

Regular Meeting
November 3, 2020
5:30 p.m.

The Board of City Commissioners for the City of Herington, Kansas met at City Hall at 5:30 p.m. on the above date - the following being present: Mayor Debi Urbanek, Commissioner Robbin Bell, Commissioner Vance Donahue, Commissioner Eric Gares via Zoom, Commissioner Curtis Hartman, City Manager Branden Dross, City Attorney Brad Jantz Via Zoom and City Clerk Megan Lawrenz. Also, in attendance were Sergeant Tyra with the Herington Police Department, Captain Avantagiato with the Herington Fire Department, Buck Driggs and JR Sparke.

The meeting opened with the Pledge of Allegiance. Mayor Urbanek called the meeting to order. A motion was made by Commissioner Bell, seconded by Commissioner Donahue to approve the Minutes of the Regular Meeting October 20, 2020.

Public Forum Items- There were no public forum items.

Additional Agenda Items – Commissioner Gares moved to remove agenda item #9 Discuss and Appoint Public Building Commission Board Members, seconded by Commissioner Donahue motion failed with all Commissioners voting “Nay”. Commissioner Bell motioned to approve the Agenda as written, seconded by Commissioner Hartman. Motion carried with all Commissioners voting “Aye”.

Approval of Agenda – Commissioner Bell motioned to approve the Agenda as written, seconded by Commissioner Hartman. Motion carried with all Commissioners voting “Aye”.

Update on Water Treatment Plant – Buck Driggs – Buck Driggs attended the meeting to give an update regarding the Water Treatment Plant. Two bids were received: APAC for \$3,384,539.00 and BRB Contractors for \$3,678,000.00. APAC was the low bidder. Buck requested a Notice of Award be signed by Mayor Urbanek and returned to him. Anticipated start date is 12/1/2020.

Consider Previous Months Financials – City Clerk Lawrenz and City Manager Dross presented financials through 9/30/2020. City Manager Dross said he had no concerns with departments staying with-in their 2020 budget. City Clerk Lawrenz advised she would have financials at the second monthly Commission Meeting.

Discuss and Appoint Public Building Commission Board Members – City Attorney Jantz advised that it may be better to create a new PBC that is specific to a Medical Facility instead of revising the current one like previously discussed. There was discussion about keeping all 5 Commissioners on the Board in addition to 3 Hospital Board Members and 1 Member at large. The Commissioners decided to direct City Attorney Jantz to draw up a new Medical Facility specific PBC.

Update on Herington Municipal Hospital Donation – City Manager Dross informed the Commission that City Clerk Lawrenz had purchased a 20ft. Christmas Tree for downtown. Commissioner Bell asked if we would be getting new lights for the poles downtown and City Clerk Lawrenz informed him that there was still some money left over after the tree purchase, but not enough to do all the poles downtown. She hopes to get new ones in 2021. City Manager Dross met with the Herington Recreation Commission to ask for their advice and input for the funds allotted for the park. City Manager Dross and City Clerk Lawrenz are working on a plan to fix up the tennis courts, basketball court and add a beach volleyball court. Finally, City Manager Dross met with a local contractor to discuss repairs to the pool house. The contractors have agreed to help come up with a plan for repairs/restoration.

City Update on COVID-19 - Mayor Urbanek read an update from Dickinson County Health Department dated 11/2/2020. After discussion it was decided that City Hall would be closed to the public until further notice due to City Staff exposure to COVID 19. City Manager Dross requested support from a Commissioner to attend weekly COVID meetings at the County Level.

Follow up Discussion of 2019 Audit – City Manager Dross spoke with Randy who said that the funds that were in the PBC were paid off and that rents were now being put into the General Fund.

Discuss and Consider Fire Department Funding for Extrication Equipment – Captain Avantagiato explained to the Commissioners that there was \$25,000 dollars available to the Herington Fire Department to purchase much needed equipment. The goal is to have equipment that interchanges with Abilene and Enterprise equipment so if all three communities need to come together for a disaster they can. Total cost for the equipment is \$66,478.80 so \$41,478.80 is needed. City Manager Dross advised that there are funds available in Fire Salaries and there is an opportunity for a 0% loan for \$20,000.00 from the Firefighter Relief Act. Commissioner Donahue made a motion to approve the purchase of extrication equipment, seconded by Commissioner Bell. Motion carried with all Commissioners voting “Aye”.

Discuss and Consider Yearly Township Service Agreements from General to Fire Capital Outlay – Currently the yearly township service agreements are going into the general fund. City staff proposed moving the funds to Fire Capital Outlay. Commissioner Bell motioned to approve moving the yearly township service agreement funds from the General Fund to Fire Capital Outlay, seconded by Commissioner Gares. Motion carried with all Commissioners voting “Aye”.

Discussion of Logan Pointe HOA – Commissioners directed staff to scan all documents related to the Logan Point HOA to City Attorney Jantz.

Discussion on Vacant Building Ordinance and Grant Program – City Manager Dross presented his Uniform Program To Incentivize Commercial Cultivation (UPTICC) program to assist business owners with costs related to updates. City Manager Dross proposed a three-year pilot program that would dedicate \$25,000 per year to be made available for grants. He hopes this grant program will coincide with the vacant building ordinance. Mayor Urbanek made a motion to

approve UPTICC as presented, seconded by Commissioner Donahue. Motion carried with all the Commissioners voting "Aye".

Discuss and Consider 2021 Proposed Observed Holidays – City Manager Dross proposed the addition of Martin Luther King Jr day as a paid holiday for city staff. Commissioner Gares made a motion to approve policy change adding Martin Luther King Jr Day to the list of paid holidays, seconded by Mayor Urbanek. Motion carried 4-1 with Commissioner Bell casting the dissenting vote.

Discuss and Consider City Manager's Neighborhood Enforcement Officer Position – City Manager Dross proposed the addition of a Neighborhood Enforcement Officer Position. This position will be classified under City Hall and will report to the City Manager. City Manager Dross proposed starting with a part time position of about 30 hours a week. Funds for the salary will be split between Fire 75%, Airport 20% and General 5%. Commissioner Bell motioned to approve the addition of a Neighborhood Enforcement Officer Position, seconded by Commissioner Hartman. Motion carried with all the Commissioners voting "Aye".

Discuss and Consider Herington Housing Authority Board Member Application for Isabel Schmedemann – Commissioner Gares made a motion to table approval of the Herington Housing Authority Board Member Application until City Staff hear back about term dates. Seconded by Commissioner Bell. Motion carried with all Commissioners voting "Aye".

Discuss and Consider Solar Policy – An ordinance that corresponds with the Solar Policy was needed because of the fee's involved. Commissioner Bell motioned to approve Ordinance No. 1830 Relating to renewable parallel residential and commercial electric rates, seconded by Commissioner Gares. Motion carried 4-1 with Commissioner Donahue casting the dissenting vote.

A motion was made by Mayor Urbanek, seconded by Commissioner Donahue to recess into executive session K.S.A. 75-4319 (b)(1) for consultation with an attorney on matters that would be deemed privileged in the attorney-client relationship – potential litigation, to include the Governing Body, City Attorney Jantz, City Manager Dross, and City Clerk Lawrenz, with the regular meeting to resume at 7:13 p.m. Motion carried with all voting "Aye". No action taken.

A motion was made by Commissioner Hartman, seconded by Commissioner Donahue to adjourn. Motion carried with Commissioners voting "Aye".

Megan Lawrenz, City Clerk