

REGULAR MEETING
August 18, 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.

The meeting was opened with the Pledge of Allegiance. A motion was made by Commissioner Stanford, seconded by Commissioner Souza, to approve the minutes of the meeting of August 4, 2015. Motion carried, all voting, “Aye.” Appropriation Ordinances #C0731-15 and #P0810-15 were discussed and reviewed.

At the public forum, Larry Mann said the cemetery has been mowed, and it looks a lot better. 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.”

The public hearing for the 2016 budget was opened. Larry Mann thanked the City for lowering the mill levy. Rick Freeman asked if there is money in the budget for ADA projects, and was told that there is \$10,000 for 2016. The public hearing was closed. A motion was made by Commissioner Stanford, seconded by Commissioner Walter, to approve the 2016 budget, with a total mill levy of 78.497. Motion carried, all voting, “Aye.”

Several Roadhouse Youth Center board members were present to discuss the Roadhouse building. Chuck and Mark both commented that the building was shot and has a lot of issues. Kitty asked if the Fire Department could see what is wrong with the building, and Kenny Staatz said he could look at it and report his findings at the next meeting. Chuck said that he thinks that the Roadhouse is a wonderful program, and he is hoping to “brainstorm” and come up with some ideas. Items brought up were the safety of the building, liability, tearing it down vs. fixing it up, asbestos issues, and other locations. Other suggestions were fund raisers, having students construct a building, and having kids do community service. Commissioner Souza wondered if repairs could be lumped in to a USDA facilities grant, along with the water plant building and the Hilltop roof. Moving to the fair board building was suggested, but it is not feasible. The Roadhouse Board was told that the City wants to help them, but they also want them to help themselves. They were asked to discuss this and come up with some ideas.

Brad presented a 99 year lease with the American Legion, but he hadn’t realized that the American Legion owns the building at the lake, and only wants to lease the ground it sits on. He will modify the lease and bring it back to the next meeting for consideration.

Shirley Meyer from the Family Resource Exchange brought up some concerns about the property at 5 West Walnut. She said it has been vacant for several years, the roof has caved in, and the moisture has created mold problems. She felt that it reflects badly on the City. Shirley said that since the building is adjacent to the FRE, it affects their workers and customers. They have done many improvements to their building, and have plans to put on a new roof. She then asked the Commission to consider condemnation.

Kat asked Shirley if she has talked to the owner. Kenny Staatz said he had talked to the owner, and that he is trying to sell the building. Kenny felt that it is a viable downtown structure, and that it could be repaired if people are willing to invest in it. He added that we only have \$30,000 in the abatement budget each year. Rick Freeman said that the mold affects his breathing. Ray Perez asked if there is mold in the FRE building. Larry Mann asked if the EDC has been approached, and Cynthia Naylor wondered if the Land Bank could take over the property. Downtown buildings being used as storage were discussed. A motion was then made by Mayor Miller, seconded by Commissioner Souza, to pursue abatement on the property at 5 West Walnut. The motion passed 4-1, with Commissioner Stanford casting the dissenting vote.

Only one company bid on the demolition of the airport water tower and several structures in town. Riley Construction bid \$24,832.00 for the water tower and \$33,300.00 for two houses, a trailer, and a garage. Riley's bid for the water tower was for demolition, hauling concrete, and backfill. They will be approached to see what the cost would be if the City did the cleanup. A motion was made by Commissioner Hager, seconded by Commissioner Stanford, to table the airport water tower demolition bid. Motion carried, all voting, "Aye."

A motion was made by Commissioner Stanford, seconded by Commissioner Hager, to reject the bid for the demolition of the four properties. Motion carried, all voting, "Aye." The companies that chose not to bid will be contacted.

A motion was made by Commissioner Stanford, seconded by Commissioner Hager, to approve the Rural Fire Contract for 2015 with Fire District 11, Clarks Creek Township, Morris County, for \$4,586.89. Motion carried, all voting, "Aye."

A motion was made by Commissioner Stanford, seconded by Commissioner Hager, to approve the Rural Fire Contract for 2015 with Fire District #7, Township Seven, Morris County, for \$9,323.90. Motion carried, all voting, "Aye."

A motion was made by Commissioner Stanford, seconded by Commissioner Hager, to approve the Rural Fire Contract for 2015 with Lyon Township, Dickinson County, for \$18,341.50. Motion carried, all voting, "Aye."

A motion was made by Commissioner Stanford, seconded by Commissioner Hager, to approve the rural Fire Contract for 2015 for certain sections of Union Township, Dickinson County, for \$2,129.68. Motion carried, all voting, "Aye."

Water rates were discussed. Debbie reported that the CDBG program used a state average of \$36.50 for 5,000 gallons of water, and the state average USDA rate is \$42.00 for 5,000 gallons. Our current rate for 5,000 gallons is \$36.38. It was noted that if we apply for a USDA grant, we need to be in line with their state average rate or we won't qualify. Our minimum charge, or our price per thousand gallons could be raised, or a combination of both. After discussion, the projected water rates to be considered are \$25.00 minimum for 2,000 gallons (up from \$23.75), and \$5.69 per thousand gallons after 2,000 (up from \$4.21). An ordinance will be considered at the next meeting. Electric rates were also discussed. Debbie suggested looking at the connect and transfer fees and minimum meter charge, and not the cost per

kilowatt hour. Kat would also like to pursue some information and options on solar panels and wind energy.

The following resolution was considered:

RESOLUTION NO. 868

WHEREAS, the City of Herington, Kansas has determined that the financial statements and financial reports for the year ended December 31, 2015, to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) are not relevant to the requirements of the cash basis laws of this state and are of no significant value to the Herington City Commission or the members of the general public of the City of Herington, Kansas, and,

WHEREAS, there are no revenue bond ordinances or other ordinances or resolutions of the municipality which require financial statements and financial reports to be prepared in conformity with K.S.A. 75-1120a(a) for the year ended December 31, 2015.

NOW, THEREFORE, BE IT RESOLVED, by the City Commission of the City of Herington, Kansas in its regular meeting duly assembled this 18th day of August, 2015, that the City Commission waives the requirements of K.S.A. 75-1120a(a) as they apply to the City of Herington, Kansas, for the year ended December 31, 2015.

BE IT FURTHER RESOLVED that the City Commission of the City of Herington, Kansas shall cause the financial statements and financial reports of the City of Herington, Kansas to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis laws of this State.

A motion was made by Mayor Miller, seconded by Commissioner Stanford, to adopt Resolution No. 868. Motion carried, all voting, "Aye."

Mark gave an update on the Land Bank. He said we are close to closing the Wells Fargo deal, Frank Hawkes has resigned as chairman, they don't have a tax number yet, and they are waiting for the quit claim deeds for Logan Pointe. Eric Gares said some changes need to be made to the Land Bank policies and by-laws.

A motion was made by Mayor Miller, seconded by Commissioner Stanford, to quit claim the 21 city-owned lots at Logan Pointe to the Land Bank. Motion carried, all voting, "Aye."

Commissioner Souza presented the updated ad for city manager. A motion was made by Mayor Miller, seconded by Commissioner Stanford, to approve the ad. Motion carried, all voting, "Aye." Placement for the ad was discussed. Some suggestions, other than the League web site, were ICMA, business colleges, Ft. Riley, and the City web page. Kat will contract Mike Koss at the League, ask for suggestions, and report back to the Commission.

Debbie gave an update on microphones for the commission meeting room. Kitty suggested having department heads included the City Manager interviews during the final two candidates. Michelle

reported that the roads to the boat ramps at Herington Reservoir are rutted. Kat brought up the danger of cars parking on Trapp Street/US Highway 56.

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

Also present at the meeting were Krista Pavek, Shirley Meyer, Sally Catlin, Jewell Swinney, Kenny Staatz, David Jones, D.J. Neuberger, Don Hostetter, Tim Bettles, Rick Freeman, Carl Brown, Gloria Boomer, Brandy Collins, Leslie Mayes, Karla Mann, Larry Mann, Yvette Ebright, Natasha Barnett, Anastasia Force, Cynthia Naylor, Ron Maggard, Virginia Neuberger, Mike Mowat, Marilyn Hopke, Ray Perez, Phyllis Bettles, Ruth Clark, Bob Clark, Ken Walters, Eric Gares, Gabriele Simmons, Laurie Brunner, and J.R. Sparke.

Debra Wendt
City Clerk