

Regular Meeting
August 4, 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, 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 Gares, seconded by Commissioner Hartman to approve the Minutes of the Regular Meeting July 21, 2020 and Special Meetings July 29, 2020 and July 30, 2020. Motion carried with all voting “Aye.”

Public Forum Items – There were not any Public Forum Items.

Additional Agenda Items - Mayor Urbanek moved Agenda Item 10 to 8, 8 to 9, and 9 to 10 to allow city staff not to have to stay late for the meeting. A motion was made by Mayor Urbanek, seconded by Commissioner Donahue, to approve the Agenda moving Agenda Item 10 to 8, 8 to 9, and 9 to 10 to allow city staff not to have to stay late for the meeting. Motion carried with all voting “Aye.”

City Update of COVID-19. Mayor Urbanek said the City is following the adopted Dickinson County Recommendations. Mayor Urbanek said there were not any new updates.

Discussion of Rate Study – Mayor Urbanek said KMEA gave a presentation on opportunities for the City to consider them as a new electric supplier. Delaying the rate study to be completed a year or more will delay the solar policy to be put in place. It is the City’s recommendation to ask KMEA to complete the rate study now so the City can move forward on the solar policy. David Kahle was present and said he had spoken with Darren Prince of KMEA and Darren recommended the City to go ahead and approve the solar policy and the City can do an individual rate study and feasibility study for the individual who is wanting solar now, and do the rate study and feasibility study for the rest of the City later. Proceed as recommended by staff and KMEA Darren Prince to finalize solar policy by the next City Commissioner Meeting. The City will advise City Attorney Brad Jantz and get confirmation with Brad. Let David Kahle know and he will talk to Darren Prince and get an answer. David Kahle also mentioned he had received the new BusTie to put in at the Substation.

Discussion Clarification of Public Forum – The Public is attending the meetings now and there are empty chairs and seating available to use the 6 Ft. Social Distancing Rule. The Public has a choice to come in or not and can always watch the virtual meeting online. The Commissioners had varied opinions on whether the City is conducting a Restricted Meeting or not and the Consensus was to leave it as is, the policy is still in effect and there needs to be a majority vote to make changes.

Discussion Publication of Agenda – The City needs to have the original draft of the Agenda published by Friday prior to the Meeting on Tuesday. The Agenda needs to be posted on Facebook and the Agenda is posted 2 hours prior to any meeting on the City Office Doors.

Discussion of Annexation Progress – City Attorney Brad Jantz sent a Memorandum to the Governing Body which addresses requirements for annexation. Attorney Jantz said issues were previously discussed during City Commissioner Meetings and there was approval at the prior meeting, but the documents did not make it to the County for completion. Mayor Urbanek said the City needs to know what to do to get this finalized and will confer with City Attorney Brad Jantz. Brad will make all the changes necessary to meet the requirements and prepare the document(s) for the Governing Body. Mayor Urbanek was glad to see this Annexation progressing. At this time, the Governing Body moved to take a 10- minute recess. A motion was made by Commissioner Gares, seconded by Commissioner Donahue, to take a 10-minute recess. Motion carried with all voting “Aye.” The Regular Meeting to resume at 6 pm. The Regular Meeting resumed and Attorney Brad Jantz said this is a contiguous, public roadway and it went through KDOT for approval. Attorney Brad Jantz will file the paperwork now and if there are any changes or problems with the approved paperwork, he will make those necessary changes and will work with the City Clerk in the absence of a City Manager. Marcus, City Clerk, and Attorney Brad Jantz will find all the paperwork and get this refiled. June 2019 was the time period when the last annexation documents were generated. This gives the City Clerk a point in time to gather the needed documents.

Discussion of Lake Ordinance Progress – City Attorney Brad Jantz emailed documents to the Governing Body with highlights annotated and Brad said he needs more information from the county and state so it will be defined and set out. In addition, Attorney Brad Jantz needs to research and address Firearms with Chief Hornaday. Mayor Urbanek was glad this Lake Ordinance is progressing.

Discussion of Budget Progress - City Clerk, Marcus Hawkes, received confirmation from the county clerk that a 2- week extension was granted and approved on our city budget timeline. Marcus said tomorrow there will be a budget workshop at City Hall at 6:00 pm for the Governing Body and City Clerk. The accountant will present a preliminary budget draft and how the process works since the City does not have a City Manager. Commissioner Gares wanted to know where the City is at with balances in each of the Funds. Commissioner Gares said preliminary basic numbers would fulfill this request.

Discuss and Consider Evergy Lease Agreement -Evergy is wanting to lease staging ground for their equipment. This is the same area that pipeline used previously. There will need to be electricity run there and Evergy wants to have lessee rights. Evergy attached a map with their paperwork. It was noted the monthly rent would be \$600.00. City Attorney Brad Jantz said this is a 4- page standardized document that Evergy has submitted and Evergy wants to finalize and do this immediately.

Discuss and Consider Herington Coronavirus Relief Fund Resolution -City Attorney Brad Jantz said there is a 4- page document and asked Mayor Urbanek to read the summary for the City Commissioners and the Public Body. After reading the document and discussion, the City decided to accept funds from the State of Kansas for Coronavirus Relief due to COVID-19 Expenses. City Attorney Brad Jantz said the cities and

the counties work out the distribution and allocation of monies. The City will account for the City's appropriation and utilization of these funds from the county and state and it needs to be related to COVID-19 expenses.

A motion was made by Mayor Urbanek, seconded by Commissioner Gares to recess into Executive Session K.S.A. 75-4319(b)(1) to protect the privacy rights of persons being discussed, pursuant to the Non-Elected Personnel matters exception, K.S.A. 75-4319(b)(1). To include the Governing Body, the City Attorney and City Clerk. The open meeting will resume in the City Hall Board Room at 6:40 pm. Motion carried with all voting "Aye." The Regular Meeting resumed with no action taken.

Discussion of City Manager Update – Mayor Urbanek received a cover letter resume and video introduction of another candidate. This candidate filled out an additional questionnaire. Mayor Urbanek and all Commissioners will participate in the ZOOM interview at the earliest time available to all.

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

Also Present: Scott Melcher, Carl Urbanek, Gloria Boomer, Robert Snurpus, Suzanne Snurpus, David Kahle and J.R. Sparke-Herington Times.

Marcus Hawkes, City Clerk