

Regular Meeting
June 2, 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 Vance Donahue II, Commissioner Eric Gares, Commissioner Curtis Hartman, City Attorney Brad Jantz by telephone, 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 Commissioner Bell, seconded by Commissioner Gares to approve the minutes of the Regular Meeting May 19, 2020. Motion carried with all voting “Aye.”

Additional Agenda Items. No additional items.

A motion was made by Commissioner Bell, seconded by Commissioner Hartman, to approve the Agenda. Motion carried with all voting “Aye.”

City Update of COVID-19. Mayor Urbanek said the Governor changed orders to recommendations. Friday the County released their plan. If gatherings over 50 people, it is necessary to write down the names, addresses and telephone numbers of all attending the gathering. Gyms are open following certain guidelines as are Salons & Bars. June 8th Phase III begins if no changes are made prior to this date.

Public Meeting – Waste- Water Treatment Plant-Todd Anderson gave an update about the KDHE process and Sludge Press. There were not any public comments. Todd said he had a telephone conference call with the Manufacturer’s and submitted preliminary drawings. Todd said a full submittal will be coming in a couple of weeks. Begin fabrication of the sludge press noting that it might take 7 to 7 1/2 months to get the machine as there has been delays with parts, labor issues due to COVID-19. Todd also wanted this public meeting documented with a sign-up sheet for the public meeting.

Discussion of Relocating Ball Field Involving Recreation Commission, Fair Board and Planning Commission-Dennis Albrecht gave a presentation for all 3 entities, the Rec. Commission, Fair Board, and Planning Commission. Dennis met with Kyle from the Rec Commission and Dennis spoke to the Fair Board Members who did not have any problem with moving the location 12 feet. Dennis said Kyle is required to follow state guidelines. The north ball field cannot be abandoned, it will be used for outdoor activities for rec purposes. Dennis stated that the Rec. Commission and the State of Kansas must agree on a plan and design and then present it to the Commissioners. As of today, there is not any architectural drawing as they are still working on preliminary plans. Kyle will submit a proposal to the State of Kansas for approval and if approved, it will go forth to the Commissioner’s for approval. This is all dependent on whether the Rec. Commission gets a grant approved for this project. A motion was made by Commissioner Bell, seconded by Mayor Urbanek to table this discussion until the plans are drawn up and presented to the Commissioners. Motion carried with all voting “Aye” and Commissioner Donahue and Commissioner Gares voting “Nay.”

Discuss and Consider Appointment of one member to the Herington Recreation Commission, term to expire 6/2/2024 (Shelly Langhofer). A motion was made by Commissioner Bell, seconded by Commissioner Donahue to appoint Shelly Langhofer to the Herington Recreation Commission, term to expire 6/2/2024. Motion carried with all voting "Aye."

Discuss and Consider Fireworks Committee Request to Use Fairground Area for Fourth of July Celebration. The Commissioners came to a consensus to move the fireworks at the lake in town to the Fairground Area as it is a larger venue. A motion was made by Commissioner Bell, seconded by Mayor Urbanek to approve the request from the Fireworks Committee to Use the Fairground Area for the Fourth of July Celebration. Motion carried with all voting "Aye."

Discuss and Consider Discharge of Fireworks on City Property. In review of the fireworks ordinance, the commissioners agreed to designate the Tripp Football Field, the area at the lake and the Herington Fairgrounds as city owned properties to use for public use for discharge of fireworks. Fire Chief Melcher said if the area at Tripp Field is extremely dry, he would not recommend using this area. A motion was made by Commissioner Gares, seconded by Commissioner Bell designating the Tripp Football Field, the area at the lake, and the Herington Fairgrounds as city owned properties to use for public use for discharge of fireworks. Motion carried with all voting "Aye."

Discussion of Township Responsibility Around Lakes. Mayor Urbanek said coordination with Dickinson County EDC and 1 to 2 City Commissioners would meet with the township to outline responsibilities on maintenance on the roads. Mayor Urbanek asked fellow Commissioners if any of them wanted to participate with this group and the Dickinson County EDC on this project. Commissioner Gares offered to join this group with Commissioner Bell filling in when Commissioner Gares is not available.

Discussion of Lake Ordinances. There was discussion about revising and modifying the lake ordinances. Commissioner Bell recommended that the ATV ordinance for the city should apply to the lake too and the golf carts were briefly discussed to use the city ordinance applications. Firearms and Fireworks were recommended to follow city and county ordinances in place already. Firearms will be addressed to City Attorney Brad Jantz as a legal issue. Commercial Bait and Disposal of Bait will follow Kansas Fish and Game Regulation and the State Laws and Guidelines.

Discussion of Lake Reservation Software. A recommendation was made to gather additional information and Commissioner Bell said the City needs the reservation software. Commissioner Donahue wanted to table this discussion until July when the Camp Host Mark Strand can be present at the meeting and present the software too. A motion was made by Commissioner Bell. Seconded by Commissioner Gares to proceed with the reservation software. Motion carried with 4 voting "Aye" and Commissioner Donahue voting "Nay."

Discussion of Change Regarding Control Burns Ordinance. Fire Chief Scott Melcher requests a change regarding the Control Burns Ordinance reference the procedures used to contact him by 911 dispatch and approval of these fire permits. Scott wants to be notified of all control burns prior to 911 Dispatch granting a permit and approval so he can go to the address and investigate and approve what has been called in to burn and what is actually being burnt and submit the approval to Dispatch. Scott said this would be on

a case by case basis. A motion was made by Commissioner Bell, seconded by Commissioner Gares to go forward with the necessary changes regarding Control Burns Ordinance. Motion carried with all voting "Aye."

Discussion of Hay and Grazing Leases. The City Leases are lacking crucial and important detailed information. They need to be reviewed and updated and Commissioner Bell, Commissioner Hartman, and City Attorney Brad Jantz will work on this review of city leases simplifying and adding pertinent information to the city leases.

Update of Bond Indebtedness Options. City Attorney Brad Jantz said the City has Laddered or Tiered Bond Issues and he advised the Commissioners and Mayor there are savings to be had without increasing city debt by doing so. Brad will move forward and look at possible restructuring of bonds and city indebtedness per the consensus of City Commissioners and the Mayor.

Update of Cares Act Grant for Airport. City Clerk Marcus Hawkes said the grant is signed and is now at FAA.

Update of County Map Corrections Relative to Census. City Attorney Brad Jantz said additional work needs to be done in this area. Brad needs additional legal descriptions and the County Map needs corrections. The City needs additional surveyor assistance to complete this process. Incorporation needs to be done and legals revised from Point A to Point A. Brad said he would get cost estimates from a couple of surveyors to see expense involved and provide the Commissioners with his cost estimates.

A motion was made by Mayor Urbanek, seconded by Commissioner Bell to recess into Executive Session K.S.A. 75-4319b)(1) pursuant to the non-elect personnel matters and City Manager candidate, to preserve the privacy of personnel and each potential city manager candidate. To include the Governing Body, the City Attorney, the City Clerk, and Art Davis of Baker/Tilley. The open meeting to resume in the City Hall Board Room at 7:15 pm. Regular Meeting resumed with no action taken.

Mayor Urbanek amended the Agenda to include Item 20A-Add Temporary Salary Increase to Non-Elect Personnel. A motion was made by Mayor Urbanek, seconded by Commissioner Bell to amend the Agenda to include Item 20-A Adding Temporary Salary Increase to Non-Elect Personnel. Motion carried with all voting "Aye."

A motion was made by Mayor Urbanek, seconded by Commissioner Gares to add a Temporary & Retroactive Salary Increase to \$26.00 per hour for City Clerk Marcus Hawkes retroactive to January 1, 2020 for all the additional workload and duties he has performed in the absence of a City Manager. Mayor Urbanek and the Commissioners are very appreciative of all the extra tasks and extra workload that has been handled by the City Clerk. Motion carried with all voting "Aye."

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

Also Present: J.R. Sparke-Herington Times, Dennis Albrecht, Fire Chief Scott Melcher

Marcus Hawkes, City Clerk