

**Regular Meeting
June 7, 2022
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 Eric Gares, Commissioner Vance Donahue, Commissioner Debi Urbanek, Commissioner Robbin Bell, and Commissioner Ben Castleberry. Also in attendance were City Manager Branden Dross, City Attorney Brad Jantz, City Clerk Megan Lawrenz, Police Chief Chad Langley, Fire Chief Andrew Avantagiato, Neighborhood Enforcement Officer Jimmie Masters, Robert Cocnrary, Kim Mann, Larry Mann, and Carl Urbanek.

The meeting opened with the pledge of allegiance.

Mayor Eric Gares called the meeting to order.

Commissioner Bell made a motion to approve the minutes from the regular city commission meeting on May 17, 2022, seconded by Commissioner Castleberry. Motion carried 5-0.

Public Forum – Kim Mann – 918 W Walnut, Herington, KS 67449 regarding 201 S 11th.

Additional Agenda Items - Swap agenda order 13, 15, 14. Strike 18.

Approval of Agenda - Commissioner Donahue made a motion to approve the agenda in the swapping the order to 13, 15, 14 and striking agenda item 18, seconded by Commissioner Bell. Motion carried 5-0.

Police Department Update – There were 252 calls for service with 6 arrests, 4 misdemeanors and 2 felonies. Our new officer has been at academy for one month but was recently injured. She will enter back in at the 4-week mark at the next available academy date after her injury is healed. The Chief is waiting to get a quote to add a 2022 Ford Explorer, August or September would be the expected arrival time frame. The Chief has submitted a vehicle rotation schedule through 2029 to the city manager.

Fire Department Update – There were 28 calls for service, 20 emergency responses and 8 control burns. The fire department conducted a structure drill on 5th and Trapp yesterday, Woodbine attended, they will continue to train at that location. Purchased a smoke machine. They held an extrication class on June 4th, Abilene and Woodbine attended. Firefighter Neuberger will be attending a pump/arial operator class in July. Firefighter Reese attended and 8-hour pump operator class in June. Firefighter Neuberger completed FF1, FF2, Hazmat Ops, Hazmat AWS and VMR, should have test results soon. New member training programs implemented this year seem to be working out well. They are looking to replace the Chiefs vehicle using left over contracted funds. Squad is currently in the shop. Still no delivery date on the new brush truck, but the body is complete. They are expecting the cost estimate for the new station on June 28th, they have been working with Riley Construction. Grading on the north side of the station is still in progress, waiting for it to dry out before putting down topsoil and grass seed. They have purchased CPR training equipment, and will be able to conduct CPR classes now, they are starting the process to become a training center.

Neighborhood Enforcement Officer Update – Completed an electrical service inspection at 201 W Trapp. Electrical Services inspection complete. Hodgden has two projects, one building permit has already been received, waiting on the second. Has issued two fence permits. Aggressively getting on grass letters, inspected and wrote 17 violation letters and issued one cut order. Current certifications – Building, Mechanical, Plumbing, Electrical, IPMC and KACE.

Tax and Specials Abatement – Kimberly Mann property, original bill was for \$450 from 2020 and before, Herington city specials totaling \$1500 were not turned in between changes in staff. Commissioner Urbanek made a motion to forgo the \$1500 due to admin issues for this case, seconded by Mayor Gares. Motion carried 5-0.

There was discussion about creating a policy to handle tax abatement in the future.

Quarterly Work Sessions with City Attorney – Mayor Gares suggested a quarterly work session with the city attorney before a city commission meeting once a quarter to discuss a topic decided by the city attorney for 30-45 minutes. Consensus was that quarterly work sessions are not needed.

Lake and Reservoir Master Plan - Commissioner Bell made a motion to approve the lake master plan as presented, Commissioner Urbanek seconded. Motion carried 5-0.

Mayor Gares Recused himself from agenda item 13 and 15.

RESOLUTION 955

A RESOLUTION GRANTING TEMPORARY EXEMPTION FROM THE REQUIREMENTS OF CHAPTER 3, ARTICLE II, SECTION 3-204 PROHIBITING CONSUMPTION OF ANY ALCOHOLIC LIQUOR OR ENHANCED CEREAL MALT BEVERAGE ON PUBLIC PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF HERINGTON, DICKINSON COUNTY, KANSAS

Commissioner Urbanek made a motion to approve Resolution 955 granting temporary exemption from prohibiting consumption of alcoholic liquor at the Herington Fairgrounds and South Recreation Complex on July 3, 2022, from 12:00 pm to 11:59 pm and authorize the Vice-Mayor to sign, seconded by Commissioner Castleberry. Motion carried 4-0.

RESOLUTION 957

A RESOLUTION GRANTING TEMPORARY EXEMPTION FROM THE REQUIREMENTS OF CHAPTER 5, ARTICLE VI, SECTION 5-601 ET. SEQ. OF THE HERINGTON CITY CODE, REGULATING THE RETAIL SALE OF FIREWORKS WITHIN THE CITY LIMITS OF THE CITY OF HERINGTON, DICKINSON COUNTY, KANSAS

Commissioner Urbanek made a motion to approve Resolution 957 granting temporary exemption from the requirements of the Herington City Code regulating the retail sale of fireworks within the city limits and authorize the vice-mayor's signature, seconded by Commissioner Castleberry. Motion carried 4-0.

RESOLUTION 956

A RESOLUTION GRANTING TEMPORARY EXEMPTION FROM THE REQUIREMENTS OF CHAPTER 3, ARTICLE II, SECTION 3-204 PROHIBITING CONSUMPTION OF ANY ALCOHOLIC LIQUOR OR ENHANCED CEREAL MALT BEVERAGE ON PUBLIC PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF HERINGTON, DICKINSON COUNTY, KANSAS

Commissioner Urbanek made a motion to approve resolution 956 granting temporary exemption from prohibiting consumption of alcoholic liquor at the Herington Fair Grounds on July 8, 2022, from 5 pm to 11:59 pm and again on July 9, 2022, until 11:59 pm, seconded by Commissioner Castleberry. Motion failed 0-5.

Mayor Gares made a motion to approve Resolution 956 granting temporary exemption from prohibiting consumption and sale during state regulated times at the Herington Fair Grounds on July 8, 2022, and July 9, 2022, and authorize the mayor's signature, seconded by Commissioner Castleberry. Motion carried 5-0.

ORDINANCE 1870

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HERINGTON, KANSAS, TO REPEAL AND REPLACE CHAPTER 7, ARTICLE I, SECTION 7-112 ESTABLISHING AND REGULATING CONNECTION FEES FOR THE CONNECTION TO CITY SERVICES FOR ELECTRICAL SERVICE AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH

Commissioner Bell made a motion to approve Ordinance 1870 for Electric Connection fees and to authorize

the mayor's signature, seconded by Commissioner Castleberry. Motion carried 5-0.

ORDINANCE 1871

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HERINGTON, KANSAS, TO REPEAL AND REPLACE CHAPTER 7, ARTICLE II, SECTION 7-216 ESTABLISHING AND REGULATING CONNECTION FEES FOR THE CONNECTION TO CITY SERVICES FOR WATER SERVICE AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS THEREOF IN CONFLICT HERewith

Commissioner Bell made a motion to approve Ordinance 1871 Water Connection fees and to authorize the mayor's signature, seconded by Commissioner Castleberry. Motion carried 5-0.

CVB By-laws – Stricken from the Agenda.

Equipment Rental Policy – Staff suggested not allowing the city's equipment to be rented unless it is to another municipality. Vance motioned to follow Attorney General equipment policy for the city of Herington. Robbin seconded. 5-0.

City Manager Comments - Leak fixed at hilltop. Special meeting tomorrow, 6:30 at the Community Building with the School District and Rec Commission. 3 Commissioners running this year. Applied for safe streets.

Commissioner Comments

Commissioner Bell – Asked about electrical issues at the lake over the weekend.

Commissioner Castleberry – Nothing

Commissioner Urbanek – Reach out to citizen on 16th about pothole and drainage issue. It is on the to do list for city staff.

Commissioner Donahue – Stop signs, what is the minimum height? B and Walnut needs to be addressed. ATV and golf cart permit fees – would like to see an increase in 2023, wants on the first July agenda.

Mayor Gares – When will we add 16th to the road repair list? Waiting on KDOT report, also hoping to get some funds set aside.

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

Megan Lawrenz, City Clerk