbie Wendt, and Leo Schlesener.

The meeting was opened with the Pledge of Allegiance. A motion was made by Commissioner Stanford, seconded by Commissioner Hager, to approve the minutes of the meeting of July 7, 2015. Motion carried, all voting, “Aye.” A motion was made by Commissioner Stanford, seconded by Commissioner Hager, to approve the minutes of the special meeting of July 11, 2015. Motion carried, all voting, “Aye.”

Commissioner Stanford had a question on the veterinary fees listed in Appropriation Ordinance #C0630-15, and Commissioner Souza had questions on lifeguard suits and certification, and the bill from Unifirst for uniforms. She was told that the Unifirst bill also includes mats, mops, and other supplies. This will be checked into, to see if some items could be eliminated. We are in the second year of a five-year contract with the company.

No one spoke at the public forum. There were no additional agenda items. A motion was made by Commissioner Stanford, seconded by Commissioner Hager, to approve the agenda. Motion carried, all voting, “Aye.”

Mayor Miller read a proclamation declaring August 11, 2015, as “Underground Damage Prevention Day.” A motion was made by Mayor Miller, seconded by Commissioner Stanford, to authorize the Mayor to sign the proclamation. Motion carried, all voting, “Aye.”

Mike Mowat and Ron Maggard were present to ask for a renewal of a lease for the American Legion for their building which is located at Lake Herington. The current lease expired in 1980. Brad was directed to bring a 99 year lease for \$1.00/year to the next meeting for consideration. Liability insurance is carried by the American Legion.

The following ordinance that would create a Lake Advisory Board and abolish the Parks and Public Property Board was considered:

ORDINANCE NO. 1774

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HERINGTON, KANSAS, TO REPEAL AND REPLACE CHAPTER VI, ARTICLE 1, SECTION 6-149 RELATING TO THE CREATION AND ADMINISTRATION OF A BOARD OVERSEEING CERTAIN PUBLIC LANDS AND LAKE PROPERTY UNDER THE CONTROL OF THE CITY OF HERINGTON,

KANSAS; AND REPEALING AND REPLACING ANY OTHER CURRENT ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH.

Debbie said that the ordinance that Brad sent included one Parks Department/Water Utility Department employee and one Recreation or Tourism Committee Representative, as well as three citizens at-large members. She presented another one with five at-large members, who could consist of city staff, citizens, residents, and land owners on or contiguous to current Herington Lake property. A motion was made by Commissioner Stanford, seconded by Commissioner Hager, to adopt Ordinance No. 1774 (with the five at-large members). The vote was as follows:

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

Nays: None. Motion carried.

Brad said that the ordinance creates the board, but that the Commission could set the duties of the board by resolution.

Buck Driggs and Ben Moore talked about the power/water plant building issues. It has been determined that the building is not safe. Some financing options include a State revolving water fund loan, a USDA Community Facilities Grant, which is a 60/40 split, or a bond issue. Buck stressed that this would not be a fast process. He also mentioned that our water rates are lower than the State average, so we may need to think about raising rates to pay for the project. Buck and Ben answered several questions that the Commission had. Buck said he has seen projects done either as design/bid or design/build. He added that the project would have to be approved through KDHE, because of the water issues. Leo Schlesener commented that the building is unsafe, and needs to be dealt with. Kat said she has the paperwork for a facilities grant. As there are several options, it was the consensus that a master plan for the project is needed. Tim Bettles asked if the building has historical value, and was told that repairing it would not be cost effective. Buck Driggs was asked to draw up a "scope and fee" contract for the project, to be considered at the next meeting.

A contract with Brick and Mortar Phase X Construction LLC was not considered, as the lots will be transferred to the Land Bank.

Transferring the twenty-one city-owned lots at Logan Point to the Land Bank was discussed. The Land Bank would then offer the lots for sale, and also be responsible for mowing and maintaining the lots. Brad answered some questions about the Land Bank. A motion was made by Commissioner Stanford, seconded by Mayor Miller, to quit claim deed the twenty-one lots to the Herington Land Bank. Motion carried, all voting, "Aye."

Mark explained that the Land Bank needs to pay the fee for acquiring a tax ID number, and to open an account at the bank. A motion was made by Mayor Miller, seconded by Commissioner Stanford, to allot the Land Bank \$250.00. Motion carried, all voting, "Aye."

Mike Wendt presented a proposal for a 2009 International bucket truck from Altec. The truck has been part of a rental fleet, it has a one-year warranty on the lift unit, and 90 days on the truck, and sells for \$69,900 delivered. At the present time, we have \$57,997.27 in the light equipment reserve fund, and the 1985 truck will be sold on Purple Wave, and should bring around \$15,000. After discussion, a motion

was made by Commissioner Stanford, seconded by Mayor Miller, to approve the purchase of the 2009 truck from Altec for \$69,900. Motion carried, all voting, "Aye."

Adding fluoride to our water was discussed. Debbie said that Dr. Richard Mosier thought that the citizens had voted to add fluoride to the water in the late 1950's. The County Clerk is currently checking to see if an election was held. It was noted that our present natural fluoride levels meet or exceed the recommended levels. A motion was made by Mayor Miller, seconded by Commissioner Hager, to table this until the County Clerk finishes her search for the election results. Motion carried, all voting, "Aye."

Leslie Hinton was not present to discuss the "Modified Dolls of Kansas."

The preliminary 2016 budget was discussed. Debbie explained where some cuts and transfers had been made. The proposed total mill levy is 78.497, down .402 mills from this year. It was brought up that the Convention and Visitors Bureau is requesting more money than the projected revenue for next year. The Roadhouse donation and the shape of the Roadhouse building was discussed. A motion was made by Mayor Miller to call a special meeting to discuss the budget for July 23, 2015 at 7:00 p.m. After discussion, the motion died due to lack of a second. The budget hearing is scheduled for August 18, 2015, and the notice of hearing must be published in the August 6th edition of the paper. At the time of the hearing, the mill levy can be lowered, but not raised. It was decided to invite the Roadhouse Board to a meeting for a "brainstorming" session to talk about what to do about the building that houses the Roadhouse, but to leave the \$6,000 donation in the 2016 budget. A motion was made by Commissioner Hager, seconded by Mayor Miller, to publish the notice of budget hearing, with the only change from the budget as presented being reducing the expenditures in the Convention and Visitors Bureau budget from \$17,760 to \$14,900. Motion carried, all voting, "Aye."

At 7:26 p.m. a motion was made by Mayor Miller, seconded by Commissioner Stanford, for the City Commission, City Attorney, and Interim City Manager to go into executive session for 20 minutes to discuss non-elected personnel. Motion carried, all voting, "Aye." At 7:46 p.m. the meeting was back in regular session. No action was taken.

The LEAPS Lite contract with the League was discussed. Kitty wanted to know why we couldn't just hire Debbie as City Manager and not advertise for the position. Brad said that they do not have to do a search—it is entirely up to the Commission. Chuck felt that it could cause problems if Debbie were the direct supervisor of Mike. Kitty still felt that it would be the best thing for the City. Mark thought it was wrong to bring this up in open session. A motion was made by Commissioner Hager, seconded by Commissioner Stanford, to authorize the Mayor to sign the LEAPS Lite contract with the League of Kansas Municipalities. The motion passed 4-1, with Commissioner Walter casting the dissenting vote. Commissioner Souza said she has a draft of a City Manager ad, and that she could email it to the Commission. A motion was made by Mayor Miller, seconded by Commissioner Stanford, to appoint Commissioner Souza to create the City Manager ad, for consideration at the next meeting. Motion carried, all voting, "Aye."

Mark said that he feels we are at a turning point in the community. Michelle suggested having a work session with business owners and leaders of the community. She would also like to have a water rate discussion at the next meeting, and the trash picked up more often at the lakes and parks. Kitty apologized for bring up appointing Debbie in open session. Kat thanked the City workers for their efforts, and Chuck said that a good job was done on the budget.

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

Also present at the meeting were Phyllis Bettles, Eric Gares, Dave Jones Buck Driggs, Ben Moore, Ken Walters, Kenny Staatz, Natasha Barnett, Ron Maggard, Mike Mowat, Leo Schlesener, Cynthia Naylor, Debbie Goembel, Bob Clark, Ruth Clark, Gloria Boomer, Mike Wendt, Frank Hawkes, Vickie Hawkes, Virginia Neuberger, Carl Brown, Tandi Reiff, Tim Bettles, Jan Kimbrell, and J. R. Sparke.

Debra Wendt
City Clerk