**Regular Meeting**

**February 2, 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 Bell, Commissioner Curtis Hartman, Commissioner Vance Donahue, Commissioner Castleberry, City Manager Branden Dross, City Attorney Brad Jantz and City Clerk Megan Lawrenz. Also, in attendance were Chief of Police John Matula, Assistant Chief of Policy Curtis Trya, Interim Fire Chief Kyler Schlesener, Allie Hawkes, Carl Urbanek, Larry Mann, Eric Gares, Herschel West and Mike Walsh.

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 Castleberry to approve the Minutes of the Regular Meeting January 19, 2020. Motion carried 5-0.

Public Forum – Allie Hawkes – 603 N A St. Herington, KS 67449 – Allie spoke about the benefits of keeping Mike Walsh with M&K Trash Service for the trash provider for the City of Herington.

Additional Agenda Items – None

Approval of Agenda – Mayor Urbanek motioned to approve the Agenda, seconded by Commissioner Bell. Motion carried 5-0.

Police Update – Chief of Police John Matula advised there was 1 misdemeanor arrest, 1 warrant arrest, 24 traffic stops, and 154 calls for service in January. The police department met with the school district to discuss the implementation of a SRO program; members of the school board were not in favor.

Fire Update – Interim Fire Chief Kyler Schlesener reported 24 calls, 2 grass fires, 2 structure fires, 1 car fire, 2 outside/other fires, 1 wreck/extrication, 5 EMS assist, 1 CO and 11 good intent/service calls. January training was over blood borne pathogens and hazmat changes in 2020 ERG. Fire Chief interviews have been started. HFD is going to do a zoom-based training FF1 class with Blue Township FD in Pott County, 7 or 8 of our volunteer firefighters will participate.

City Clerk Update – City hall staff worked on the credit card fees and gave notice to Visa and Mastercard of our intent to charge. Notice must be given 30 days in advance so fees should start March 1, 2021. We have hired a court clerk. She will start February 18, 2021. Year end reports and tax documents are complete. There was discussion about trying to take advantage of the low interest rates for some of our bonds, but we are not able to refinance until March 2022. The Department of Labor was here to inspect our buildings, clerk will give an update once we receive the report. Financials for December will be provided at the next meeting. Mayor Urbanek requested that an expenditure report with budget amounts be provided with the financials.

City Update of COVID-19 – Staff had the first dose of the vaccine last Monday. With the second vaccine to be give in 28 days. Mask mandate extended to March, but it anticipated to be extended longer.

Discussion and Action on Publishing of City Meeting Agenda Packets – Previous Commissioners wrote requesting that the supporting documents for the agenda be published prior to the Commission Meetings. Commissioner Bell motioned to keep using the same process as we do now, that supporting documents are available after the meeting. Seconded by Mayor Urbanek, motion failed 2-3 with Commissioner Hartman, Commissioner Donahue and Commissioner Castleberry casting the dissenting votes. Commissioner Donahue motioned to allow City Manager Dross and City Clerk Lawrenz to use their judgement to post non-sensitive agenda supporting documents prior to the meeting with the agenda. Seconded by Commissioner Castleberry. Motion carried 4-1 with Commissioner Bell casting the dissenting vote.

Discuss and Action on Trash Service – The current contract with M&K Trash Service was up for renewal. City Manager Dross presented two contracts for the Commissioners to consider. M&K and Salina Waste Service. After much discussion Commissioner Castleberry motioned to renew with M&K Trash Service, seconded by Commissioner Hartman. Motion carried 5-0.

Discussion on Commission Oversite on Boards and Committees – Mayor Urbanek asked City Attorney Jantz for some clarification on Commission oversite on boards and committees. Jantz said that most of the boards and committees are sponsored by or created by the City so they have oversight. Mayor Urbanek is concerned that none of our boards have guidelines or expectations set. City Manager Dross said he should serve as ex officio on all the boards to offer communication back to the Commissioners. Mayor Urbanek would like to set clear expectations out for all boards, so members know what their responsibilities are.

Discuss and Action on Herington Housing Authority Application – Linda Herbel – Term to expire 12/31/2024 – Mayor Urbanek made a motion to approve Linda Herbel to the Herington Housing Authority term to expire 12/31/2024, seconded by Commissioner Hartman. Motion carried 5-0.

Discuss and Action on Planning Commission Application – Catherine Stinnett – Term to expire 12/31/2023. Mayor Urbanek made a motion to approve Catherine Stinnett to the Planning Commission term to expire 12/31/2023 seconded by Commissioner Hartman. Motion carried 5-0.

Discuss and Action on Board of Zoning Appeals – Ron Strickland – Term to expire 10/24/2023 – Mayor Urbanek made a motion to approve Ron Strickland to the Board of Zoning Appeals – Term to expire 10/23/2023, seconded by Commissioner Hartman. Motion carried 5-0.

Discuss and Action on Resolution for the City Manager to Execute Contracts – Mayor Urbanek made a motion to approve Resolution 936 for the City Manager to Execute Real Estate Land Contracts for Logan Pointe after revisions are made by City Attorney Jantz, seconded by Commissioner Castleberry. Motion carried 5-0.

Update on Airport Lease Negotiations – City Attorney is drafting a lease addendum to include the property recently vacated by Midway Farms.

Update on Grant for Back-up Generator – North Central Regional Planning Committee said that there is a grant for $600,000.00 but we would have to forbid discussion on a new fire house. There are also grants with USDA. Mayor Urbanek offered some clarity that the proposed back up generator would service the whole town. Businesses and residents would keep power. It would not just benefit City Hall.

Update on Lake Reservation Software – Leo and Julie took training. Needing to fill the Host position. Once they are on board, they will also take the training.

Update on UPTICC Grant – Approved one application. Have received more that staff are reviewing may deny one. Commissioner Bell asked if we could allow more money for the program if it is working. Would have to move money from reserves.

A motion was made by Mayor Urbanek, seconded by Commissioner Bell 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 7:21pm. Motion carried with all Commissioners voting “Aye”. No action taken.

City Manager Comments – The Fire Chief Position has been offered to a candidate. We will announce after they have given their notice. Looking to schedule Commission Retreat possibly in March or April on a Saturday. Will work with Commissioner Bell on hay leases. CVB budget will be presented at the next Commission meeting.

Commissioner Castleberry – Thank you to Branden.

Commissioner Donahue – Noted that he voted no on accepting the gift from the Hospital because he felt that the money designated towards renovating the pool house was a bribe. Thanked Branden and appreciated the fact that he brought an alternate bid for trash service for the Commission to consider.

Commissioner Hartman – None.

Commissioner Bell – Saw that we are hiring a new employee for the street department. Asked if we were short a person, and Branden explained that we wanted to designate a person in the street sweeper all the time. It will also free up Marcus to work on some more grant opportunities.

Mayor Urbanek – Nothing.

Adjourn – Commissioner Hartman made a motion to adjourn. Seconded by Commissioner Castleberry. Motion carried 5-0.

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Megan Lawrenz, City Clerk