**REGULAR MEETING**

**April 5, 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, 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 March 15, 2016, the minutes of the special meeting of March 17, 2016, and the minutes of the special meeting of March 19, 2016. Motion carried, all voting, “Aye.” Appropriation Ordinance #P0325-16 was discussed and reviewed.

At the public forum, Dave Jones asked for an update on the VFW lease request for a concrete slab at the fairgrounds, to be used for erecting a storage building. Mark said that the area is used for the carnival during the fair. It was noted that Tripp Field could not be used for the carnival because the ground is too soft for the heavy equipment. There are also some other slabs south of the area that possibly could be used, or new concrete could be poured in another location.

Also at the public forum, Eric Gares asked for an update on the condemned trailer located at 18 North 12th. Brad Jantz said that the owners have been confirmed, and a letter has been sent to them but they have not responded.

The last item at the public forum was Jan Kimbrell expressing her passion and interest for local history. She is interested in developing a local volunteer committee that could research historical significance for properties. While the Commission thought a committee would be beneficial, they didn’t feel it should be a city-appointed board.

There was one additional agenda item. Kat added “discussion of potential volunteer opportunities” as #11A. A motion was made by Commissioner Stanford, seconded by Commissioner Souza, to approve the agenda, with the addition of #11A. Motion carried, all voting, “Aye.”

Buck Driggs gave an update on the water plant project. On March 23, 2016 he had a conference call with USDA, KDHE, and SHPO to discuss the historical eligibility of the building. The options are preservation or rehabilitation, but they are not really feasible due to the condition and safety of the building. A proposal is to create some exhibits in the new building that would showcase the history by use of pictures, books, and graphics. This will be presented to SHPO, and they are expected to agree to this. The grant application will be ready to submit by the end of the month. Buck will come back with an update at the May 3rd meeting.

Several appointments to the Convention and Visitors Bureau were considered. Commissioner Souza stated that she does not feel comfortable making appointments to any board when the members are not advising the Commission or providing them with minutes of their meetings, as has been requested. CVB member Wendy Jones said she was not aware that the minutes are not being received by the Commission. A motion was made by Mayor Miller, seconded by Commissioner Hager, to postpone appointment of members to the CVB until the next meeting, contingent on receiving the minutes. Motion carried, all voting, “Aye.”

A motion was made by Commissioner Stanford, seconded by Commissioner Souza, to approve a cereal malt beverage special event permit for David Gehrke, American Legion, for Saturday, April 30, 2016 from noon-10:00 p.m. at the Drag Race Arena, Herington Regional Airport. Motion carried, all voting, “Aye.”

The following Resolution was considered:

**RESOLUTION NO. 879**

**A RESOLUTION AUTHORIZING THE SALE, POSSESSION, AND CONSUMPTION OF CEREAL MALT BEVERAGES UPON CERTAIN PUBLIC PROPERTY WITHIN THE CITY OF HERINGTON, KANSAS.**

Be It Resolved by the Governing Body of the City of Herington, Kansas that:

Section 1. Pursuant to Section 5-111 of the Code of the City of Herington, Kansas, the sale, possession, and consumption of cereal malt beverages shall be permitted on the following described real property: Drag Race Arena, Herington Regional Airport, commencing on April 30, 2016 at noon and ending on April 30, 2016 at 10:00 p.m.

A motion was made by Commissioner Stanford, seconded by Commissioner Souza, to adopt Resolution No. 879. Motion carried, all voting, “Aye.”

Gloria Boomer and Jan Kimbrell spoke to the Commission concerning the house located at 222 West Main. The application with the Kansas Historical Society is in the legal department, and may take some time to review. A site visit needs to be done, and permission is needed from the owners. Jan was told that she could attempt to contact the owners for permission. Even though the property has gone through the abatement process, the Commission indicated they would not demolish it as long as individuals are in the process of trying to save it.

Kat was contacted by an army platoon leader concerning some volunteer opportunities for soldiers and their families (40-60 people) in July. Several projects, including some lake projects and cleanup, were suggested. Zarra McKenna said that the Community Youth Group is planning a downtown beautification project in June or July. Kat also said that the State Disaster Response Team had contacted us about holding a chainsaw certification class in our area. The request was forwarded to the Fire Department.

Long-term camping was discussed. City Code 6-126 (b) states that campers shall not occupy a campsite for more than 14 consecutive days. Mike Mowat said that state and federal regulations allow the camp host to extend this for 2 weeks, as long as it is not over a major holiday. The Lake Advisory Board will make a recommendation about this at a later date.

An ordinance setting new fines for dogs at large was discussed. The proposed fines are:

First Offense with city tag $50; without city tag $100

Second Offense with city tag $100; without city tag $200

Subsequent Offenses with city tag $200; without city tag $300

These fines are in addition to boarding bills, and an additional fee of $50 will be added if the animal is not spayed or neutered.

**ORDINANCE NO. 1782**

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF HERINGTON, KANSAS TO REPEAL AND REPLACE CHAPTER II, ARTICLE 2, SECTION 2-204 REGULATING DOGS, CATS, OR DOMESTIC ANIMALS RUNNING AT LARGE; THE FEES AND PENALTIES FOR VIOLATION THEREOF; 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. 1782, with a typographical correction in Section 2-204 (c). The vote was as follows:

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

Nays: None. Motion carried.

Mayor Miller brought up changing the time of City Commission meetings. After discussion, it was decided to leave the time at 6:00 p.m.

At 6:52 p.m. a motion was made by Mayor Miller, seconded by Commissioner Stanford, for the City Commission to go into executive session for 10 minutes to discuss non-elected personnel. Motion carried, all voting, “Aye.” At 6:55 p.m. the Mayor invited the City Attorney and Interim City Manager into the executive session. At 7:02 p.m. the meeting was back in regular session. No action was taken.

At 7:03 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 30 minutes to discuss non-elected personnel. Motion carried, all voting, “Aye.” At 7:33 p.m. the meeting was back in regular session. No action was taken.

The Mayor directed Brad Jantz to continue negotiations on a City Manager employment contract with Ed Patton, and to keep the Commission updated on the negotiations.

Debbie mentioned the fountain at Father Padilla Lake and a grant the Police Department has received for six Tasers. She also said we would be assisting the school on Earth Day by providing trash bags and picking up the bags.

Mark also mentioned Earth Day on April 22nd, Michelle commented on the recent disc golf tournament, and Kitty said she has some information about a collection agency that she received at the Kansas Rural Water conference. Kat talked about fires and fire safety, and said that it has been a pleasure being on the board with Chuck. Chuck said it has been a privilege to serve on the City Commission.

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

Also present at the meeting were Duane Bauer, Gloria Boomer, Jan Kimbrell, Jessietta Denham, Gabby Simmons, Jerry Barta, Mike Mowat, Ken Walters, Eric Gares, Tandi Reiff, Rick Freeman, Buck Driggs, Wendy Jones, Dave Jones, Ed Patton, Ron Maggard, D.J. Neuberger, Virginia Neuberger, Leslie Mayes, Cynthia Naylor, Zarra McKenna, and J.R. Sparke.

Debra Wendt

City Clerk