**Regular Meeting**

**February 16, 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 via Zoom and City Clerk Megan Lawrenz. Also, in attendance were Chief John Matula, Chad Langley, Isabel Schmedemann, Larry Mann, Cark Urbanek, Leslie Mayes, Eric Gares and Phyllis Bettles.

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 February 2, 2021. Motion carried 5-0.

Public Forum – None.

Additional Agenda Items – Addition of 6a. Introduce new Police Officer Chad Langley. Remove agenda items 9. Budget Presentation by CVB and 10 Discuss and Action on EMC Representative for City Insurance Policy.

Approval of Agenda – Mayor Urbanek motioned to approve the Agenda with the addition of 6a, and removal of 9 and 10, seconded by Commissioner Donahue. Motion carried 5-0.

Financials – City Clerk Lawrenz presented Comparative Trial Balances and the Expenditure Report for 2020.

City Update of COVID-19 – The occupancy limit for the Community Building was expanded to 275 people. City Attorney provided legalese for the bottom of the Community Building rental contract stating that the City would not be held liable for COVID-19 cases. City employees will receive 2nd vaccine Monday February 22, 2021. Kay’s Pharmacy is also providing vaccinations now.

Discuss and Action on KDOT Resurfacing Project Grant - The contract to resurface Trapp was reviewed. Grant amount is $300,000.00 with a zero percent match from the City. City is responsible for hiring a KDOT approved engineer. Mayor Urbanek moved to approve the contract to resurface Trapp, seconded by Commissioner Bell. Motion carried 5-0.

Commissioner Bell moved to authorize Mayor Urbanek to sign the contract. Seconded by Commissioner Hartman. Motion carried 5-0.

Discuss and Action on Appointing Mitch Gehrke as Voting Delegate of Kansas Rural Water Association – Mayor motioned to appoint Mitch Gehrke as Voting Delegate of KRWA, seconded my Commissioner Bell. Motion carried 5-0.

Commissioner Castleberry motioned to authorize Mayor Urbanek to sign the contract. Seconded by Commissioner Donahue. Motion carried 5-0.

Discuss and Consider Kindness Proclamation – Mayor Urbanek shared a proclamation provided by Dickinson County EDC for Random Acts of Kindness Day to be observed February 17, 2021. Mayor Urbanek motioned to adopt the Proclamation for Random Acts of Kindness Day. Seconded by Commissioner Castleberry. Motion Carried 5-0.

Discuss and Consider on Herington Municipal Hospital Opportunity – Herington Municipal Hospital presented a Letter of Intent. See attached. Also attached are questions asked by an anonymous resident answered by the Herington Municipal Hospital. Mayor Urbanek motioned to sign the letter of intent. Seconded by Commissioner Donahue. Motion carried 4-1 with Commissioner Donahue casting the dissenting vote.

Discuss and Action on Water Treatment Plant Change Order Price Increase – 14” Clearwell Connection to Existing 16” Install 110” of 16” PVC, Tie in to Existing 16”, Plug Existing after Plant Start Up, Requires 2 tie-ins City to Provide Diver to Plug existing line. No core drill of Clearwell. Increase of $123,445.06. Mayor Urbanek Motioned to approve the Water Treatment Plant Change Order. Seconded by Commissioner Castleberry. Motion carried 5-0.

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 6:50pm. 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. 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 7:01pm. Motion carried with all Commissioners voting “Aye”. No action taken.

City Manager Comments – Andrew Avantagiato has been promoted to Fire Chief effective March 1, 2021. Commission work/planning session is scheduled for April 10, 2021 from 9am to 4pm. Has contract in hand with US Stone for the old Midway Farms Building. Have issued two UPTICC grants, Sweet Creations and The Checkered Flag. Three new employees have started this week. Brock clean-up should start in about 30 days. Upcoming event Weatherization with the City Manager is scheduled for March 3, 2021. The Lake RFQ website was not ready in time. Received a check from the Dickinson County Sheriff’s office for reimbursement for the two officers who left before finishing their year. Using to help with budget overage from 2020. Will attend a Mainstreet conference in April.

Commissioner Castleberry – No comments.

Commissioner Donahue – Asked for clarification that Evergy was responsible for the scheduling of blackouts, it was not the City.

Commissioner Hartman – Nothing.

Commissioner Bell- Asked about the Generator at the water plant, Branden clarified that the generator would not reduce enough, and residents could have still been without power.

Mayor Urbanek – Would like to get the neighborhood revitalization program back up and running last sunset was in 2017.

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

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Megan Lawrenz, City Clerk