

Regular Meeting
April 21, 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 Meetings April 6, 13, & 16, 2020 and Regular Meeting April 7, 2020. Motion carried with all voting “Aye.”

Additional Agenda Items. No additions at the time. Agenda Item 15A was added during the City Clerks Comments. A motion was made by Mayor Urbanek, seconded by Commissioner Gares to amend the Agenda adding Item 15A to consider the purchase of millings at \$18,000.00 from Shilling Construction.

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

City Update of COVID-19. The City is following the Governor’s Executive Orders for the Stay at Home Order through May 1, 2020. Additionally, the City is following the KCC Order for another 30 days too. Mayor Urbanek said there is on-going County Conference Call Meetings every Friday at 12:00 with city staff and commissioners participating in these meetings. There is one positive case reported in Dickinson- County but it is not in Herington, Ks. Mayor Urbanek said the Dickinson County Leadership Group has a weekly meeting every Wednesday by conference call. This group is sharing COVID-19 information, following Governor’s Orders and KCC Orders, and discussing how to get back to normal when it is deemed safe to do so.

Update of Waste-Water Treatment Plant Project-Todd Anderson of SMH Consultants spoke to the governing body by phone with his update. Todd said there is an Engineering Agreement Packet to be looked at and City Attorney Brad Jantz said he would need additional time to review the contract agreement. Todd discussed the construction of the new building at the WWTP which will house a sludge press to eliminate hauling sludge. There will be a sludge pad adjacent to the building for the sludge. Todd said the roof will have a pole barn construction. Todd said Bidding Services are included and there will be a Pre-Construction Conference mandated by KDHE. Todd will handle submittals and have monthly progress meetings with various parties getting together to handle any issues during the construction process. Todd will handle Pay Requests for payment to contractors with the city’s agreement and will set up a monthly payment agreement. Todd offered Construction Observation Services conducting Field Site Visits according to Plan and Specifications with 8 one- hour visits not to exceed \$5880.00. This cost could be higher or lower depending on how many visits are necessary to fulfill requirements. Todd recommended changing the Plan and Specification date to August 31, 2020 to accommodate the current timeframe that we are in and keep within the guidelines in a timely manner. Mayor Urbanek asked for clarification on the total amount due for design, construction, and bidding phases at a cost of \$105,405.00.

Todd agreed this was the correct price. City Attorney Brad Jantz will review the agreement and if there are not any changes, the City can move on with this Project. The City Attorney and the Governing Body agreed to change the date to August 31, 2020. Motion was made by Mayor Urbanek, seconded by Commissioner Bell to move forward with the verbal agreement with SMH Construction subject to staff review and City Attorney Jantz's recommendation and approval. Motion carried with all voting "Aye."

Update of Solar Policy/Rate Study-Darren Prince of KMEA. Darren Prince and Larry Beeker with KMEA presented a Power Point Presentation on Parallel Generation. The City needs the Distributive Generation Policy in place. Darren gave a brief history of how the Parallel Generation Laws were created. These laws were adopted by Kansas and applies to all municipals. KMEA experts developed the KMU Tool Kit which Darren recommended the City using this kit which explains and utilizes the generation billing method and how it works and the need to adopt the Distributive Generation Policy. The main reason Darren shared this need to adopt the policy was for Safety of our Linemen when working on a line, proper installation and codes, and a required Dis-Connect Switch located on the outside of the house so linemen can make sure it is safe to work on. Darren recommended using KMU Interconnection Standards which makes sure our current system is not impaired or disrupted and follows the ordinance guidelines correctly. Darren recommended adding a Capacity Charge to the Billing Structure and to adopt a Rate Structure reference Interconnection Standards. The Rate Study will assure proper cost recovery for utility and safety coverage. Mayor Urbanek pointed out with the Commissioners in agreement that the Rate Study had been previously approved in the March 3, 2020 meeting. KMEA will start the rate study immediately and the City Clerk will gather the necessary information and data needed for the study. The governing body agreed to create the Distributive Generation Policy and incorporate this with the rate schedule we have in place. City Attorney Brad Jantz asked Darren to send the Parallel Generation Ordinance to him to look over and review. The Interconnection Standards will be sent to the City Clerk.

Update on Water Treatment Plant -Buck Driggs of Driggs Design Group sent an update by email to the Governing Body and City Clerk. Buck said the Westech Pilot Testing will be concluded this week and overall, it has gone well. Buck conducted weekly conference calls with Westech Representatives to discuss treatment production, chemical additives, and the overall results of the processing. KDHE has been provided periodic updates of the pilot testing. This week they are trying aluminum-based coagulants to see how they react to the Herington Water. OZONE Pilot Testing has hit a standstill due to the strict mandates in California due to COVID-19. The vendor located in California could not move forward. They would not allow people to travel out of state. No one was available to assemble the pilot testing or even sign for the shipments when they arrived at their production center. Buck said there were some issues with their contract which were discussed with City Attorney Brad Jantz who had the same concerns Driggs had, regarding the pilot testing agreement. The Westech Unit and the WTP Improvements are moving forward. Buck said they will have to re-evaluate how to fit the ozone equipment into the project as they move forward. Options for doing this include, adding it during the bid process, adding it as a change order, or doing a separate bid package to install the unit after the initial plant project is complete. Buck said until California is back up and running, it is hard to get a schedule developed for this. The revised set of Final Plans for the WTP Improvement Plans has been submitted to KDHE for review. Buck requested KDHE provide all comments back to him by April 30, 2020. Two conference calls were held to work through their ozone concerns. With the ozone equipment they are proposing, there is a risk of leakage. It is a small amount of ozone and the Uniform Building Codes does not require us to do anything special based on the

small dosage of ozone that would exist with the leakage. KDHE wanted to completely block and seal this room off. This would have caused issues with the floor plan and access from the main office to the filter room. Buck was able to correct their issues by adding extra ozone/gas monitors throughout the building. This will be KDHE's 3rd Review of the Final Plans. If approved by KDHE we can send the project out to bid and now is a good time to bid projects. Buck said he is hopeful to get this project to the bidding phase soon.

Discuss and Consider Purchase of Skid Steer for Airport. Merlin asked Commissioner Bell to speak on his behalf. The current, older Skid Steer can not do the necessary work that needs to be done at the airport. It was discussed whether the Street Department could share their skid steer with the airport and use one skid steer. It provided conflicts due to work schedules and ability to get it to the airport when needed. The bids were reviewed and considered, and it was Merlin's recommendation and the governing body in agreement to consider the Skid Steer Bid from Jim Bath from Manhattan. This Skid Steer is a 2015 New Holland, Model L230, 90 horsepower, with 900 hours on the unit. This Skid Steer has the capabilities to break up large cement with a jackhammer and the current one does not; and the lower hours are a plus. The cost of this Skid Steer is \$31,500.00. In addition, Merlin is applying for a \$20,000.00 CARES grant to use on the purchase of a Skid Steer. Merlin also suggested selling the current Skid Steer on Purple Wave for \$5,000.00-\$8,000.00 and applying that to the new purchase once sold. This purchase would be used from Airport Funds only. Motion was made by Commissioner Bell, seconded by Mayor Urbanek to approve the purchase of a 2015 New Holland, Model L230, 90 horsepower, with 900 hours on the unit from Jim Bath from Manhattan at a cost of \$31,500.00. Motion carried with all voting "Aye."

Discussion of Schedule for City- Wide Cleanup. City staff will work on the date for the City- Wide Cleanup. City Clerk will contact Leo to find out when the dumpsters are available. Once this is confirmed, city staff will set a date and notify the governing body and the public of the time and date for the Cleanup Event.

Discussion 5 West Walnut. Bids have been received by the City for this project and the City is double-checking with KDHE now for clarification on what the specific requirements entail on how this project is required to be handled and completed per rules and regulations with state requirements. City Attorney Brad Jantz will follow up with KDHE to receive this information. By the next meeting, May 5, 2020, City Attorney Brad Jantz wants to firm up the bids to move forward on this project. Mayor Urbanek scheduled a Hearing Agenda Item for the first meeting in May or May 5, 2020 with expectations that the Governing Body will see and review all the Bids received at this meeting to make a decision on selecting and hiring a contractor for this project.

Discussion of Equipment Needs to Improve Virtual Meetings. Mayor Urbanek polled the Commissioners and asked a question whether the City meetings should remain online after COVID-19 is over? All Commissioners and the Mayor voted Yes to this question. There are technical equipment needs and Mayor Urbanek referred City Clerk Marcus Hawkes to talk to Kymberly at the Chamber for additional help in researching what the city needs to improve our meetings online. Various issues were discussed related to what the city needs for this improvement. City Attorney Brad Jantz wanted to remind the governing body that the City can apply for FEMA Funds to help reimburse expenses associated with COVID-19.

Update on City Manager Search. Mayor Urbanek reported the City has narrowed the candidates to 2 Finalists. The Governing Board is working through the logistics of scheduling by executive meetings to have and conduct 2 in-person interviews.

A motion was made by Mayor Urbanek, seconded by Commissioner Bell on Amended Agenda Item 15A to approve the purchase of 2,000 tons of millings at a cost of \$18,000.00 from Shilling Construction Company for the City Street Department. Motion carried with all voting "Aye."

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

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

Marcus Hawkes, City Clerk