

**Regular Meeting
July 19, 2022
6:00 p.m.**

The city commissioners met on the above date and time in the city commission chambers at city hall. In attendance were Mayor Eric Gares, Commissioner Vance Donahue, Commissioner Robbin Bell, City Manager Branden Dross, City Attorney Brad Jantz, City Clerk Megan Lawrenz, Neighborhood Services Director James Masters, Electric Supervisor David Kahle, Commissioner Castleberry arrived at 6:17pm. Commissioner Urbanek was absent from the meeting. Community members in attendance were Donalyn Biehler, Janet Wade, Cynthia Naylor, Ryan Stevenson, Brandon Meyer and Angela Dross.

The meeting opened with the pledge of allegiance.

Mayor Gares called the meeting to order.

Commissioner Bell made a motion to approve the special meeting minutes from July 5, 2022, and the regular meeting July 5, 2022, seconded by Commissioner Donahue. Motion carried 3-0

Public Forum - None

Additional Agenda Items - 7a. Pie in the face for the city manager. 16a D&A setting RNR limit.

Commissioner Bell made a motion to approve the agenda with the addition of 7a and 16a, seconded by Commissioner Donahue. Motion carried 3-0.

Commission skipped agenda item 7, to wait for Commissioner Castleberry to arrive.

Introduction of Hilltop Auditorium Partner – Dance 77 – Owners of Dance 77 came and introduced themselves to the commissioners and community and talked about their upcoming plans for their dance studio.

Fire Vehicle and SCBA Compressor Replacement – Fire Chief Andrew Avantagiato presented a lease purchase plan to replace a fire vehicle and SCBA Compressor Replacement, the chief will use the vehicle primarily, but will also outfit it to be able to use for scene support. The Compressor is a 2001 model with damage from previous service, purchasing a new one will be more cost effective than repairs. Anticipating \$15,000 to \$20,000 increase in fire contracts, this lease would also be paid for from the fire contracts. Commissioner Bell made a motion to approve the lease purchase agreement for the F250, and Compressor not to exceed \$110,000, with staff review, and authorize the mayor's signature. Seconded by commissioner Donahue. Motion carried 4-0.

Presentation of the Herington Spirit Award to the City of Herington – Brandon Meyer presented Commissioner Castleberry with the Herington Spirit Award for his sales at the dunk tank.

7a. The City Manager and the Mayor had a friendly bet that whoever raised more money for the dunk tank could pie the other.

Mayor Gares made a motion to recess the meeting for five minutes, seconded by Commissioner Donahue. Motion carried 4-0.

Special Event Permit to sell cereal malt beverage for consumption at Tripp Field on July 23, 2022, and July 24, 2022 – Commissioner Bell made a motion to approve the special event permit to sell CMB at Tripp Field on July 23rd and 24th, seconded by Mayor Gares. Motion carried 3-1 with Commissioner Donahue casting the dissenting vote.

Commissioner Bell made a motion to approve Resolution 958 and authorize the mayor's signature, seconded by Commissioner Castleberry. Motion carried 3-1 with Commissioner Donahue casting the dissenting vote.

RESOLUTION 958

A RESOLUTION GRANTING TEMPORARY EXEMPTION FROM THE REQUIREMENTS OF CHAPTER 3, ARTICLE II, SECTION 3-204 PROHIBITING CONSUMPTION OF ANY ALCOHOLIC LIQUOR OR ENHANCED CEREAL MALT BEVERAGE ON PUBLIC PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF HERINGTON, DICKINSON COUNTY, KANSAS.

Ordinance 1872 Revising Chapter 4, Article II for Public Utilities – Neighborhood Services Director James Masters and Light Supervisor David Kahle proposed making some changes to conform with higher standards. Commissioner Bell made a motion to adopt Ordinance 1872 and authorize the mayor's signature, seconded by Commissioner Castleberry. Motion carried 4-0.

ORDINANCE 1872

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HERINGTON, KANSAS, TO SPECIFICALLY AMEND AND REPLACE, IN ITS ENTIRETY, CHAPTER 4, ARTICLE II, SECTION 4-201 INCORPORATING THE INTERNATIONAL ELECTRICAL CODE AND ADDING CERTAIN ELECTRICAL STANDARDS SUPPLEMENTING THE INTERNATIONAL ELECTRICAL CODE ALL REGULATING INSTALLATION, MAINTENANCE, AND USE OF ELECTRICAL SERVICES PURSUANT TO THE CODE OF THE CITY OF HERINGTON, KANSAS WITHIN THE CITY OF HERINGTON, KANSAS CHAPTER 4, ARTICLE II AND REPEALING ANY OTHER CURRENT ORDINANCES, OR PORTIONS THEREOF, IN CONFLICT HEREWITH.

Tax and Specials Abatement Policy – City Attorney Brad Jantz provided 4 options for a tax and specials abatement policy. Mayor Gares made a motion to approve the document as written selecting option 4, seconded by Commissioner Donahue. Motion carried 4-0.

Voting Delegate for the 2022 LKM League Convention – Mayor Gares made a motion to name himself the voting delegate for the 2022 LKM League Convention, seconded by Commissioner Donahue. Motion carried 4-0.

Utility Billing Process – Questions were brought to the commission's attention that there are some non-profits who are not charged for utilities. The library, fair board, Family Resource Exchange, and the museum do not pay for utilities. Staff will look for minutes from a previous discussion and present to the commissioners.

Mission and Vision Statement – City Manager Branden Dross suggested that we create a smaller group to work on the mission and vision statement and bring back recommendations to the commission for approval. This will be placed on the next commission meeting agenda to designate two city commissioners to the group.

16a RNR Limit – Commissioner Bell made a motion approve the RNR not to exceed 87.000, seconded by Commissioner Castleberry. Motion carried 4-0.

Mayor Gares made a motion to have a special meeting for the 2023 budget August 2, 2022, at 5:30, seconded by Commissioner Donahue. Motion carried 4-0.

City Manager Comments - Opioid funds received, need to create a new budget line. Hope Water line contract has been signed. In 2025, the city manager will need to follow up with Hope to renew the contract. Provided UTV/ATV fees from various communities to the Commissioners. Herington Housing

Authority will attend next meeting. Mud run this weekend. MOU for the Mud Run was finalized by the City Attorney today. Staff dug the pit, and re-seeding will happen at the end of the summer. If the mud run goes well staff will bring it to the planning commission for land use plan for events in the future.

City Commission Comments -

Commissioner Bell - Nothing.

Commissioner Castleberry – Thanked Brandon for being a great sport! Mud run this weekend.

Commissioner Donahue – Leaving his commission seat in December, has been a representative on the free fair board who meet on the third Wednesday of the month, suggested a new commissioner should take his seat. Free Fair by-laws need to be reviewed to determine how many city representatives are needed on the board.

Mayor Gares – Nothing.

Commissioner Castleberry made a motion to adjourn, seconded by Commissioner Donahue. Motion carried 4-0.

Megan Lawrenz, City Clerk