

Regular Meeting
August 18, 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 by telephone, Commissioner Curtis Hartman, City Clerk Marcus Hawkes and Deputy Clerk Kathy Matkins. City Attorney Brad Jantz was absent due to his sister passing away.

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 August 4, 2020 and Special Meetings August 5,7,10, and 12, 2020. Motion carried with all voting “Aye.”

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

Additional Agenda Items – There were not any Additional Agenda Items.

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

City Update of COVID-19. Mayor Urbanek said Governor Kelley re-imposed the ban on mortgage foreclosures and evictions for at least two weeks. Mayor Urbanek said Dickinson County posted a Travel Quarantine Update with specific restrictions on travel and to where a person can travel. These are the most recent updates pertaining to COVID-19.

Discussion of Progress on MOU with Jeff Kilmer and the Airport. Mayor Urbanek said the Memorandum of Understanding is done and City Attorney Brad Jantz will get with Jeff Kilmer for confirmation and a signature. A motion was made by Mayor Urbanek, seconded by Commissioner Donahue to table the discussion of progress on MOU with Jeff Kilmer and the Airport to the next meeting September 1, 2020. Motion carried with all voting “Aye.”

Discussion on 5 West Walnut (Mini Mall) Fund Recovery Options. Mayor Urbanek said there are some options available to the City of Herington, but they are not good. One option could include Attorney Fees to go after the previous owner by means of assigning a lien against the property. City Attorney Brad Jantz will look at the options and present them to the Governing Body. A motion was made by Mayor Urbanek, seconded by Commissioner Donahue to table the discussion on 5 West Walnut (Mini Mall) Fund Recovery Options to the next meeting September 1, 2020. Motion carried with all voting “Aye.”

Discussion on Solar Policy. Mayor Urbanek said City Attorney Brad Jantz has completed the Solar Policy and the Governing Body needs to review this final document before adopting it. A motion was made by Mayor Urbanek, seconded by Commissioner Bell to table the discussion on Solar Policy to the next meeting September 1, 2020. Motion carried with all voting “Aye.”

Discussion of Annexation Progress. Mayor Urbanek said City Attorney Brad Jantz has completed the Annexation Paperwork and all documents are in order. The documents need finalized and filed with the County Office. City Attorney Brad Jantz and City Clerk Marcus Hawkes will work together on this and get it filed with the County. A motion was made by Mayor Urbanek, seconded by Commissioner Hartman to table the discussion of Annexation Progress to the next meeting September 1, 2020. Motion carried with all voting "Aye."

Discussion of Lake Ordinance Progress. Mayor Urbanek said City Attorney Brad Jantz is done with the Lake Ordinance and it is ready to be adopted by the Governing Body. City Attorney Jantz wants the Governing Body to review and read the final version of the Lake Ordinance. A motion was made by Mayor Urbanek, seconded by Commissioner Bell to table the discussion of Lake Ordinance Progress to the next meeting September 1, 2020. Motion carried with all voting "Aye."

Discussion of Progress on Lease Agreements with Hodgdon Powder Company. Mayor Urbanek said City Attorney Brad Jantz is going to completely review what is on file today and work with City Clerk Marcus Hawkes and Merlin Oswald to make sure the lease agreements are up to date. A motion was made by Mayor Urbanek, seconded by Commissioner Hartman to table the discussion of Progress on Lease Agreements with Hodgdon Powder Company to the next meeting September 1, 2020. Motion carried with all voting "Aye."

Discussion of Logan Pointe HOA. Mayor Urbanek said City Attorney Brad Jantz said there was a revision(s) made to the Logan Pointe HOA during City Manager Ed Patton's period of employment with the City of Herington and the document was not filed with the County. Mayor Urbanek will check with the County to see if this was or was not filed. City Attorney Brad Jantz has drafts and will make any necessary changes as needed. A motion was made by Mayor Urbanek, seconded by Commissioner Hartman to table the discussion of Logan Pointe HOA to the next meeting September 1, 2020. Motion carried with all voting "Aye."

Discuss and Consider Appointment of One Member to the Planning Commission. Term to Expire December 31, 2023. (Robert Snurpus). No Action Taken.

Discuss and Consider Appointment of One Member to the Board of Zoning Appeals. Term to Expire October 25, 2023. (Robert Snurpus). A motion was made by Commissioner Bell, seconded by Commissioner Donahue to Appoint Robert Snurpus to the Board of Zoning Appeals, Term to Expire October 25, 2023. Motion carried with all voting "Aye."

Discuss and Consider Appointment of One Member to the Planning Commission. Term to Expire December 31, 2023. (Suzanne Snurpus). A motion was made by Commissioner Bell, seconded by Commissioner Donahue to Appoint Suzanne Snurpus to the Planning Commission, Term to Expire December 31, 2023. Motion carried with all voting "Aye."

A motion was made by Mayor Urbanek, seconded by Commissioner Bell 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, City Attorney, City

Clerk, and Chief Brian Hornaday. The open meeting will resume in the City Hall Board Room at 6:05 pm. Motion carried with all voting "Aye." The Regular Meeting resumed with no action taken.

A motion was made by Mayor Urbanek, seconded by Commissioner Bell 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, City Attorney, and City Clerk. The open meeting will resume in the City Hall Board Room at 6:15 pm. Motion carried with all voting "Aye." The Regular Meeting resumed with no action taken.

Discussion of City Manager Update – Mayor Urbanek said she is trying to coordinate a meeting with Art Davis of Baker Tilley to connect and discuss the next step in the interview process with an applicant for the City Manager position.

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

Also Present: Carl Urbanek, Chief Brian Hornaday and J.R. Sparke-Herington Times.

Marcus Hawkes, City Clerk