

**Regular Meeting  
December 5, 2023  
6:00 p.m.**

The Herington City Commission met on the above date and time. In attendance were Mayor Robbin Bell, Commissioner Eric Gares, Commissioner Debi Urbanek via phone, Commissioner Ben Castleberry, and Commissioner Dan McDonald. Also in attendance were City Manager Thatcher Moddie, City Attorney Brad Jantz, City Clerk Megan Lawrenz, Neighborhood Services Director James Masters, Larry Mann, Christina McDonald, Rhonda Rice, Britt Moore, Troy Hardwick and Janet Wade.

The meeting opened with the pledge of allegiance.

Mayor Bell called the meeting to order.

Public Forum – None.

Additional Agenda Items – None.

Approval of Agenda – Commissioner McDonald made a motion to approve the agenda, seconded by Commissioner Gares. Motion carried 5-0.

Consent Agenda – Commissioner McDonald made a motion to approve the following consent agenda items with staff correction if needed: Minutes of the Regular City Commission Meeting from November 21, 2023, seconded by Commissioner Castleberry. Motion carried 5-0.

Public Hearing for 219, W Trapp St, Herington, Kansas – The public hearing opened at 6:02pm. James gave an update on the process saying that the first violation was written on May 30, 2023, for the yard and structure. On September 9<sup>th</sup> he completed another inspection and a lot of progress had been made. On October 17<sup>th</sup> James completed another inspection and more progress had been made. James completed another inspection on December 5<sup>th</sup>, and no further progress had been made. Britt Moore, owner of 219 W Trapp told the Commissioners that he has an architect working on prints for the roof. He is also in the process of getting the remaining violation items taken care of. Commissioner consensus to meet again in June. Commissioner Gares made a motion to table the public hearing until June 18, 2024, seconded by Mayor Bell. Motion carried 5-0. Troy Hardwick 407 S Broadway –also spoke about the property. He is assisting owner and has a financial interest in the property. The public hearing closed at 6:15pm.

Discussion and further action on 219 W Trapp St – Agenda item not needed.

Discussion on Continuation of UPTICC Program and budget for 2024/2025 – Commissioner consensus is to handle UPTICC applications on a case by case for 2024, but would like to see it official in 2025. Commissioners asked for staff to come back with revisions to the program for the first meeting in January of 2024.

Consider Comprehensive Plan Master Services Agreement and Work order and Approve funding in the amount of \$20,000 for the plan to be completed – Commissioner Gares made a motion to approve the Service Agreement and authorize the mayor's signature, seconded by Commissioner Castleberry after discussion Commissioner Gares amended his motion to include approving the services agreement with staff review, seconded by Commissioner Castleberry. Motion carried 5-0.

Mayor Bell made a motion to approve Work Order #2301 for services on the Herington Tomorrow Comprehensive plan for \$20,000 with staff review, and authorizing the city manager's signature, seconded by Commissioner Gares. Motion carried 5-0.

Executive Session – Mayor Bell made a motion that the Herington City Commission recess into Executive Session, pursuant to the consultation with an attorney on matters that would be deemed

privileged in the attorney-client relationship exception K.S.A. 75-4319(b)(2) in order to discuss potential litigation to include the following: Governing Body, City Manager, and City Attorney with the open meeting to resume at 7:01pm, 5-0. seconded by Commissioner Gares. Motion carried 5-0. The regular meeting resumed with no action taken.

City Manager Comments – Congrats to Megan Lawrenz for graduating from the 4-year city clerk program with Wichita State University. Caseys willing to help with long term maintenance on the lift stations. Would like more discussion in the future on how to handle lift stations in the future. 211 N E demolition will start this Thursday. Working on UPTICC grant applications. Potential offer for rescue truck. There is another leak on the raw water line, staff has been working to repair. Staff will apply for a state grant. As of now, the planning commission should be full in January. Planning Commission/Board of Zoning Appeals will be December 21, 2023. Thanked everyone for attending the Christmas Tree Lighting!

Commissioner Comments –

Commissioner McDonald – Asked James to check out 616 N D Street, for ducks. Staff advised this is a police department issue. Asked for an update on the city property that the Lawrenz's still have items on and was told that they plan to make major progress by the end of the year. Brought up city staff use of city vehicles after hours.

Commissioner Castleberry – Would like an update on the Ethics Committee terms.

Commissioner Urbanek – Nothing.

Commissioner Gares – Vehicles for sale potentially on city property, asked that staff check into the situation.

Mayor Bell – Nothing.

Adjourn – Commissioner Gares made a motion to adjourn, seconded by Commissioner Castleberry. Motion carried 5-0.

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Megan Lawrenz, City Clerk