

**Regular Meeting  
August 2, 2022  
6:00 p.m.**

The Herington City Commission met on the above date and time in the commission chamber at City Hall. In attendance were Mayor Eric Gares, Commissioner Vance Donahue, Commissioner Debi Urbanek, Commissioner Robbin Bell and Commissioner Ben Castleberry. Also in attendance were City Manager Branden Dross, City Attorney Brad Jantz (via phone), City Clerk Megan Lawrenz, Carl Urbanek, Larry Mann, Dan McDonald, Chris McDonald, Kat Souza, Art Schuldt, and Cynthia Naylor.

The meeting opened with the pledge of allegiance.

Mayor Gares called the meeting to order.

Public Forum – Kat Souza, 1111 N D – Herington Housing Authority.

Additional Agenda Items – Strike #22. Add 9a Discuss and Action on the Code of Ethics Revisions presented by the Ethics Commission. 7a Discussion on HHA expectations of board members from HHA Board Chair.

Approval of Agenda – Commissioner Donahue made a motion to approve the agenda with the addition of 7a, 9a and removal of 22, seconded by Commissioner Bell. Motion carried 5-0.

Consent Agenda – Mayor Gares made a motion to approve the consent agenda items including the minutes from the July 22, 2022, Steven Thompson's resignation from the CVB Board and Eleanor Silhan's application for the CVB board, term to expire July 31, 2023, seconded by Commissioner Castleberry. Motion carried 5-0.

Housing Authority – Arthur Schuldt, president of Housing Solutions Alliance explained what his company's role is for the Herington Housing properties. Stressed the importance of having the Herington Housing Authority Board and the Herington Community Housing Board.

7a. Expectations of the Herington Housing Authority Board – Commissioner Urbanek asked Herington Housing Authority Board Chair Kat Souza what improvements could be made to the application process. Commissioner Urbanek would like to see boards and commissions receive applications prior to City Commission approval so that they may provide a recommendation. Commissioner Urbanek made a motion to defer approval of applications until the current Herington Housing Authority board can review and provide a recommendation, seconded by Commissioner Bell. Motion carried 5-0.

Commissioner Urbanek made a motion to amend the agenda removing item number 8, seconded by Commissioner Donahue. Motion carried 5-0.

CVB By-Law Revisions – The question was asked; can a city commissioner be appointed to the CVB? Per the City Attorney, there are incompatibility issues with a commissioner also being on the CVB board. He recommended the bylaws be revised to remove city commissioner and public officials to include the city manager and department heads. Mayor Gares made a motion to table, seconded by Commissioner Urbanek. Motion carried 5-0.

9a. Ethics Commission Revisions – The ethics administrator gave an update on the revisions that the ethics commission discussed, providing the city commissioners with their recommended ethics policy. It was recommended that a page be added to the city website listing ethics commissioners and contact information along with how a violation can be reported. Commissioner Urbanek made a motion to approve the code of ethics as presented, seconded by Commissioner Donahue. Motion carried 5-0.

Police Update – Online academy up and running. Newest officer who was on light duty had surgery today. Could be ready as soon as next month. There were 271 calls for service, 60 traffic stops and 2 felony arrests.

Police Department Vehicle Purchase for \$47,618.93 – Vehicle no longer available. SVS out of Junction City now has three vehicles available, total cost for those would be \$56,538.16. A vehicle rotation has been created through 2029. City Manager Branden Dross requested that we try to negotiate the price down. Commissioner Bell made a motion to allow staff to purchase a police vehicle not to exceed \$57,000, seconded by Commissioner Donahue. Motion carried 5-0.

Fire Update – There were 32 calls for service including: 10 medical assists, 2 motor vehicle accidents with injuries, 1 gas leak, 1 public service assistance, 9 controlled burnings, 1 water rescue, 1 off road equipment fire, 2 building fires, 3 standbys, 1 fire alarm, and 1 grass fire. Training topics were water rescue at the lake (July) and drafting and pumping (August). Firefighter Neuberger attended pump operator classes and will be testing this week. Fire Chief Avantagiato completed LEO for Fire Investigators. Staffing Update: 1 new volunteer, more are still needed. Lost 1 volunteer who was inactive for months. 3 applications are out that need to be returned. Department/Equipment Updates; received the Kansas Forestry Grant for \$6,476.55. They have submitted a KSOFM turnout gear grant for \$24,000, Working with KSFFS and County on a Community Wildfire Protection Plan grant, received a D7 Cat Dozer for \$0 and received all new office furniture for the basement at public safety for \$0. Be mindful of catalytic converters they can cause fires and it is dry out.

Neighborhood Services Update – Since July 5, 2022, he has worked 13 days in Herington and 8 days in Marion. There were roughly 23 complaints and 43 inspections. There were 31 grass inspections, with 13 violations, 10 cut orders and 15 yards mowed by the city. There were 7 environmental violations, 1 for a yard and fence, 3 for yards, 2 for yards and automobile and 1 for no occupancy. There were 3 building permits with 1 inspection, 2 electrical permits with 4 inspections, no mechanical permits with 4 inspections, 2 plumbing permits with 3 inspections and 2 fence permits. There were 5 residential electrical inspections for utility and 11 structural building inspections.

City Clerk Update – Presented the Commissioners with June financials. Updated the Commissioners on the Reconciliation process. Let the Commissioners know that there were some interviews set for next week and said that the 2021 audit has been complete.

Trapp Street KDOT CCLIP Project Update – Staff hoping to find out soon if the project can happen. There is still some money in the sales tax fund that could be used as the cities match if needed, but staff is hoping for 100% grant.

Utility Billing Processes – Mayor Gares made a motion to table this item so the city clerk can do some more research, seconded by Commissioner Castleberry. Motion carried 5-0.

Amendment to the Loan for the Water Treatment Plant Project #2927 – Commissioner Urbanek made a motion to approve the fourth amendment for the water treatment plant loan project #2927 and authorize the mayor's signature, seconded by Commissioner Castleberry. Motion carried 5-0.

Resolution 959 – Regulating activity at and on Father Padilla Park and Pond – Commissioner Urbanek requested that the city be listed on the waiver of liability and be an insured party on the VFW insurance policy. Dan McDonald needed time to contact his insurance provider. Commissioner Bell made a motion to table the agenda item, seconded by Mayor Gares 5-0.

Creation and Appointment of Mission and Vision Statement Subcommittee – 2 city commission, 1 planning, 1 at large, Mayor Gares and Commissioner Donahue were chosen from the Commission. Mayor Gares made a motion to table until 9/6/2022 so other members could be found, seconded by Commissioner Donahue. Motion carried 5-0.

City Representation for the Tri-County Free Fair Board – City staff will contact Jennifer Duenas to get the fair board bylaws. Mayor Gares made a motion to table the agenda item until the August 16, 2022, Commission Meeting, seconded by Commissioner Urbanek. Motion carried 5-0.

Executive Session – Mayor Gares made a motion that the Herington City Commission recess into

Executive Session, Pursuant to the preliminary discussions relating to the acquisition of real property exception, K.S.A. 75-4319(b)(6), in order to discuss a real estate transaction to include: the Governing Body, City Manager, City Attorney (via phone) and City Clerk. With the regular meeting to resume in the City Commission Chamber at 8:10 pm. The regular meeting resumed with no action taken.

Executive Session – The second Executive Session was stricken from the agenda.

City Manager Comments - Looking at concreting 2<sup>nd</sup> between main and walnut, street assessment was labeled 6 back in 2019. Dk Co governing body meeting in September of 2022. During Branden's comments Commissioner Urbanek requested a total financial breakdown for the Mud Run.

City Commission Comments

Commissioner Bell – None

Commissioner Castleberry – Hope people went and voted!

Commissioner Urbanek – None

Commissioner Donahue – None

Mayor Gares - None

Commission Castleberry made a motion to adjourn the meeting, seconded by Commissioner Donahue. Motion carried 5-0.

---

Megan Lawrenz, City Clerk