

**Regular Meeting
April 19, 2022
6:00 p.m.**

The Board of City Commissioners of the City of Herington, Kansas met at City Hall at 6:00 p.m. on the above date – the following being present: Mayor 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, Larry Mann, Mark Wendt, Mike Scanlon – City of Osawatomie, Leo Schlesener, Tiffany Schlesener, Carl Urbanek, Marcus Hawkes, Allie Hawkes, Josh Brunner, and Janet Wade.

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 March 15, 2022, seconded by Commissioner Donahue. Motion carried 5-0.

Public Forum – Josh Brunner – Clarification on Motor Vehicle parking – Section 2-319.

Additional Agenda Items – Add 6a- Discuss and Action on Arbor Day Tree Grove for mayors. Add 8a. Clarification on MV parking from public forum. Move #16 to #7a. Add 18a Executive Session Attorney Client Privilege– Litigation.

Commissioner Urbanek made a motion to approve the agenda, seconded by Commissioner Donahue. Motion carried 5-0.

6a. Discuss and Action on Arbor Day Tree Grove – No voting. Consensus that commission participate in Arbor Day.

Rec Commission from USD 487 – Board President Mark Wendt and Vice President Allie Hawkes attended to speak about the School Boards part of the Rec Board. Information that was requested (bylaws, directors' contract) at the school board meeting has been provided by the Rec Commission. There was interest in a work session with the city. Superintendent will coordinate with Branden. Mayor Gares directed the City Manager to meet with School Superintendent and Rec Board – Reevaluate and set a work session for later.

7a. Joint Resolution – Mike Scanlon, City Manager of Osawatomie wants to work together on the trail with a mission and vision. Discussed an Association of Trail towns, to help get grand/federal funding.

Commissioner Urbanek made a motion to approve Resolution 951 and authorize the mayor's signature, Seconded by Mayor Gares. Motion carried 5-0.

8th Street Bridge – Moved off bridge system, turned into a boxed culvert.

8a. 2-319 – City Code – Ask for recommendation from the Planning Commission.

Street Superintend Leo Schlesener and City Manager Branden Dross are working on 2022 street projects. Streets need to chip seal for maintenance. We will work with County; city buys oil and rock and pay \$750 per day for county to do the work. City will help with traffic control through the process. Getting oil and rock at County discount. 42k square yards projected to start in August it is everything that was overlayed in 2007 with asphalt, will take approximately 3 days to complete the work. Still 25k left in the budget for additional improvements in 2022. Commissioner Bell made a motion to approve the plan, seconded by Commissioner Donahue. Motion carried 5-0.

Commissioner Bell made a motion to approve the purchase of a Patch Machine Purchase for \$42,164.00, seconded by Commissioner Donahue. Motion carried 5-0

City Manager Branden Dross met with Hope city council last week. They agreed to 3.6% increase. Requested the contract to be reviewed every 3 years. City Attorney Brad Jantz is working on the contract. If we roll back rates or stop increases, we will follow the same procedure for them. Should be approved in May.

Herington Reginal Airport Contract - Staff reviewed bids. Staff will bring to commissioners at the next commission meeting. Commissioner Bell made a motion to approve the Lochner Contract for Pre-Construction and Administration for \$4,500, seconded by Commissioner Castleberry. Motion carried 5-0.

ORDINANCE 1862

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HERINGTON, KANSAS, TO SUPPLEMENT SAID CODE OF THE CITY OF HERINGTON, KANSAS AND ADD ARTICLE IX IN CHAPTER 1, ADMINISTRATION, ESTABLISHING AND ADOPTING A CODE OF ETHICS, AND PROVIDING FOR THE ADMINISTRATION THEREOF, AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS THEREOF IN CONFLICT HERewith.

Commissioner Urbanek made a motion to approve Ordinance 1862 and authorize the mayor's signature, seconded by Mayor Gares. Motion carried 4-1 with Commissioner Donahue casting the dissenting vote.

ORDINANCE 1863

AN ORDINANCE ADOPTING THE PLANNING COMMISSION'S RECOMMENDATION TO REVISE THE HERINGTON KANSAS ZONING AND SUBDIVISION REGULATIONS (INCORPORATED AS CHAPTER 8 SONING IN THE HERINGTON CITY VODE VIA ARTICLE III OF CHAPTER 8) TO AMEND AND SUPPLEMENT REGULATIONS UNDER ARTICLE 17, SUPPLEMENTAL DISTRICT REGULATIONS AND REPEALING ANY AND ALL OTHER ORDINANCES OR PARTS THEREOF IN CONFLICT HERewith.

Commissioner Urbanek made a motion to approve Ordinance 1863 and authorize the mayor's signature, seconded by Commissioner Castleberry. Motion carried 4-1 with Commissioner Donahue casting the dissenting vote.

Mayor Gares made a motion to appoint himself and Commissioner Castleberry to the Ethics Board, seconded by Commissioner Donahue. Motion carried 5-0.

Commissioner Urbanek made a motion to accept the standard allowance in the final rule for ARPA, seconded by Mayor Gares. Motion carried 5-0.

Agree to the standard allowance. Debi, Eric. 5-0.

2023 Budget – Staff informed the commission that the Audit is in May. Morris County went from 3 to 3.5 mills for the fire contracts.

18.a ES – Mayor Gares Made a motion to enter executive session pursuant to the consultation with an attorney on matters that would be seemed privileged in the attorney-client relationship exception K.S.A. 75-4319(b)(2), in order to discuss litigation. To include the following persons: Governing Body, City Manager, City Attorney and City Clerk with the open meeting to resume at 7:10pm, seconded by Commissioner Donahue. Motion carried 5-0.

The regular meeting resumed with no action taken.

City Manager Comments -

Thanked Comp Plan attendees. There were 103 Comp Plan Survey Responses. Brynn Sullivan and Dr. Bonnie Johnson will present at the next meeting. KU Class may present one more time before graduation. Pool will open May 28th, Hospital to Host an opening party. City Clerk Megan Lawrenz was spotlighted in Dickinson County EDC Women in Leadership.

Robbin – Mentioned an abandoned car, the Police Chief investigated it.

Ben – None.

Debi – Revised priority list.

Vance – City Wide Clean up. Dumpsters were full in a couple days! Parks look good!

Eric – Airport and Lake Leases. Lake leases are signed. Still working on one Airport lease. Two are changing hands and Brad wants to use the new lease. Drag races at the airport, concerns about getting approval from the FAA. May 15 – National Police Memorial Day. Proclamation at next meeting for Police Week.

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

Megan Lawrenz, City Clerk