

**Regular Meeting
December 15, 2020
5:30 p.m.**

The Board of City Commissioners for 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 Curtis Hartman, Commissioner Eric Gares, Commissioner Vance Donahue, City Manager Branden Dross, City Attorney Brad Jantz and City Clerk Megan Lawrenz. Also, in attendance were Chief John Matula, Dennis Albrecht, Todd Anderson, Ben Castleberry, Neal Daney, Kevin with Midway Farms.

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 December 1, 2020 and Special Meeting December 11, 2020. Motion carried 5-0.

Public Forum Items- See attached documents.

Additional Agenda Items – Commissioner Donahue requested to add agenda item 10a. Herington Municipal Hospital Financials.

Approval of Agenda – Mayor Urbanek motioned to approve the Agenda with the addition of 10a., seconded by Commissioner Gares. Motion carried with all Commissioners voting “Aye”.

Midway Farms Property Maintenance Discussion – Kevin with Midway Farms said they would be out of the old building within 30 days, all that is left is to pull the shop equipment. Commissioner Gares asked why Midway Farms was delayed on the 30- and 60-day maintenance goals, and Kevin explained that everything took a little longer than originally anticipated. City Attorney Jantz, City Manager Dross and Kevin with Midway Farms agreed to look over the lease to make sure everything is up to date.

Discuss and Consider on Proposed Energy Supply Contract with KMEA for the City of Herington – City Manager Dross explained that there will be an \$11,764 per month in pre-payments starting January 2021 through May 2022. Over the span of the 9-year contract with gain another \$50,000 in savings, contract will start June 2022. Commissioner Bell made a motion to consider the proposal of the energy supply contract with KMEA for the City of Herington, seconded by Commissioner Gares. Motion carries with all Commissioners voting “Aye”.

RESOLUTION 929

A RESOLUTION OF THE CITY OF HERINGTON, KANSAS, AUTHORIZING THE EXECUTION OF POWER PURCHASE AGREEMENTS, EFFECTIVE AS OF DECEMBER 15, 2020, BETWEEN THE CITY OF HERINGTON, KANSAS, AND THE KANSAS MUNICIPAL ENERGY AGENCY RELATING TO THE PURCHASE OF ELECTRICITY BY THE CITY FROM THE

KANSAS MUNICIPAL ENERGY AGENCY RELATING TO THE PURCHASE OF ELECTRICITY BY THE CITY FROM THE KANSAS MUNICIPAL ENERGY AGENCY FOR SALE OR USE BY THE CITY; AND MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.

Discuss and Consider Amending Ordinance 1810 for the Water Treatment Plant Contract Amount – Mayor Urbanek moved to table ordinance 1810 for the Water Treatment Plant Contract, seconded by Commissioner Gares. Motion carried 4-0. Commissioner Donahue had stepped away.

Financials – City Clerk Lawrenz updated the Commissioners that the accountants had finished bank reconciliation through September. Updated financials to be provided at the next meeting. City staff will now be responsible for completing the bank reconciliation.

10.a Requesting Hospital Financials – Commissioner Donahue wants request financials for the Herington Municipal Hospital and Hillsboro Clinic. Mayor Urbanek would like to get back on track for quarterly reports. City Manager to request financials for the first regularly scheduled commission meeting in January.

City Update on Covid-19 – The County is possibly expanding the mask mandate. Health Department order may be extended into the new year. City Manager plans to open City Hall after the first of the year.

Discuss and Consider Sludge Press Approval – A week ago today was the bid opening. There were 5 bids. Smokey Hill was the low bid. Commissioner Gares Motioned to approve the low bidder, Smokey Hill Construction in the amount of \$354,557.35, seconded by Mayor Urbanek. Motion carried with all Commissioners voting “Aye”.

Commissioner Gares motioned to give Mayor Urbanek authorization to sign the Sludge Press documents, seconded by Commissioner Bell. Motion carried with all Commissioners voting “Aye”.

Discuss and Consider Revised Vacant Building Ordinance – Commissioner Gares motioned to approve the Vacant Building Ordinance with the requested revisions, to be in the next consecutive order, seconded by Commissioner Donahue. Motion carried 3-2 with Mayor Urbanek and Commissioner Bell casting the dissenting votes.

Discuss and Consider Employee Personnel Policy – After discussion on comp time, City Manager Dross explained that comp time is hard to track administratively. Staff recommends allowing employees to use vacation/sick time when earned instead of making them wait until being with the City for 6 months. Commissioner Bell motioned to approve the Employee Personnel Policy as presented, seconded by Mayor Urbanek, motion carried 4-1. With Commissioner Donahue casting the dissenting vote.

Discuss and Consider Payments Through the Website and Associated Credit Card Fees – Mayor Urbanek made a motion to authorize the City Manager to consider options associated with credit card fees, seconded by Commissioner Donahue. Motion carried with all Commissioners voting “Aye”.

Discuss and Consider KDWPT Competitive Development Grant – Ziebell Cove – Commissioner Bell made a motion to approve the KDWPT Competitive Development Grant for Ziebell Cove, seconded by Mayor Urbanek. Motion carried with all Commissioners voting “Aye”.

Discuss and Consider Cereal Malt Beverage Licenses –

Commissioner Bell made a motion to approve the cereal malt beverage license for Pizza Hut, seconded by Mayor Urbanek. Motion carried with all Commissioners voting “Aye”.

Commissioner Bell made a motion to approve the cereal malt beverage license for Ampride, seconded by Mayor Urbanek. Motion carried with all Commissioners voting “Aye”.

Commissioner Bell made a motion to approve the cereal malt beverage license for Uncle Bobs, seconded by Mayor Urbanek. Motion carried with all Commissioners voting “Aye”.

Flint Hills Advisory Update – Gary P. Floyd filled the vacant spot on the advisory board. Term ending July 31, 2021.

Discuss and Consider Fire Protection Agreements

Mayor Urbanek made a motion to approve the fire protection agreement between Herington/Morris Co. Fire District #11 \$5,326.69, seconded by Commissioner Bell. Motion carried with all Commissioners voting “Aye”.

Mayor Urbanek made a motion to approve the fire protection agreement between Herington/Morris Co. Fire District #7 \$10,783.84, seconded by Commissioner Bell. Motion carried with all Commissioners voting “Aye”.

Mayor Urbanek made a motion to approve the fire protection agreement between Herington/Dickinson Co. Lyon Township \$20,436.59, seconded by Commissioner Bell. Motion carried with all Commissioners voting “Aye”.

Mayor Urbanek made a motion to approve the fire protection agreement between Herington/Lyon Herington/Dickinson Co. Union Township \$2504.72, seconded by Commissioner Bell. Motion carried with all Commissioners voting “Aye”.

A motion was made by Mayor Urbanek, seconded by Commissioner Bell to recess into executive session K.S.A. 756-4319(b)(1) pursuant to the personnel matters of non-elected personnel exception, to discuss City Manager 90-day Evaluation to include the Governing Body, City Attorney if needed and City Manager when appropriate with the regularly scheduled meeting to resume at 8:06pm. Motion carried with all Commissioners voting “Aye”.

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City Attorney if needed and City Manager when appropriate with the regularly scheduled meeting to resume at 8:17pm. Motion carried with all Commissioners voting "Aye". No action taken.

City Manager and City Commission Comments.

City Manager – Progress on the lake. Should have high level conception from Chuck with the EDC first meeting of January. Staff update – Lots of turnover, lost 4 employees from PD, 2 from electric and 1 from the Hilltop. Sold a lot in Logan Pointe.

Commissioner Gares – Stated that there will be more work to do regarding the hospital. Thanked everyone for their efforts so far.

Mayor Urbanek – FRE received a \$3000 grant from "Kansas Beats the Virus" through the Dickinson County Foundation. \$500 was given to USD 487, and \$2500 was used to purchase Chamber Bucks to be given out in \$10 increments by the Police Department to members of the community wearing masks.

A motion was made by Commissioner Gares, seconded by Commissioner Hartman to adjourn. Motion carried with all Commissioners voting "Aye".

Megan Lawrenz, City Clerk