

Regular Meeting
June 1, 2021
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 Ben Castleberry, City Manager Branden Dross, City Attorney Brad Jantz and City Clerk Megan Lawrenz. Also, in attendance were Chief of Police John Matula, Assistant Chief of Police Curtis Tyra, Fire Chief Vinny Avantagiato, Neighborhood Enforcement Officer Crystal Parris, Larry Mann, Carl Urbanek, Tandi Reiff and Eric Gares. Absent was Commissioner Curtis Hartman.

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 May 18, 2021. Motion carried 4-0.

Public Forum Items – None.

Additional Agenda Items – Add 11a. Discussion to sell liquor on Sunday and 19a. Executive Session Review.

A motion was made by Mayor Urbanek, seconded by Commissioner Donahue, to approve the agenda. Motion carried 4-0.

KMU Dividend Check Update from Tandi – Tandi presented a KMU Dividend Check for \$24,646.56 and informed the Commissioners that the city has been receiving these checks since 2005 and this is the largest check to date.

Police Update – Chief Matula provided the following statistics. For the month of May there were 37 traffic stops and 187 calls for service. There was 1 felony arrest, 0 misdemeanor arrests and one warrant arrest. The police department is still looking to fill one open position. Unit one had a rim crack while it was being driven, was replaced under warranty. Chief Matula has passed the policy/procedure handbook for HPD to the City Manager and City Attorney for review. Chief Matula as the assistant coach for the “Pony League” rec baseball team informed the commissioners that the team is currently undefeated!

Fire Update – Chief Avantagiato provided the following statistics. For the month of May there were 38 calls, 2 outside fires, 1 smoke condition, 15 medical assists, 5 MVA's 1 with entrapment, 3 assist PD or Gov agencies, 8 controlled burns, 1 flood assessment, 1 weather standby/tornado warning and 2 fire/co alarms. Training hours and topics – Fire 1 class finished the fire portion of lecture moving onto hazmat and hands on skills. Staff will be adding a second night of training each month, more focused on basic skills for newer firefighters. Trained on an acquired structure before it was torn down. Rook vent, wall breach, forcible entry, overhaul. Great Practice. Might have another house coming up. Have an extrication class on June 12th scheduled. Staffing Update – The full-time firefighter position has been hired; Nelson Neuberger will start June 7th. Still have a couple volunteer applications out. Department/Equipment Update – Received grant for \$2400 from TC Energy to purchase cutoff saws for Engine 1 and Rescue 2. Received drinking water grant from Anheuser-Busch for drinking water. 2 pallets equaling 196 cases.

Received a letter from forestry that trucks and parts are not available and will not be for some time. They are advising to start planning on budgeting to keep trucks running or replacing. ISO survey is wrapping up. Still submitting some final data. Expect results at the end of summer. Received new airbags that were ordered in January as part of the extrication equipment upgrade. Brush 1 is still out of service. Working on funding with the City Manager. July 19 the fire department will be at the races and will be on standby July 4th. Please watch the fire department Facebook page for fireworks information.

City Clerk Update – Megan Lawrenz informed the Commission that there were 6 residents running for Commission seats. Preliminary budgets have been received back from the department heads and are being reviewed by the City Manager. The annual Audit is scheduled for June 28, 2021.

Neighborhood Enforcement Officer Update – Breakdown of fees for the past three years. In 2019 permits brought in \$1339, in 2020 it was \$673. So far for 2021 we are at \$1834.90. There are 14 new permits for the month of May. Crystal offered some excerpts from our ordinance offering clarification on building permits. Residents are allowed to do work to their homes, but the city requests that a building permit is obtained. Code Enforcement – David Kahle brought to Crystal's attention some serious electrical issues at the trailer park on Arnold. Crystal has inspected the whole property and got in touch with the manager to get repairs completed. Cars and trailers were towed from 205 N 10th street 6/1/2021, his 30 days had expired, and City staff ended up giving him a few extra days to get things cleaned up. Everything was supposed to be taken care of by 6/1/2021 at 7am. When Crystal arrived, Roger was not at the property and the vehicles were towed under ordinance Sec.2-308 A-F. 5 N F street has been taken off the condemn list and now has a permit for work. The camper at 619 S 5th street has been condemned and is no longer on the property of Dale Christener. Blights- Staff have decided to try a different approach and send reminder letters about tall grass first. Crystal is also getting out and speaking with residents.

Discuss and Action on Resolution 938 Granting Temporary Exemption from the Requirements of Chapter 5, Article 1, Section 5-110 – Subject to staff review to verify dates. Mayor was not authorized to sign, will be back on the agenda 6/15/2021. A motion to approve the resolution subject to staff review was made by Commissioner Donahue, seconded by Commissioner Bell. Motion carried 4-0.

Discuss and Action on Cereal Malt Beverage License for Herington Fireworks Committee – A motion was made by Commissioner Bell to approve the Cereal Malt Beverage License for the Herington Fireworks Committee for July 4, 2021, seconded by Commissioner Donahue. Motion carried 4-0.

Discuss and Action on Comprehensive Plan – A motion was made by Mayor Urbanek to table discussion, seconded by Commissioner Bell. Motion carried 4-0.

Discuss and Action on Airport Engineering Services Agreement – Mayor Urbanek motioned to continue the contract with Locher for the Airport Engineering Services Agreement and authorized the City Manager to sign, seconded by Commissioner Bell. Motion carried 4-0.

Discuss and Action on DJ Neuberger Application for the Planning Board term to Expire 12/31/2024 after discussion Commissioner Bell motioned to table the approval of the application until the next meeting where hopefully there will be enough applications to approve to result in a quorum for the Planning Board,

seconded by Mayor Urbanek. Motion carried 3-1, with Commissioner Donahue casting the dissenting vote.

Lake Master Plan Services Update – Staff expects a contract amount by the end of June to include in 2022 budget discussions.

Update on Airport and Hay Lease Contracts – City Attorney Brad Jantz provided draft leases to be used across the board.

Executive Session – Mayor Urbanek motioned to recess into executive session pursuant to the consultation with an attorney on matters that would be deemed privileged in the attorney-client relationship exception K.S.A. 75-4319(b)(3), to discuss potential litigation to include the following: Governing Body, City Attorney, City Manager and City Clerk with the open meeting to resume at 7:05 pm, seconded by Commissioner Bell. Motion carried 4-0. The open meeting resumed with no action taken.

19.a – Executive session review- No review needed.

City Manager Comments – Branden will be on the radio with KABI to promote Herington. The League will be doing a story on Herington, hopefully front page. The Herington Inn and Suites is under new ownership. There is a planning meeting scheduled for 6/28/2021 at 5:30pm, new bylaws are being drawn up to reflect the new commission. Discussion was had about needing enough members on the on the board to form a quorum to approve the new bylaws. Street projects are wrapping up. KMEA may have a possible solution to the city's generator need. Karaoke for a cause with the City Manager 6/12/2021 at The Spot. Working on a bowling event to raise money for school supplies later this summer.

Commissioner Castleberry – Thanked Branden and staff for the street repairs.

Commissioner Donahue – Said that he has heard a lot of positive feedback from the street work. Wants to know what is next on the street plans.

Commissioner Bell – Said there were a lot of campers at the lake Memorial weekend. Asked Branden to have staff repair the swimming boundary so it is anchored properly. Will set a time to work on lake leases with Brad.

Mayor Urbanek – Thanks to all the crews. There is an independent wrestling event booked at the community building on July 30th.

Megan Lawrenz, City Clerk