

Regular Meeting
March 1, 2022
6:00 p.m.

The Board of City Commissioners of the City of Herington, Kansas met at City Hall at 6:00 p.m. on the above date – the following being present: Mayor Eric Gares, Commissioner Vance Donahue, Commissioner Debi Urbanek via phone, and Commissioner Ben Castleberry. Absent was Commissioner Robbin Bell. Also in attendance were City Manager Branden Dross, City Attorney Brad Jantz, City Clerk Megan Lawrenz, Chief of Police Chad Langley, Fire Chief Andrew Avantagiato, NEO Crystal Parris, Marcus Hawkes, Jerry Barley, DJ Neuberger, Billy Alcorn, Linda Herbel, Mike Herbel, Steve Lewis, Deana Lewis, Larry Mann, Bonnie Bowman, Karen Soliz and Cynthia Naylor.

The meeting opened with the Pledge of Allegiance.

Mayor Gares called the meeting to order. Commissioner Castleberry made a motion to approve the minutes from the regular commission meeting February 15, 2022 with the order of items to be revised, seconded by Commissioner Donahue. Motion carried 4-0.

Public Forum – Billy Alcorn – 102 N F, Ramona, KS – Tax Auction. Bonnie Bowman – 482 Sun Lane, Herington, KS – Business.

Additional Agenda Items – Addition of 11a – Discussion on tax auction abatement of specials.

Commissioner Donahue made a motion to approve the agenda with the addition, seconded by Commissioner Castleberry. Motion carried 4-0.

Planning Commission Update – Marcus Hawkes chair of the planning board gave the following update: Students from KU will tour and discuss Herington on Saturday 2/26/2022 – the meeting started with introductions then Branden, Eric and Marcus answered questions and gave insights of Herington. Leo arrived and we all went in vehicle to tour and talk about major areas around town like the airport and lake etc. The planning commission revised their by-laws, biggest changes were moving the time from 5:30 pm on the 4th Tuesday to 12:00 pm on the 4th Tuesday, updated the order of business for the agenda to mirror what the Commission uses and adding voice votes for certain housekeeping items such as approval of agenda and adjournment of the meetings. The planning commission subcommittee is working to refine the fence ordinance and home business signage.

Police Update – There were 158 total calls for service. 26 traffic stops. 4 arrests – 2 misdemeanor, 2 felony. Chief Langley anticipates the new police officer to start on April 26th, and hopes she can start academy on May 9th. The Herington Police Department policy manual is complete and has been submitted to the city manager and city attorney for review. Chief Langley will be starting the Sergeant Assessments soon, and there is still one opening for a police officer.

Fire Update – There were 31 calls for service. 7 medical assists, 1 motor vehicle accident with out injuries, 1 search for lost person, 1 unauthorized burning, 7 controlled burns, 2 gas leaks, 1 structure fire, 5

prescribed fires, 4 brush fires, 1 government agency assist and 1 animal rescue. On March 5th the fire department will train with KU on traffic management. All city staff, anyone involved in traffic incidents may attend. The fire department is still in need of volunteer firefighters. They are still waiting on SCBA bottles. The brush season has been hard, several repairs are being done on different vehicles. Residents, please remember it is very dry out, please use caution when burning.

Neighborhood Enforcement Update -1 storefront was taken off the vacant building list (for the vacant building ordinance) Larry Lawrenz' properties will be put up for sale. The new ordinance in place is going well, it has been encouraging citizens to get back into their hobbies, remembering the things they once genuinely love to do. If properties are vacant, they should have the name of the store on the storefront with a contact number so that passer buyers will have a contact number for the business. A lot on W Main is being cleaned up and one house taken off the condemn list

Tax Auction and Abatement of Specials – There was further discussion about the tax auction and abatement of specials mentioned in public forum. The Commission was unable to guarantee at this time that they would be willing to remove the past taxes from the property in question. There was discussion about writing a policy for future use.

Herington Housing Authority Update – Linda Herbel reported that they are at 100% capacity as of February 28th. They continue to generate positive revenue. Full time site manager is Deana Lewis. Normal office hours are Monday through Thursday from 10am to 3pm, but Deana is on call 24-7. Deana works on Friday's at the Golden Age Homes, but is also on call there 24-7. Still needs one member for the board. Meeting will be the last Thursday of February.

2021 Bridge Inspection Report – City Staff will work on budgeting for the 10-30% match which could be about 20-30 thousand dollars to repair bridges.

Ordinance 1859 – Tabled so staff can add the fee schedule.

CVB Application – Commissioner Donahue made a motion to approve Jay Bhakta's CVB board application term to expire 03/31/2024, seconded by Commissioner Castleberry. Motion carried 4-0.

Neighborhood Revitalization Plan/Interlocal Agreement – Commissioner Castleberry made a motion to approve the revisions to the previously passed neighborhood revitalization plan/interlocal agreement and authorize the mayor's signature, seconded by Commissioner Donahue. Motion carried 4-0.

Ordinance 1860 - Commissioner Donahue made a motion to approve Ordinance 1860 changing the street light fee from \$6 to \$7 and authorize the mayor's signature, seconded by Commissioner Castleberry. Motion carried 4-0.

ORDINANCE 1860

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HERINGTON, KANSAS, TO REPLACE, IN ITS ENTIRETY, CHAPTER VII, ARTICLE I, SECTION 7-114 REGULATING HERINGTON CITY ELECTRICAL SYSTEM AND, SPECIFICALLY, PRIVATE STREET LIGHTS INSTALLED WITHIN THE CITY LIMITS OF THE CITY OF HERINGTON, KANSAS, AS SET OUT IN THE CODE FOR THE CITY OF HERINGTON, KANSAS CHAPTER VII,

**ARTICLE 1, SECTION 7-114 AND REPEALING ANY OTHER CURRENT ORDINANCES, OR PORTIONS
THEREOF, IN CONFLICT HEREWITH.**

Pad Mount Transformer – Commissioner Castleberry made a motion to approve the purchase of a pad mount transformer in the amount of \$12,859, seconded by Commissioner Donahue. Motion carried 4-0.

Hope Water Line Project – Commissioner Donahue made a motion to approve using \$24,160 of ARPA funds for the Hope Water Line Project, seconded by Mayor Gares. Motion carried 4-0.

Executive Session – Mayor Gares made a motion that the City of Herington Commission 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)(2) in order to discuss potential litigation, to include the governing body, city manager, city attorney and city clerk. With the open meeting to resume at 7:40 pm, seconded by Commissioner Urbanek. Motion carried 4-0. The regular meeting resumed with no action taken.

Executive Session – Mayor Gares made a motion that the City of Herington Commission 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)(2) in order to contract negotiations, to include the governing body, city manager and city attorney. With the open meeting to resume at 7:55pm, seconded by Commissioner Urbanek. Motion carried 4-0. The regular meeting resumed with no action taken.

Commissioner Urbanek left the meeting.

City Manager Comments – Should have the revised code of ethics for the 3/15/2022 meeting. About 25 people showed up for the last lake meeting. The fiberglass on the pool is busted, still trying to get the company to honor the warranty, but Branden did make contact and they said work would start 4/1/2022, commissioners requested that the city attorney send a follow up letter.

Commissioner Castleberry – Mentioned the water leaking at the public safety building.

Commissioner Donahue – Thanked city staff for fixing the lights in the hallway gym/hilltop. Asked about getting the fountain at Father Padilla Park up and running. Reminded Branden about getting the pool house registered historical, Branden is not pursuing at this time. Reminded the community about the wrestling tournament, and gun show coming up this weekend.

Mayor Gares – Mentioned the signs that were damaged in the storm are being worked on. Would like city staff to work on getting a roundabout installed at the 56-77 intersection. City staff needs to address the ravine on E street, some residents will be having some issues.

Adjourn – Commissioner Donahue made a motion to adjourn, seconded by Commissioner Castleberry. Motion carried 3-0.

Megan Lawrenz, City Clerk