

**Regular Meeting  
May 17, 2022  
6:00 p.m.**

The Herington City Commission met on the above date and time in the Commission Chambers at City Hall. In attendance were Mayor Eric Gares, Commissioner Vance Donahue, Commissioner Debi Urbanek, Commissioner Robbin Bell and Commissioner Castleberry. Also in attendance were City Manager Branden Dross, City Attorney Brad Jantz, City Clerk Megan Lawrenz, Larry Mann, Carl Urbanek and Nick Acheson.

The meeting opened with the pledge of allegiance.

Mayor Gares called the meeting to Order.

Commissioner Bell made a motion to approve the minutes from the regular city commission meeting on May 3, 2022, seconded by Commissioner Donahue. Motion carried 5-0.

Public Forum – None.

Additional Agenda Items – Add 14a Ordinance and 14b Resolution.

Approval of Agenda - Commissioner Donahue made a motion to approve the agenda with the addition of 14a and 14b, seconded by Commissioner Bell. Motion carried 5-0.

City Clerk Update – City Clerk Megan Lawrenz provided the Commissioners with March and April 2022 financial documents. Also, discussed the audit findings.

Update on Investing City Funds – City Manager Branden Dross gave an update on city funds currently saved.

Update on Planning Commission Rules and Procedures – Staff and some planning commissioners attended MTI Training. PC was concerned about land use being approved by the commission without going through the planning commission first. There were concerns that the city was not in compliance, but Brad confirmed that the city is.

Ethics Commission Appointment - Commissioner Donahue made a motion to table the agenda item until the first meeting in June to clarify term expiration date, seconded by Commissioner Urbanek. Motion failed 5-0. Commissioner Bell made a motion to appoint John Thissen to the Ethics Commission term to expire 5/31/2022, seconded by Commissioner Urbanek. Motion carried 5-0.

CVB Appointment - Commissioner Donahue made a motion to appoint Amy Thibodeau to the CVB board term to expire 5/31/2024, seconded by Commissioner Castleberry. Motion carried 5-0.

**ORDINANCE 1866**

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF HERINTON, KANSAS, TO SUPPLEMENT AND ADD A SECTION AT CHAPTER VII, ARTICLE II, SECTION 7-219 REGULATING PRIVATE WATER WELLS CURRENTLY MAINTAINED OR SUBSEQUENTLY SETABLISHED WITHIN THE CITY LIMITS OF HERINTON, KANSAS; PROVIDING PENALTIES THEREFORE; AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH.**

Commissioner Urbanek made a motion to approve Ordinance 1866, with staff correction on first and second penalty amounts, seconded by Commissioner Castleberry. Motion carried 5-0.

Mayor Gares made a motion to authorize the mayor's signature, seconded by Commissioner Castleberry. Motion carried 5-0.

Amendment of City Code, Chapter 7, Article I, Section 7-112 – Electric Connection Fee - Mayor Gares made a motion to table Ordinance 1867 for staff correction, seconded by Commissioner Urbanek. Motion carried 5-0. Mayor Gares directed staff hold ordinance number 1867.

Amendment of City Code, Chapter 7, Article II, Section 7-216 – Water Connection Fee - Mayor Gares made a motion to table Ordinance 1868 for staff correction, seconded by Commissioner Castleberry. Motion carried 5-0.

Mayor Gares directed staff hold ordinance number 1868.

#### **ORDINANCE 1869**

**AN ORDINANCE REPEALING AND REPLACING, IN ITS ENTIRETY, CHAPTER 8, ARTICLE I, SECTION 8-102, OF THE CODE OF THE CITY OF HERINGTON, KANSAS RELATING TO THE ADMINISTRATION OF THE HERINGTON PLANNING COMMISSION AND APPOINTMENT OF ITS MEMBERS, SPECIFYING THE TERMS OF EACH APPOINTMENT AND ALLOWING FOR REASSIGNMENT OR CORRECTION OF TERMS BY RESOLUTION; AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS THEREOF IN CONFLICT HERewith.**

Commissioner Bell made a motion to approve Ordinance 1869 and authorize the mayor's signature, seconded by Commissioner Urbanek. Motion carried 5-0.

#### **RESOLUTION 953**

**A RESOLUTION OF THE CITY OF HERINGTON, KANSAS REASSIGNING TERMS OF SERVICE TO AND FOR THE HERINGTON PLANNING COMMISSION; FIXING SAID TERMS OF EACH EXISTING COMMISSIONER; ESTABLISHING THE EFFECTIVE DATE THEREOF; PURSUANT TO THE HERINGTON CITY CODE, CHAPTER 8, ARTICLE I, SECTION 8-102 DULY ADOPTED BY THE CITY OF HERINGTON, KANSAS.**

Commissioner Urbanek made a motion to approve the Resolution in the next sequential order, subject to publication of Ordinance 1869, seconded by Commissioner Castleberry. Motion carried 5-0.

Fair Board Update – Tri County Free Fair Board President Nick Acheson provided an update about goals and progress the fair board has made.

Mayor Gares made a motion to move that the Herington City 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 contract negotiations. To include the following persons: Governing Body, City Manager, City Attorney, City Clerk. With the open meeting to resume at 7:20. Seconded by Commissioner Urbanek. Motion carried 5-0. The regular meeting resumed with no action taken.

#### **City Manager Comments -**

Small pool repairs happening on 5/18 to fix a crack in deep end and finish the kiddie pool. Staff received a \$500 per year increase from Union Township on the fire contract. Reminded the community about the drag races this weekend, and the pool opening on May 28<sup>th</sup>. Should expect to see the pool report and lake master plan on the agenda in June. The first trail meeting will be June 15<sup>th</sup> in Topeka. DKEDC hired a new director this week.

#### **Commissioner Comments –**

Commissioner Bell – Thanked Branden for taking him to tour Flint hills pork with him. Flint Hills Pork is still hiring.

Commissioner Castleberry – Thanked Corkie and the revitalization group for the work on the sign! One spot still available.

Commissioner Urbanek – Question for Brad, regarding the rec commission, how does the board operate? Do commissioners have a say in their day-to-day operation, Brad requested a copy of a full set of their bylaws to review. Interlocal agreement is expired as well as the lease. City receives rent for the hilltop. City has not given money outside of improvements but does provide property. Monday Branden and Donalyn will attend the next rec commission meeting.

Commissioner Donahue – Asked if the pool rates would be staying the same, was told they should remain the same. Confirmed the special meeting on June 8<sup>th</sup> and suggested having it at the Community Building. Donalyn will be providing agenda items, city looking at an interlocal agreement agenda item. Where will it be? Probably have it at the community building.

Mayor Gares – None.

Commissioner Urbanek made a motion to adjourn, seconded by Commissioner Castleberry. Motion carried 5-0.

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Megan Lawrenz, City Clerk