**REGULAR MEETING**

**July 19, 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 Kat Souza, Commissioner Michelle Stanford, Commissioner Kitty Walter, Commissioner Mark Hager, Commissioner Dave Jones, City Manager Ed Patton, 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 Jones, to approve the minutes of the meeting of July 5, 2016. The motion passed, with Commissioners Stanford, Walter, Hager, and Jones voting “Aye,” and Mayor Souza abstaining. Appropriation Ordinances #C0630-16 and #P0710-16 were discussed and reviewed. Dave asked when we would see a more discernable format for the Appropriation Ordinances. Ed said he would have something at the next meeting. Mark wanted to verify the amount of the Danker Roofing contract.

The first speaker at the public forum was Rick Freeman. He said that he had recently been appointed to the Convention and Visitors Bureau, and that he is clashing with one of the other board members. He is thinking about resigning from the board again. Several people spoke in favor of keeping the Roadhouse Youth Center open. Joseph Pavek said it is a good place to hang out with friends, Tanner Foust said it is a place to relieve stress and be yourself, and Cheyanne Snyder said it is a safe place to make new friends. Krista Pavek added that it is a safe, supervised, good environment, and she feels that vandalism may increase if it is shut down.

Mayor Souza added one additional agenda item—discussion on the Roadhouse Youth Center. It was added as #9A. A motion was made by Commissioner Stanford, seconded by Mayor Souza, to approve the agenda, with the addition of #9A. Motion carried, all voting, “Aye.”

A motion was made by Mayor Souza, seconded by Commissioner Stanford, to accept the resignation of Nodira Davlyatova from the Convention and Visitors Bureau. Motion carried, all voting, “Aye.” Commissioner Jones has another letter of resignation from a CVB member. It will be considered at the next meeting.

Kat read the following resolution:

**RESOLUTION NO. 881**

**A RESOLUTION ACCEPTING A GRANT OFFER FROM THE U. S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION (FAA) FOR THE REHABILITATION OF APRON AND TAXIWAYS PROJECT NO. 3-20-0029-008-2016 FOR THE HERINGTON REGIONAL AIRPORT.**

**WHEREAS**, the U.S. Department of Transportation Federal Aviation Administration (FAA) program offers assistance to airports through its Airport Improvement Program (AIP); and

**WHEREAS**, the Federal Aviation Administration will provide $602,970.00 in funds which represent ninety percent (90%) of the project; and

**WHEREAS**, the City of Herington agrees to provide ten percent (10%) match through the Herington Regional Airport fund in the amount of $66,997.00; and

**WHEREAS**, the City of Herington has procured an Engineering firm H.W. Lochner, Inc. in accordance with FAA terms; and

**WHEREAS**, H.W. Lochner, Inc. will provide engineering services and APAC-Kansas, Inc. will rehabilitate apron taxiways for the Herington Regional Airport, in accordance with FAA rules and regulations; and

**WHEREAS**, the Federal Aviation Administration has approved the bid of the rehabilitation of the apron and taxiways for the Herington Regional Airport, in accordance with FAA rules and regulations by way of Grant Agreement No. 3-20-0029-008-2016.

**WHEREAS**, the City of Herington has granted authority to the City Manager to sign and accept the Grant Offer from the Federal Aviation Administration in the Mayor’s absence.

**NOW, THEREFORE**, Be It Resolved by the Herington City Commission, a Municipal Corporation of the State of Kansas, Dickinson County, that the Grant Offer from the Federal Aviation Administration be hereby accepted.

A motion was made by Commissioner Stanford, seconded by Commissioner Hager, to adopt Resolution No. 881. Motion carried, all voting, “Aye.” Dave wanted everyone to understand that our 10% match for the grant is being taken from the airport fund.

Kat read the following ordinance:

**ORDINANCE NO. 1784**

**AN ORDINANCE CREATING A MULTI-YEAR CAPITAL IMPROVEMENT FUND; AUTHORIZING THE GOVERNING BODY TO LEVY TAXES TO BE ALLOCATED TO SAID FUND; PROVIDE FOR THE TRANSFERS INTO SAID FUND, AND ESTABLISHING AUTHORIZED EXPENDITURES FROM SAID FUND.**

Michelle asked if the new fund would fall under the mill levy cap. The vote was as follows:

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

Nays: None. Motion carried.

The Roadhouse Youth Center was discussed. The Commission was approached a month ago by some board members, asking for a donation of $6,000 for 2017. A budget was requested from the RHYC. The Mayor said she received the budget, and that their major source of funds is the $6,000 from the City, and $1,500 from the United Way. She added that they also receive the building rent-free, utilities, maintenance, trash pick-up, etc. from the City. She added that she received a letter form a concerned parent. The Commission asked some questions to Laurie Brunner, Board Member, such as their hours of operation, if the kids check in and out, and how many youth use the facility. There was some concern that $6,000 of their $8,000 budget comes from the City, and that the money goes mostly to wages and not the kids. It was mentioned that there are many other non-profit organizations in town that could use financial assistance. Mark said he feels the RHYC does a great job, and he is concerned that vandalism would increase if it were closed. Laurie Brunner said that “On the Beach,” a similar venue, is not an option because low income families could not afford to go there. Discussion continued. Michelle favors keeping the donation in the City’s budget, Kitty suggested rotating parents and asking for volunteers, Ray Perez thought they might work more closely with the schools, and Cynthia Naylor suggested making it a part of the City. Debbie Goembel wanted to know how much the City’s in-kind annual donation is. Ed said that the total annual donation is around $14,000, and that the Police Chief feels that more officers may be needed if the center is shut down. Ed was also concerned that a shutdown would make us in violation of our lease agreement with the RHYC, and noted that the City is responsible for any repairs costing more than $25.00. A new roof is needed on the building. His suggestion is to fund the organization for one more year, and take a look at the lease that will expire in November. Ed was directed to inspect the building and get the Commissioners a copy of the current lease. Insurance was also discussed. This will be added to the next agenda for more discussion.

Ed presented the proposed 2017 budget. It is up approximately 6.6 mills from this year. Ed noted that a time for the budget hearing needs to be set, and that at the hearing, the budget could be decreased, but not increased without re-publishing. He also said that workers comp insurance is supposed to increase by 29%, and announced that he is holding a meeting with all of the employees on August 1st. The budget shows a hospital levy of .437 mill instead of the one-half mill that is usually budgeted. Dave said that his main concern is that the budget needs to articulate to the taxpayers what the money is buying, instead of it is used to “pay the bills.” Ed said there are many factors involved in the budget preparation, including forecasting, revenues, grants, etc. He will try to come up with a more detailed list of projects and where the money is being spent. After more discussion, a motion was made by Commissioner Hager, seconded by Commissioner Jones, to set the budget hearing for Monday, August 8, 2016 at 6:00 p.m. at City Hall, and to publish the notice of hearing, with the hospital fund at one-half mill, making the total levy 85.142 mills. Motion carried, all voting, “Aye.”

The following resolution was read by the Mayor.

**RESOLUTION NO. 882**

**A RESOLUTION EXPRESSING THE PROPERTY TAXATION POLICY OF THE CITY OF HERINGTON GOVERNING BODY WITH RESPECT TO FINANCING THE ANNUAL BUDGET FOR 2017.**

**Whereas**, K.S.A. 79-2925b, as amended, provides that a levy of property taxes to finance the 2017 budget of the City of Herington, exceeding the amount levied to finance the 2016 budget of the City of Herington, as adjusted to reflect changes in the Consumer Price Index for All Urban Consumers for calendar year 2015, be authorized by a resolution adopted in advance of the adoption of a budget supported by such levy; and

**Whereas,** K.S.A.79-2925b, as amended, also provides that current year revenue that is produced and attributable to the taxation of (1) new improvements, (2) increased personal property valuation other than increased valuation of oil and gas leaseholds and mobile homes, (3) property located within added jurisdictional territory, and (4) property which has changed in use shall not be considered when determining whether revenue produced from property tax has increased from the preceding year; and

**Whereas**, the City of Herington provides essential services to its citizens; and

**Whereas**, the cost of providing these services continues to increase.

**NOW, THEREFORE, BE IT RESOLVED** by the City of Herington governing body that a levy of property taxes in support of the 2017 budget exceeding the amount levied in 2016, as adjusted pursuant to K.S.A. 79-2925b, as amended, is hereby approved.

A motion was made by Commissioner Stanford, seconded by Commissioner Hager, to adopt Resolution No. 882. Motion carried, all voting, “Aye.”

At 7:43 p.m. a motion was made by Commissioner Hager, seconded by Commissioner Jones, for the City Commission, City Attorney, and City Manager to go into executive session for 30 minutes to discuss non-elected personnel. Motion carried, all voting, “Aye.” At 8:13 p.m. the meeting was back in regular session. No action was taken.

Ed commented that he will have some annexation paperwork for the Commission to review, and a staff meeting will be held on August 1st. He also mentioned a plumbing issue and the Homestead Village roof repair, and gave an update on the phone system.

A motion was made by Commissioner Stanford, seconded by Commissioner Hager, to call a special meeting for Monday, August 8, 2016 at 6:00 p.m. at City Hall for the purpose of holding the budget hearing for the 2017 budget. Motion carried, all voting, “Aye.”

Dave said we need to take a look at the CVB board, and Kat thinks that a comprehensive review of all boards and committees needs to be done.

Lake issues were brought up. There have been complaints about the camp host and the locks on the electrical pedestals. Ed said the meter seals are being used to stop the campers from using electricity and not paying for it. Kat brought up that no one has talked to the campers about this, and she asked what would happen if someone wants to hook up and the camp host is not there. Debbie Goembel said that this is not how out of town camp sites work. Dave would like the input of the Lake Advisory Board on the camping changes, and Kat said she doesn’t think it is appropriate for the camp host to go to the campers’ home to collect money.

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 Natasha Barnett, Gloria Boomer, Wendy Jones, Laurie Brunner, Rick Freeman, Mike Mowat, Krista Pavek, Ken Walters, Ron Maggard, Butch Knight, Duane Bauer, Russ Almes, Ed Mueller, Joseph Pavek, Tanner Foust, Cheyanne Snyder, Debbie Goembel, Buck Buckner, Cynthia Naylor, Ray Perez, Braden Scarff, Marion Schweitzer-Noble, and Mark Noble.

Debra Wendt

City Clerk