

Regular Meeting
January 5, 2021
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 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, Isabel Schmedemann, Bryan Coffey, Ed Mueller, Larry Mann, Carl Urbanek, Derek Charles, Duane Bauer, Interim Fire Chief Kyler Schlesener and Assistant Police Chief Curtis Tyra. Not present were Commissioner Robbin Bell and Commissioner-Elect Ben Castleberry.

The meeting opened with the Pledge of Allegiance. Mayor Urbanek called the meeting to order. A motion was made by Commissioner Gares, seconded by Commissioner Hartman to approve the Minutes of the Regular Meeting December 1, 2020 and Special Meeting December 11, 2020. Motion carried 3-1.

Mayor Urbanek motioned to amend the minutes from the Regular Meeting held December 15, 2020 to include, City Attorney Brad Jantz's comments regarding public forum, the Herington Municipal Hospital, and his suggestions. Also, to be included is the amount the City of Herington will be responsible for, for the KDWPT grant. Commissioner Gares seconded. Motion carried with all Commissioners voting "Aye".

Additional Agenda Items – Commissioner Donahue requested to table items 7. Presentation of Plaque of Appreciation to Commissioner Eric Gares, 8. Adjourn Sine Die, 10. Oath of Office Commissioner-Elect Debra Urbanek, 11. Oath of Office Commissioner-Elect Ben Castleberry, 13. Additional Agenda Items and 24. Discuss and Action as Necessary on Herington Municipal Hospital Moratorium Resolution. Motion died for lack of a second.

Approval of Agenda – Mayor Urbanek motioned to approve the Agenda, seconded by Commissioner Gares. Motion carried 3-1 with Commissioner Donahue casting the dissenting vote.

A motion was made by Mayor Urbanek, seconded by Commissioner Gares 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 6:10pm. Motion carried with all Commissioners voting "Aye". No Action Taken.

Commissioner Gares motioned to add agenda item 6a. Discuss and Action on City Manager Contract, seconded by Commissioner Donahue. Motion carried with all Commissioners voting "Aye".

Commissioner Gares motioned to amend the City Managers contract with a 1.5% pay raise effective January 1, 2021, seconded by Mayor Urbanek. Motion carried with all Commissioners voting "Aye".

Presentation of Plaque of Appreciation to Commissioner Eric Gares.

Mayor Urbanek motioned to Adjourn Sine Die, seconded by Commissioner Gares. Motion carried with all Commissioners voting "Aye".

Call to Order

Oath of Office Commissioner-Elect Debra Urbanek

Oath of Office Commissioner-Elect Ben Castleberry

Public Forum – None

Additional Agenda Items – Mayor Urbanek asked to remove agenda items 24. Discuss and Action as Necessary on Herington Municipal Hospital Moratorium Resolution and 25. Discussion on Proposed Herington Hospital Charter Ordinance until Commissioner Bell and Commissioner Castleberry are present. City Manager Dross requested the addition of 29a. 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)(3) to discuss potential litigation. Seconded by Commissioner Hartman, motion carried with all Commissioners voting "Aye".

Discuss and Action to Elect Mayor – Mayor Urbanek motioned to table until next regularly scheduled meeting. Seconded by Commissioner Hartman, motion carried with all Commissioners voting "Aye".

Discuss and Action to Elect Vice-Mayor – Mayor Urbanek motioned to table until next regularly scheduled meeting. Seconded by Commissioner Hartman, motion carried with all Commissioners voting "Aye".

Discuss and Action on Making Central National Bank and The First National Bank of Hope Official City of Herington, KS Depositories for the 2021 Year – Commissioner Hartman motioned to make Central National Bank and The First National Bank of Hope official City of Herington, KS Depositories for the 2021 year. Seconded by Mayor Urbanek. Motion carried with all Commissioners voting "Aye".

Discuss and Action on Making the Dickinson County News-Times the Official Newspaper for the City of Herington, KS for the 2021 Year- Commissioner Hartman motioned to make the Dickinson County News-Times the Official Newspaper for the City of Herington, KS for the 2021 year. Seconded by Mayor Urbanek, motion carried with all Commissioners voting "Aye".

Police Update – Police Chief Matula updated the Commissioners that Sergeant Curtis Tyra was promoted to Assistant Chief of Police effective 1/3/2021. The Police Department has lost three Police Officers over the last few weeks. Three officers have been hired to replace them, starting 1/17, 2/1 and 2/15. In December there were 29 traffic stops, 180 calls for service and 6 arrests (2 felonies, 2 misdemeanors, 2 warrants). The Police Department also purchased an unmarked car for their detective, the Crown Vic was traded in and the vehicle cost \$10,000.

Fire Update – Interim Fire Chief Schlesener updated the Commissioners that there were 24 calls in December, and 209 for 2020. There was no fire drill in December due to the COVID spike in the area, however training videos on the new extrication equipment will be sent. One volunteer firefighter left recently, but there are two new volunteers. The Fire Department received 24 free radios. The struts have been delivered, but they are still waiting on the air bags.

Financials – City Clerk Lawrenz updated the Commission that the quarterly treasurers' reports have been caught up, and that 2020 Q3 was to be published this week. A balance sheet was also provided for November 2020.

City Update of COVID-19 – Vaccines are available, and City Manager Dross could demand employees receive the vaccine, but will encourage higher risk employees to get the vaccine.

Presentation of Herington Municipal Hospital Financials – Bryan Coffey CFO and Isabel Schmedemann CEO of the Herington Municipal Hospital presented their financial audit covering the last three years. Also presented was the 2021 budget, along with a revenues/expenses statement and balance sheet. Commissioners had no questions. City Manager Dross did ask if the Hillsboro Clinic was accounted for separately or if it was included in the overall numbers, Herington Municipal Hospital Administration said that it was not accounted for separately. Herington Municipal Hospital Administration noted that they receive approximately \$240,000 in sales tax but spends approximately \$147,000 on utilities for the facility yearly. Mayor Urbanek also mentioned that Isabel Schmedemann would provide City Hall staff with Herington Municipal Hospital Board of Trustees meeting minutes.

KMEA Monthly Payment Appropriation – The \$11,764 monthly payment from KMEA starts January 2021. Commissioners asked for recommendations from City Manager Dross for places that the funds could be used.

KMEA Contract – Authorize Mayor's Signature – Commissioner Hartman motioned to authorize the Mayor to sign the KMEA contract. Seconded by Commissioner Donahue, motion carried with all Commissioners voting "Aye".

Discuss and Action on the Reappointment of Mayor to the Flint Hills Regional Council Board of Directors – Agenda item needs to be tabled until a new Mayor is chosen. Mayor Urbanek motioned to table the reappointment of Mayor to the Flint Hills Regional Council Board of Directors, seconded by Commissioner Hartman. Motion carried with all Commissioners voting "Aye".

Discuss and Action on the Water Treatment Plant Ordinance Revision - Ordinance needs to be revised to reflect the new loan amount. Mayor Urbanek motioned to approve the revised Water Treatment Plant Ordinance not to exceed the amount of \$5,600,700.00 in the next sequential order, seconded by Commissioner Hartman. Motion carried with all Commissioners voting "Aye".

ORDINANCE NO. 1831

AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 1810 OF THE CITY OF HERINGTON, KANSAS.

Commissioner Hartman made a motion to authorize the Mayor to sign, seconded by Commissioner Donahue. Motion carried with all Commissioners voting "Aye".

A motion was made by Mayor Urbanek, seconded by Commissioner Hartman to recess into executive session K.S.A. 75-4319(b)(2) pursuant to the consultation with an attorney on matters that would be deemed privileged in the attorney-client relationship to discuss potential litigation to include the Governing Body, City Attorney, City Manager and City Clerk with the regularly scheduled meeting to resume at 7:05pm. Motion carried with all Commissioners voting "Aye". No action taken.

City Manager Comments – There is a current vendor at the Airport who may be interested in the building that Midway farms recently vacated. There will be bridge inspections over the next few months. Neighborhood Enforcement Officer started Monday 1/4/2021. Police Records Clerk started Monday 1/4/2021. Have received Fire Chief resumes, will work on a questionnaire to send out, hoping to interview in the next two or three weeks. The Water Treatment Plant groundbreaking got pushed back to 1/21/2020. The additional sales tax for the hospital did not end on 12/31/2020. It will end on 3/31/2021. The Wastewater Treatment Plant project should start in the next week or two and should be complete by mid-July. Brandon got a quote for wireless lapel mics for approximately \$2800, he understands that it is within his spending authority but wanted the Commissioners input. Commissioners agreed that it would be a good investment. City employees will begin training on internet/email security, three-year contract for \$1500 instead of \$6000/year for insurance coverage. The state is involved with the 205 N 10th property, there is \$10,000 available for the property and an additional \$10,000 for the vacant lot. Cost sharing is 75/25 (City 25%), but FEMA will reimburse at 1.5%.

Commissioner Comments-

Commissioner Donahue – Appreciates everything City Manager Dross has completed in his first 90 days. Thanked Commissioner Gares for his service. Asked about looking into the Safe Routes to School Grant for sidewalks to the school again.

Commissioner Hartman – Thanked City Manager Dross and Commissioner Gares.

Mayor Urbanek – Asked about the status of the Lake Reservation Software. Asked for an updated on the credit card fees, staff replied that there is a lot of conflicting information that they are working through. Will have another update soon. Keep 5G on the list. Thanked City Manager Dross and Commissioner Gares.

A motion was made by Commissioner Hartman, seconded by Commissioner Donahue to adjourn. Motion carried with all Commissioners voting “Aye”.

Megan Lawrenz, City Clerk