

**REGULAR MEETING**  
**February 2, 2016**

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, and City Clerk Debra Wendt. City Attorney Brad Jantz arrived late.

The meeting was opened with the Pledge of Allegiance. A motion was made by Commissioner Hager, seconded by Commissioner Stanford, to approve the minutes of the meeting of January 5, 2016, the minutes of the meeting of January 19, 2016, the minutes of the special meeting of January 22, 2016, and the minutes of the special meeting of January 28, 2016. Motion carried, all voting, “Aye.” Appropriation Ordinances #C1230-15, #P0110-16, #C1231-15, and #P0125-16 were discussed and reviewed. Brad Jantz arrived at this time.

At the public forum, Wendy Jones addressed the Commission concerning dogs at large. She feels that something needs to be done, and asked if fines are being enforced and if the dogs are being picked up. This will be discussed at the next meeting, with Police Chief Russ Almes present. Also at the public forum, Dave Jones questioned the removal of some trees located at 9<sup>th</sup> and Walnut, on property owned by a City employee. Debbie had explained to him that the trees were hazardous and were located on City easement, between the sidewalk and the street. The employee also rented a City truck and removed some more trees on his private property. Mr. Jones said he wasn’t aware that the City rented out equipment. The Mayor thanked him for his concern, and said we would look into this. David also asked why a damaged police vehicle was taken out of town for repairs, after hitting a deer. He said the City should “look local first.” Debbie said that the vehicle also needed mechanical repairs, so it was taken to a place where both mechanical and body repairs could be done. The deciding factor was the time frame for the repairs to be done, so the vehicle could be back in service as soon as possible. Gloria Boomer said she talked to Dickinson County and was getting more information on 222 West Main. She asked that the razing of this structure be postponed indefinitely because of the historic value of the house. Rick Freeman and D.J. Neuberger inquired as to why the fountain at Father Padilla Lake is not running. They were told that it is off for the winter. It is too costly to run it 24 hours a day, and if it is shut off with a timer, it freezes.

There was one additional agenda item—executive session for attorney/client privilege. It was added as #6A, as well as items #9 and #10 (leases with the VFW and American Legion) were removed. A motion was made by Commissioner Stanford, seconded by Commissioner Hager, to approve the agenda, with the aforementioned changes. Motion carried, all voting, “Aye.”

At 6:22 p.m. a motion was made by Commissioner Souza, seconded by Commissioner Stanford, for the City Commission and City Attorney to go into executive session for 15 minutes, attorney/client privilege. Motion carried, all voting, “Aye.” At 6:37 p.m. the meeting was back in regular session. No action was taken.

Fire Chief Ken Staatz reported that the time is up on the resolution permitting the demolition of 222 West Main, 5 West Walnut, and 320 North 1<sup>st</sup>. He said that 222 West Main has been on the abatement list for ten years, the second and third stories are gutted, and it would cost a fortune to renovate it. 320 North 1<sup>st</sup> has been damaged in a fire and is not safe. Ken brought up that 5 West Walnut is one of our newer downtown structures, and if it were to be torn down, it would affect the looks of the downtown area. Kitty asked if we have funds for demolition. Ken said that there is money budgeted, but we have been having a more difficult time finding companies to bid. He added that he has some more properties that he would like to pursue for the abatement process. Kat brought up that Kurt Kemble would be willing to give the property at 5 West Walnut to the City. The Land Bank is not interested in it because it can't be insured due to the condition of the roof. It was decided to hold off on the demolition of 5 West Walnut, and have Ken Staatz contact the owner and see if he can go in and look at the property. Gloria Boomer was given one month to come up with a plan for 222 West Main. Ken was told to go ahead and solicit demolition bids for 222 West Main and 320 North 1<sup>st</sup>.

Debbie reported that the elimination of landlord agreements has been working well, and that the connection fees are being waived for the Recreation Commission and the Housing Authority. There was some concern about the water utility in the winter months, but that has been addressed.

The proposal from Mid-States Energy Works Inc. for replacement of the underground cable under the overpass is \$27,385, plus sales tax. Commissioner Souza said she would feel more comfortable with a line item breakdown. The cost of the work would come from the 2016 electric fund budget. A motion was made by Commissioner Stanford, seconded by Commissioner Hager, to accept the proposal from Mid-States. Motion carried, all voting, "Aye."

A representative is still needed for the Dickinson County Economic Development Board. This position will be advertised.

At 7:02 p.m. a motion was made by Mayor Miller, seconded by Commissioner Hager, for the City Commission, City Attorney, and Interim City Manager to go into executive session for 30 minutes to discuss non-elected personnel. Motion carried, all voting, "Aye." At 7:32 p.m. the meeting was back in regular session. No action was taken.

Debbie reported that surveys have been completed for the Bill Carson and lake house properties. Several of the Commissioners thanked the Hilltop Advisory Board and the Library Board for providing the minutes to their meetings. Commissioner Souza said that she has had several conversations with people who are tired of hearing "we have always done it this way." She feels that we are making some positive changes, and that the demeanor of the town has changed. Chuck announced that at the next commission meeting, two City Manager candidates would be having second interviews, Bret Beye and Ed Patton.

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

Also present at the meeting were Rick Freeman, Debbie Goembel, Buck Buckner, Dave Jones, Wendy Jones, Zarra McKenna, Gloria Boomer, Cynthia Naylor, D.J. Neuberger, Virginia Neuberger, Ray Perez, Ken Walters, Ken Staatz, Tandi Reiff, Jessietta Denham, Tammy Miller, and J.R. Sparke.

Debra Wendt  
City Clerk

