

**REGULAR MEETING**  
**October 6, 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 Mayor Miller, seconded by Commissioner Stanford, to approve the minutes of the meeting of September 15, 2015. Motion carried, all voting, “Aye.” Appropriation Ordinance #P0925-15 was discussed and reviewed.

At the public forum, Leslie Mayes reported that the newly-formed Lake Advisory Board has met twice, and that they are looking at projects and grants. They would like to know what kind of budget the lakes have. Also at the public forum, Wendy Jones said that the Chamber Fun Committee is planning “Trunk or Treat” for October 31<sup>st</sup>, and a Christmas Festival on December 5<sup>th</sup>, with a “Polar Express” theme.

There were several agenda changes. An executive session for non-elected personnel was added as #8A, #13, a presentation on Wind and Solar, was removed from the agenda, and an executive session for attorney/client privilege, contract negotiations, was added as #15A. A motion was made by Commissioner Stanford, seconded by Commissioner Hager, to approve the agenda, with the aforementioned changes. Motion carried, all voting, “Aye.”

A motion was made by Commissioner Hager, seconded by Mayor Miller, to accept the resignation of Karen Ketterer from the Housing Authority, due to her moving out of state. Motion carried, all voting, “Aye.”

A motion was made by Commissioner Stanford, seconded by Commissioner Souza, to appoint Melissa Barton to the Housing Authority to fill an un-expired term, to expire 12-31-18. Motion carried, all voting, “Aye.” Gloria Lansbury had also expressed an interest in the position. Both are residents of the housing units.

At 6:07 p.m. a motion was made by Commissioner Souza, seconded by Commissioner Hager, for the City Commission and City Attorney to go into executive session for twenty minutes to discuss non-elected personnel. Motion carried, all voting, “Aye.” At 6:27 p.m. the meeting was back in regular session. No action was taken.

A motion was made by Commissioner Stanford, seconded by Mayor Miller, to appoint Nicholas Allen to the Convention and Visitors Bureau (Tourism/Historic Position) to fill a vacancy, term to expire 4-30-16. Motion carried, all voting, “Aye.”



Hospital Board Member Phyllis Bettles said that it had been brought to their attention that the Hospital still owes the City \$20,000, on a \$30,000 loan that was given to them several years ago. She asked if they could lump the payment, at \$667.00/month, into the current agreement they have for the utility bills. The Commission was agreeable to this. Brad will prepare an addendum to the current agreement, and payment will begin in October.

Buck Driggs of Driggs Design Group was present to give an update on the Power/Water Plant building. He went over the activities that have been done, and noted that the facilities options are (1) do nothing; (2) repair structure and leave infrastructure (3) demolish and reconstruct in place; and (4) relocate services and demolish building. Buck then spoke about the proposed improvements for the water treatment plant, and the options for protecting or relocating the existing electrical system infrastructure. He also gave several funding options and answered questions.

Jan Kimbrell, Unit Commander for the scouting programs in Herington, spoke about the former lake caretaker house at the old lake. She added that the Cub Scouts are meeting now, and they hope to have the Boy Scouts operating by next spring. At the present time, they are meeting at the Fair Building, but would like to relocate to the lake house, where former scouting programs used to meet. She asked if the city would be agreeable to them using the building if the scout parents provided labor and tools to fix it up. They are in the process of cleaning up the property. Chuck asked if they are going to get rid of the trash they have accumulated, and Jan said that M & K Trash Service is going to pick it up. There is water to the property, but it is not safe to drink, and the floor is buckled. There is a question of who would pay for the propane and the materials to fix up the building. This will be discussed further.

Reports from department heads were heard. Mike Wendt indicated that the department heads are a little confused as to why the Commission wants reports, as they have regular staff meetings and give their reports to the City Manager. Commissioner Souza stated that she requested them to come to the meeting, to keep an open line of communication with the employees. Mike gave an update on the water and electric projects, and added that he has been cleaning all of the trash out of the former City Manager's office. Kenny Staatz said that they are celebrating Fire Prevention Week. He also spoke about code enforcement, fire gear, and trucks and equipment. Lori Dornbusch reported on activities at the Hilltop, and the transportation bus. Michelle asked if changing the one way street on Day Street had helped the traffic flow. Leo Schlesener said he helped out at the Water Plant while David was gone, reported that we don't have any big street projects at this time, and informed them of a grant we received from the Kansas Department of Wildlife and Parks for docks at the lake. He noted they are down to only three full time employees. Melissa Timmons said the Police Department is still short staffed until a Chief is hired, and that our new officer is currently attending the academy. David Gehrke reported that a water tower had been painted, and that he is working closely with Buck Driggs on the proposed water/power plant building issues.

Brad Jantz reported that the annual Easter Egg Hunt at Father Padilla Park is covered by our liability insurance.

At 7:18 p.m. a motion was made by Commissioner Hager, seconded by Mayor Miller, for the City Commission, City Attorney, and Interim City Manager to go into executive session for ten minutes for the purpose of attorney/client privilege, contract negotiations. Motion carried, all voting, "Aye." At 7:29 p.m. the meeting was back in regular session. No action was taken.



The revised proposed covenants for the Commercial Park were briefly reviewed. They will be voted on at the next meeting.

Two surveys for the land surrounding the American Legion building at the lake have been completed. One contains the property surrounding the building, and the other includes extra property east of the building, which includes three camping spots. Mike Mowat said they would like to have the larger of the two, so they have more land for Legion activities, such as the 4<sup>th</sup> of July fireworks sale, and Legion Riders activities. He assured the Commission that the City would receive the income from the camping spots, and they would adhere to all of the lake rules. Brad was directed to draw up a lease using the larger area for consideration at the next meeting.

The following ordinance that would raise the electric and water connection fees to \$25.00 and the transfer fees to \$15.00 was considered:

#### **ORDINANCE NO. 1779**

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF HERINGTON, KANSAS TO REPEAL AND REPLACE CHAPTER 7, ARTICLE 1 AND ARTICLE 2, SECTIONS 7-112, 7-113, 7-216, AND 7-217 ESTABLISHING CONNECTION FEES AND TRANSFER FEES FOR THE HERINGTON MUNICIPAL WATER AND ELECTRIC SYSTEMS, AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH.**

A motion was made by Commissioner Stanford, seconded by Mayor Miller, to adopt Ordinance No. 1779. The vote was as follows:

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

An ordinance that would eliminate structural and mechanical inspection fees at the time of utility turn-on or transfer was considered:

#### **ORDINANCE NO. 1780**

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF HERINGTON, KANSAS TO DELETE A SECTION OF CHAPTER IV, ARTICLE 1, SECTION 4-103 REGARDING AMENDMENTS TO THE INTERNATIONAL BUILDING CODES AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS IN CONFLICT HEREWITH.**

A motion was made by Commissioner Stanford, seconded by Mayor Miller, to adopt Ordinance No. 1780. The vote was as follows:

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

Brad gave a brief update on the new state laws affecting governing body vacancies and spring elections.



Debbie said that the League of Kansas Municipalities would be holding a regional supper in Abilene on October 28<sup>th</sup>. Mark and Kitty both said they are looking forward to the annual League conference this weekend. Michelle thanked the employees for their hard work, especially during Clean Up Week.

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 Dave Jones, Mike Mowat, Lori Dornbusch, Kenny Staatz, Gloria Boomer, Wendy Jones, Alan Meisinger, Cynthia Naylor, Brandy Collins, Ken Walters, Buck Driggs, Nancy Hatterman, Tim Bettles, Phyllis Bettles, Eric Gares, Tammy Miller, Melissa Timmons, Anastasia Force, Jan Kimbrell, Mike Wendt, David Gehrke, Rita Gehrke, Leo Schlesener, Natasha Barnett, Scott Collins, Leslie Mayes, Ray Perez, Javier Sanchez, Jessietta Denham, and J.R. Sparke.

Debra Wendt  
City Clerk