

Regular Meeting
April 7, 2020
5:30 p.m.

The Board of City Commissioners of 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 II, Commissioner Eric Gares, Commissioner Curtis Hartman, City Attorney Brad Jantz, City Clerk Marcus Hawkes and Deputy Clerk Kathy Matkins.

The meeting opened with the Pledge of Allegiance. Mayor Urbanek called the meeting to order. A motion was made by Mayor Urbanek, seconded by Commissioner Bell to approve the minutes of the Special Meeting March 16, 2020 and Regular Meeting March 17, 2020. Motion carried with all voting “Aye.”

Additional Agenda Items. Mayor Urbanek struck Item #9 on the Agenda. Mayor Urbanek recommended reversing Items #12 and #13 on the Agenda.

A motion was made by Mayor Urbanek, seconded by Commissioner Donahue to approve the agenda with the mentioned changes in place. Motion carried with all voting “Aye.”

City Update of COVID-19. The community has taken quick action and responded to the pandemic. The Hospital has been working on it since January 2020. Businesses have closed to get through this period and made necessary adjustments to abide the Gov. Kelly’s Executive Orders. The City has been operating without a City Manager and has adjusted schedules working within the parameters and doing double duty and carrying extra workloads during this time period. Kym at the Chamber Office is posting factual information pertaining to COVID-19 relaying this to the community members and businesses alike. The park and playground equipment areas have been roped and taped off to cut back on the Coronavirus Spread. There are increased meals and take-out orders at the Hilltop. Friendly Resource Exchange is providing food and other goods and our schools are getting meals out to the children.

County Update of COVID-19. Brad Homman and John Holgren with the Dickinson County Health Department provided updates by phone during the meeting. Brad reported there are no positive cases in Dickinson County, 25-30 people have been tested and results are negative so far. Gov. Kelly closed the school system down for the rest of the school year and certain businesses are closing. A Stay at Home Order by Gov. Kelly superceded any other orders currently in place. Gov. Kelly has ordered social gathering not to exceed 10 people and to use social distancing in the process and religious services and gatherings are limited to 10 as church members including the Pastor. Restaurants can only offer carry-outs and deliveries until May 1st, 2020. The county wants to protect the employees and can make allowances to be stricter if cases rise drastically. District Court closed 2 weeks ago to the public and they only allow appointments with 7-8 people coming into the Court House. Most are completing their business online. Brad said they are working at half-staff on their operating schedules. Brad said city staff is being rotated to avoid multiple illness within the departments. The City Bus is still operating at a slower pace. Brad will review this situation in two weeks for any additional changes. John said EMS is still working in Abilene & Herington stations. John said all WIK services are done via phone. John said the next 2 Health Department trips to Herington are cancelled until further notice. John said the county declared an

“Emergency Declaration” 2 weeks ago 60 days in duration. It was a strategic move to possibly get FEMA reimbursement in the future. The County is eligible to receive and has received supplied from the Strategic National Stockpile from the state. John expressed his opinion that he feels the current situation will get worse before it gets better. John said there will be another Dickinson County Meeting on Friday, April 10, 2020.

Mayor Urbanek made a motion on adopted Executive Order 20-4-14 which replaced 20-04 to adopt and follow City and State Orders that are passed onto the State during COVID-19. Mayor Urbanek made a motion to adopt these orders, seconded by Commissioner Gares. Motion carried with all voting “Aye.”

Commissioner Gares made a motion to adopt current and future KCC orders regulating Utility Shut-Offs during COVID-19 seconded by Mayor Urbanek. Motion carried with all voting “Aye.”

Discuss and Consider Purchase of Riding Lawnmower. Mayor Urbanek talked with Leo Schlesener by phone for his report. Leo said the city has an older Toro, 2007 model, and the mower has had a lot of money put into it for repairs. There is a \$1,000.00 part that needs replaced on the mower and it wasn’t a wise, economical decision to put that additional money into this mower when it would be more cost effective to purchase a new one. Another city mower broke down and needs repairs too. Extensive mowing is done for the city and out at the lake area. Leo got bids for a Hustler and John Deere mower. Leo said he has \$30,000.00 in a line item in his budget for purchase a new mower from the Reserve Fund. Leo recommended purchasing the John Deere Mower for \$12,500.00 through the John Deere Dealership in Abilene, KS. This mower comes with a 3- year warranty with 1500 hours and the dealership will service and repair the mower at their facility. A motion was made by Commissioner Bell, seconded by Gares to approve purchase of the John Deere Riding Mower for \$12,500.00 through the John Deere Dealership in Abilene, KS. Motion carried with all voting “Aye.”

Discuss and Consider Request to Rent Bounce House Items for Three Days of the Tri-County Free Fair at \$2,500.00. Commissioner Donahue II spoke on behalf of the kids having something to do during the Free Fair if this event happens this year due to the Coronavirus. It was pointed out the City cannot do a donation but City Attorney Brad Jantz said the City can do a General Grant of Support for local community events. Questions were raised if other local groups wanted support how would the city choose who to allocate the General Grant Support to? Attorney Jantz said the city needed to estimate Funds from the Budget to use for the Grant and then set up Guidelines to follow to appropriate the General Grant Funds. It was also discussed that this may not be able to be implemented for this year’s events and the Commissioners and Mayor tabled this request for later reference and asked Commissioner Donahue II to revisit this and keep it on his timeline for the future. Commissioner Gares inquired about adopting in-kind services for the Free Fair and it was decided to table this until the new City Manager is hired and in place as it would be the City Manager’s decision to make. Commissioner Donahue II mentioned using the Tripp Field and if requests and permission could be completed at the city office.

Review of Protocol in the Absence of City Manager. Commissioner Donahue II stated a lot of community members think the City Commissioners are City Managers. The city commissioners are not city managers and are keeping the ball rolling and the city operating through this time period until a new City Manager is selected and hired. Multiple citizens have approached Commissioner Donahue II with these questions

and concerns. City Attorney Brad Jantz will present a Summary of how the City Commissioners operate in the absence of the City Manager. Attorney Jantz will provide a 1 to 2- page Memorandum on Business Practice Protocol.

A motion was made by Mayor Urbanek, seconded by Commissioner Bell to recess into Executive Session K.S.A 75-4219(b)(1) personnel matters on non-elected personnel to interview potential City Manager Candidates. To include the Governing Body, the City Attorney, the City Clerk and Art Davis of Baker/Tilley if possible. The open meeting to resume in the City Hall Board Room at 6:48 pm. Motion carried with all voting "Aye." Meeting resumed with no action taken.

A motion was made by Commissioner Gares, seconded by Commissioner Donahue II to adjourn. Motion carried, all voting "Aye."

Also, present: J.R. Sparke-Herington Times.

Marcus Hawkes, City Clerk