

**Regular Meeting
January 2, 2024
6:00 p.m.**

The Herington City Commissioners met on the above date and time in the commission chambers at City Hall. In attendance were Commissioner Bell, Commissioner Gares, Commissioner Urbanek via phone and Commissioner McDonald. Absent was Commissioner Ben Castleberry. Also in attendance were City Manager Thatcher Moddie, City Clerk Megan Lawrenz, Commissioner-elect Cynthia Naylor, Commissioner-elect Dalton Scarff, Street Superintendent Marcus Hawkes, Larry Mann, Chris McDonald, and Janet Wade.

The meeting opened with the Pledge of Allegiance.

Mayor Bell called the meeting to order.

Public Forum - Janet Wade – 602 E Arnold, Herington, KS 67449 – Agenda item # 16 Sale of city owned property and agenda item # 20 Draft UPTICC.

Minutes of the Regular Meeting December 19, 2023 – Commissioner Gares made a motion to approve the minutes from the Regular Meeting December 19, 2023, seconded by Mayor Bell, after discussion Commissioner Gares amended his motion to approve the minutes correcting that the City Attorney was not present, seconded by Mayor Bell. Motion carried 4-0.

Approval of Agenda – Commissioner Gares made a motion to approve the agenda, seconded by Mayor Bell. Motion carried 4-0.

Recognition of Commissioner Debi Urbanek and Commissioner Ben Castleberry

Adjourn – Commissioner Gares made a motion to adjourn, seconded by Mayor Bell 4-0.

Call to Order – The meeting was called to order.

Oath of Office Commissioner-Elect Cynthia Naylor and Commissioner-Elect Dalton Scarff.

Appointment of Mayor – Commissioner Naylor made a motion to appoint Eric Gares as Mayor, seconded by Commissioner Bell. Motion carried 4-1 with Commissioner McDonald casting the dissenting vote.

Appointment of Vice Mayor from Commission – Mayor Gares made a motion to appoint Robbin Bell as the Vice-Mayor, seconded by Commissioner Naylor. Motion carried 4-1 with Commissioner McDonald casting the dissenting vote.

Additional Agenda Items – None.

Approval of Agenda – Commissioner Bell made a motion to approve the agenda, seconded by Commissioner Naylor. Motion carried 5-0.

Consent Agenda – Commissioner Bell made a motion to approve the following consent agenda items: CVB Minutes October 25, 2023, seconded by Commissioner McDonald. Motion carried 5-0.

2023 Year-end update from Street Department Superintendent Marcus Hawkes –
January 2, 2024

Department Head Report:
Commissioners,

I am Marcus Hawkes, the Street Department Head. I have been with the City of Herington just short of five years. As my first full year in this role, it has provided many learning experiences. The Street Department, as it is generally referred to, is actually made of multiple parts consisting of street, cemetery, lake, and parks with five of us on staff. For both the cemetery and the lake we have one caretaker each, who's most time-consuming job consists of mowing and weed eating. There are also other items such as

digging and covering graves, filling fish feeders, and other general upkeep such as trees and trash. The remaining three employees work in the parks and in the street. A major portion of the spring, summer, and beginning of fall includes mowing the many city owned properties and mow notice orders. We also cut back trees in many areas to curb overgrowth. For the streets, we have been learning how best to use the new street patcher machine. This is being used to fill potholes and some other larger blowouts. We also work on drainage ditches and culverts, fill in and repair alleys and rock roads. We also have the street sweeper, which we are currently working on having three of us able to drive. These are just a few of the items that the "street" department works on throughout the year. There are also many odd jobs that we pick up as the year goes on. As needed, we help each other out. Three of us might be at the lake helping to take out a dead tree or bring a boat dock in for repair. There are also times when all of us plus, thankfully, those from other departments help. Such as, weed eating the cemetery for Memorial Day. We are there to help each other.

A few of the accomplishments this year are: The bathroom at the cemetery was completed and now functioning. Near Highway 77 a new EV charging station was installed. After the electrical department installed a new pole and ran electricity for the charging station, the concrete pad area was prepared and framed to pour. Again, thankfully, we had help from other departments on pouring day. This day also consisted of pouring four pads for new park benches in both Father Padilla Park and South Park. Another project is the walking trail connecting Logan Street to the Herington Schools. It was constructed along C Street and through the right of way property to the north up to the parking lot. A walkable surface was laid, and a new drainage culvert was installed. Grass will need to be planted and other clean up when the weather permits. Another good project has been starting the rough cut of a disc golf course at the Herington Reservoir. This project will take us into the new year.

For the next year we will finish getting the disc golf course ready for competition at the lake and improve the one in the Father Padilla Park area. Also, in the Father Padilla Park area we will be working on placing riprap around the pond to help prevent erosion. Another project that will be completed this new year will be resurfacing A Street from Trapp Street to Hawley. It was put on hold in 2023 because of weather, but preparation for the new surface, such as ripping out curbs, will begin in spring. There will be other small projects and whatever items the year brings. It will be another year of working to get better.

Thanks,
Marcus Hawkes

Sale of City Commercial lot 18 to Krause Mechanical in the amount of \$1 and authorize staff to execute and sign the Real Estate Contract. Consider updated request for City to cover closing costs – The Commissioners directed Thatcher to execute the \$1 sale with the buyer paying closing costs as previously discussed and \$25,000 for liquidated damages.

Resolution 993 GAAP Waiver – Commissioner Bell made a motion to approve Resolution 993 GAAP Waiver, seconded by Mayor Gares. Motion carried 5-0.

RESOLUTION NO. 993

A RESOLUTION REGARDING THE WAIVER OF GENERALLY ACCEPTED ACCOUNTING PRINCIPLES AND TO WAIVE THE REQUIREMENTS OF K.S.A. 751120a (a) IN THE PREPARATION OF FINANCIAL STATEMENTS AND FINANCIAL REPORTS FOR THE CITY OF HERINGTON, KANSAS, FOR FISCAL YEAR 2024.

Standard Traffic Ordinance 1889 for Kansas Cities, 50th Edition (2023) – Commissioner Bell made a motion to approve Ordinance 1889, seconded by Mayor Gares. Motion carried 5-0.

ORDINANCE NO. 1889

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF HERINGTON, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES", EDITION OF 2023, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN

PENALTIES AND REPEALING ANY AND ALL OTHER FOREGOING ORDINANCES IN CONFLICT HEREWITH.

Uniform Public Offense Code Ordinance 1890 for Kansas Cities, 39th Edition (2023) – Commissioner Bell made a motion to approve Ordinance 1890, seconded by Mayor Gares. Motion carried 5-0.

ORDINANCE NO. 1890

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF HERINGTON, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 2023, AND REPEALING ANY AND ALL OTHER FOREGOING ORDINANCES IN CONFLICT HEREWITH.

Updates to the UPTICC Program – Commissioner consensus was to move forward with the program while working on some revisions.

Update for January 16, 2024, Regular Meeting – A reminder that Thatcher will be gone for this meeting, department heads will present their 2023 year in review.

City Manager Comments – The Health clinic construction has begun, they received an UPTICC grant. Ampride variance passed. Casey’s is progressing. Staff have applied for state water grants, looking at applying for federal dollars as well. The trailer park owners are still working on the trailer park and are working on contracting out a demo company. The new building code and permitting has taken effect. Will be on vacation from 1/12/2024 to 1/21/2024.

Commissioner Comments –

Commissioner Scarff – None.

Commissioner Naylor – None.

Commissioner McDonald – Welcomed Cynthia and Dalton. Asked if the resolutions for the trailer park have an expiration date. Brad suggested staff should indicate progress in the minutes. Informed the community that he was a founding member of the new hospital board but has since stepped down.

Commissioner Bell - Asked about the neighborhood revitalization, staff to check and make sure that everything has been finalized. Asked Staff to investigate a Trail grant that may have been awarded. Welcomed new commissioners.

Mayor Gares – Thanked new commissioners. Asked for signage for the walking trail – worried that people are driving on it.

Adjourn – Commissioner Bell made a motion to adjourn, seconded by Commissioner Naylor. Motion carried 5-0.

Megan Lawrenz, City Clerk