

This is a business meeting of the governing body for the City of Herington. There is no implied or expressed right for persons outside the governing body to speak or voice their opinion unless specifically recognized by the chair.

**Regular Meeting
October 18, 2022
6:00 p.m.**

1. Pledge of Allegiance

2. Call to Order

3. Public Forum

4. Additional Agenda Items

5. Approval of Agenda

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Bell, Commissioner Urbanek,
Commissioner Donahue, Mayor Gares

6. Consent Agenda

- a. Regular City Commission Meeting Minutes October 4, 2022
- b. Removal of Josh Boyd from the KMEA Board of Directors as an Alternate
- c. Appointment of Leo Schlesener to the KMEA Board of Directors as an Alternate, term to expire 4/30/2024.
- d. Resolution 963 Temporary CMB for the Fall Festival on the corner of Broadway and Main on 10/29/2022 from 6:00 to 9:00pm, and authorize the mayor's signature.

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Bell, Commissioner Urbanek,
Commissioner Donahue, Mayor Gares

7. Mud Run Discussion with Robert Hood

8. Resolution 964 – A RESOLUTION OF THE CITY OF HERINGTON, KANSAS FIXING A TIME AND PLACE FOR SHOW CAUSE HEARING PURSUANT TO PURSUANT TO THE HERINGTON CITY CODE CHAPTER II, ARTICLE 3, SECTION 2-306 ET.SEQ. ADOPTED BY THE CITY OF HERINGTON, KANSAS and authorize the mayor's signature.

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Bell, Commissioner Urbanek,
Commissioner Donahue, Mayor Gares

9. Resolution 965 – A RESOLUTION OF THE CITY OF HERINGTON, KANSAS FIXING A TIME AND PLACE FOR SHOW CAUSE HEARING PURSUANT TO PURSUANT TO THE HERINGTON CITY CODE CHAPTER II, ARTICLE 3, SECTION 2-306 ET.SEQ. ADOPTED BY THE CITY OF HERINGTON, KANSAS and authorize the mayor's signature.

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Bell, Commissioner Urbanek,
Commissioner Donahue, Mayor Gares

10. Resolution 966 – A RESOLUTION OF THE CITY OF HERINGTON, KANSAS FIXING A TIME AND PLACE FOR SHOW CAUSE HEARING PURSUANT TO PURSUANT TO THE HERINGTON CITY CODE CHAPTER II, ARTICLE 3, SECTION 2-306 ET.SEQ. ADOPTED BY THE CITY OF HERINGTON, KANSAS and authorize the mayor’s signature.

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Bell, Commissioner Urbanek,
Commissioner Donahue, Mayor Gares

11. Resolution 967 – A RESOLUTION OF THE CITY OF HERINGTON, KANSAS FIXING A TIME AND PLACE FOR SHOW CAUSE HEARING PURSUANT TO PURSUANT TO THE HERINGTON CITY CODE CHAPTER II, ARTICLE 3, SECTION 2-306 ET.SEQ. ADOPTED BY THE CITY OF HERINGTON, KANSAS and authorize the mayor’s signature.

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Bell, Commissioner Urbanek,
Commissioner Donahue, Mayor Gares

12. Resolution 968 – A RESOLUTION OF THE CITY OF HERINGTON, KANSAS FIXING A TIME AND PLACE FOR SHOW CAUSE HEARING PURSUANT TO PURSUANT TO THE HERINGTON CITY CODE CHAPTER II, ARTICLE 3, SECTION 2-306 ET.SEQ. ADOPTED BY THE CITY OF HERINGTON, KANSAS and authorize the mayor’s signature.

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Bell, Commissioner Urbanek,
Commissioner Donahue, Mayor Gares

13. Discuss and Action on Ordinance - Next Sequential – AN ORDINANCE ANNEXING LAND TO THE CITY OF HERINGTON, KANSAS and authorize the mayor’s signature.

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Bell, Commissioner Urbanek,
Commissioner Donahue, Mayor Gares

14. Discuss and Action on Mission and Vision Statement recommendation from the ad-hoc committee

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Bell, Commissioner Urbanek,
Commissioner Donahue, Mayor Gares

15. Discuss and Action on HWY 77/56 Contract for Water and Sewer Line Expansion Project Engineer Service with SMH Consultants

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Bell, Commissioner Urbanek,
Commissioner Donahue, Mayor Gares

16. Executive Session – I 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) to discuss litigation, to include the following:

- The Governing Body

- City Manager
- City Attorney

With the open meeting to resume in the City Commission Chamber at _____ pm.

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Bell, Commissioner Urbanek,
Commissioner Donahue, Mayor Gares

17. City Manager Comments

18. City Commission Comments

19. Adjourn

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Bell, Commissioner Urbanek,
Commissioner Donahue, Mayor Gares

To join the City Commission meetings from your computer, tablet, or smartphone, go to:

<https://www.youtube.com/channel/UBbvSBw614w85XQHSX0S1BXg>

Public Forum Comments can be dropped in the deposit box or email to

cityoffice@cityofherington.com

DRAFT

**Regular Meeting
October 4, 2022
6:00 p.m.**

The Herington City Commissioners met on the above date and time in the city commission chambers in at city hall. In attendance were Mayor Eric Gares, Commissioner Vance Donahue, Commissioner Debi Urbanek, Commissioner Robbin Bell, Commissioner Ben Castleberry, City Manager Branden Dross, City Attorney Brad Jantz, City Clerk Megan Lawrenz, Deputy City Clerk Chanda Wilson, Police Chief Chad Langley, Fire Chief Andrew Avantagiato and Neighborhood Services Director James Masters. Also in attendance were Pamela Dalton, Corkie Dunlap, Sharon Kolanowski, Carl Urbanek, Gordon Schroeder, Shelly Wirtz, Carrie Hill, Janet Wade, Peggy Hilliard, Gabi Simmons, Phyllis Perry, Karen Soliz, Kim Ditto-Bell, Brandy Sensmeier, John Thissen, Erin Pritchard, Deb Geissert and Marcus Hawkes.

The meeting opened with the pledge of allegiance.

Mayor Gares called the meeting to order.

Public Forum – Corkie Dunlap – 709 Paint Road, Hope, KS – FRE. Pam Dalton – 609 S B St, Herington, KS – FRE. Gordon Schroeder – 2228 400 Ave – FRE. Janet Wade – 602 E Arnold – Paving on Arnold. Gabi Simmons - 15 N 12th Street – Demolition of building near childcare center. Karen Soliz – 602 N D – FRE and Ladies Night. Kim Ditto-Bell – 801 W Trapp – FRE. Brandy Sensmeier – 302 S C – FRE. John Thissen – 1462 Gehrke Ct – FRE.

Additional Agenda Items – Move 11 to number 7, all adjacent numbers down. Mud run agenda item tabled.

Approval of Agenda – Mayor Gares made a motion to approve the agenda moving item 11 to 7, and all adjacent numbers down and tabling the mud run item, seconded by Commissioner Donahue. Motion carried 5-0.

Consent Agenda – Commissioner Urbanek made a motion to approve the items listed in the consent agenda including the Regular City Commission Meeting Minutes from September 20, 2022, the Special City Commission Meeting Minutes from September 23, 2022, and the resignation of Mackenzie Langley from the CVB board, seconded by Commissioner Bell. Motion carried 5-0.

Discussion on FRE and Community Assistance - Phyllis Perry – Shared some history on the FRE and provided insight to some of the policies they use for offering services to the community. Brad to provide a policy regarding utility forgiveness for non-profit organizations at the next commission meeting. Commissioner Urbanek made a motion to keep it the same, and grandfather the existing five until we can get a policy worked out, Seconded by Commissioner Bell. Motion carried 5-0.

Police Update – There were 244 calls for service, 68 traffic stops, 5 misdemeanor and 2 felony arrests. Unit 4 has quit running, getting a new motor installed at council grove, motor will be under warranty. Dropped off radio for new unit, should be available in a couple weeks. Can reserve a vehicle for us for next year, but prices are going up approximately \$8000. Cadyn Allen returned to academy week 6. Should be done within in two months.

Fire Update – There were 26 calls for the month, 1 brush fire, 1 grass fire, 14 medical assists, 1 public service, 8 authorized control burnings, 1 citizen complaint and 1 illegal burn. Training topic and hours were car fires with the Abilene Fire Department. There will be an ice rescue training in January, and February. December 5th KSFMO will be holding a class on investigations. Staffing Update- New volunteers have been integrating well, first responders up and running. Dept/Equipment Update – the new brush truck chassis is delivered, expected delivery by the end of the month. Working with a grant company on tanker spec and procurement. 18-24 months for delivery. The fire department has received a grant from KSFMO for \$15,000 for turn out gear, almost 4 sets. A work session is needed for the new fire station.

Neighborhood Services Update – There were roughly 12 complaints and 58 inspections since the September

6th meeting. There were 32 grass inspections with 16 violation notices, 6 cut orders and 3 yards mowed by the city. There were 6 environmental violations, 1 for a yard and fence, 2 for yards and automobiles, 1 for yard and structure and 2 for trash. There were 3 building permits with 3 inspections. 5 electrical permits with 1 inspection. No mechanical permits with one inspection. 1 plumbing permit with 3 inspections and no fence permits. There were 7 inspections for utility connection. There were 5 structural building inspections, and at the October 18th meeting recommendations to repair, remove, or demolish structures will be presented for properties located at 117 W Main, 211 N E, 315 S A, 112 W Main and 507 N F.

Discussion on the Mud Run with Robert Hood – Tabled.

Street Bid for 2nd Street Between Walnut and Main Street for \$126,700 from PP&J Construction – Commissioner Bell made a motion to approve the street bid for 2nd street between Walnut and Main from PP&J Construction for \$126,700, seconded by Commissioner Urbanek. Motion carried 5-0.

\$2 Rate Increase and Three-Year Contract Extension Addendum with M&K Trash – Commissioner Bell made a motion to approve the three-year contract extension and \$2 rate increase with M&K Trash for trash service and authorize the mayor's signature, seconded by Commissioner Castleberry. Motion carried 5-0.

ORDINANCE 1875

AN ORDINANCE AMENDING PRIVATE PROPERTY, BUILDING DEMOLITION, CHAPTER 4, ARTICLE VIII, SECTION 4-803, OF THE CODE OF THE CITY OF HERINGTON, KANSAS RELATING TO REGULATION AND ADMINISTRATION OF PROPERTY DEMOLITION IN THE CITY OF HERINGTON, KANSAS AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH.

Commissioner Bell made a motion to approve ordinance 1875 and authorize the mayor's signature, seconded by Commissioner Castleberry. Motion carried 4-1 with Commissioner Donahue casting the dissenting vote.

\$12,000 Contract with Charge Point for Electric Vehicle Charger with 100% Reimbursement from the CVB – Commissioner Urbanek made a motion to approve the \$12,000 contract with Charge Point for the Electric Vehicle Charger with 100% reimbursement from the CVB over 5 years, seconded by Commissioner Bell. Motion carried 5-0.

Executive Session – Mayor Gares made a motion that the Herington City Commission recess into Executive Session, pursuant -to the: Preliminary discussions relating to the acquisition of real property exception, K.S.A. 75-4319(b)(6) in order to discuss a real estate transaction to include the governing body, city manager and city attorney with the regular meeting to resume at 8:05, seconded by Commissioner Bell. Motion carried 5-0. The regular meeting resumed with no action taken.

City Manager Comments – WTP final inspection in the next few weeks. Update on woodbine contact. Next meeting will have accessory structure clean up from planning commission. Sewer and waterline engineering contract for 77/56 work at next meeting. Dept of commerce reached out to see if we would be part of their housing pilot program. BCBS insurance 10% increase. Legislative dinner in Abilene on the 26th.

City Commission Comments

Commissioner Bell – Will be there for LKM Annual Legislative Dinner on the 26th.

Commissioner Castleberry – North 13th street, thank city for regrading the road, and asked if we knew when Vyve is coming. Wants to keep up on the safe walk to school program, Branden talked to a school board member they are trying to get it on their agenda for the November meeting.

Commissioner Urbanek – Nothing.

Commissioner Donahue – Will update on LKM Annual dinner.

Eric – This weekend is the league's annual conference, he and Branden attending. Ad hoc committee for M/V statement, 10/14 meeting at 12:00 there will be action items. Should be on agenda at the next commission meeting.

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

Megan Lawrenz, City Clerk

DRAFT



CERTIFICATE – ALTERNATE

KANSAS MUNICIPAL ENERGY AGENCY BOARD OF DIRECTORS

This certificate duly documents the appointment of an **Alternate** to serve on the Board of Directors of the Kansas Municipal Energy Agency (KMEA) as provided for in Article V, Section 5.7 of KMEA's Bylaws.

I, the undersigned City Clerk of the City of _____, Kansas, a member of KMEA, do hereby certify that at a meeting of the City Governing Body duly held on the ____ day of _____, ____; and

| | | | |
|----------------|-------|-------------|-------|
| Name: | _____ | Title: | _____ |
| Address: | _____ | | |
| City: | _____ | State: | _____ |
| | | Zip Code: | _____ |
| Office Phone: | _____ | Cell Phone: | _____ |
| | | Fax: | _____ |
| Email Address: | _____ | | |

who (a) resides within the territory served by the City's electric utility; or (b) is an employee of the City, was appointed to serve on the KMEA Board of Directors for the term indicated below:

Term expiring _____

Permanent

The above appointed Alternate **is** **is not** (check one) entitled to vote on behalf of the City.

I further certify that the foregoing appointment is reflected in the official Minutes of the Governing Body of the City for the meeting on the date indicated above.

This certificate given this ____ day of _____, ____.

City Clerk

_____, Kansas

Memo from the Mission and Vision Statement Ad Hoc Committee

An Ad Hoc Committee consisting of myself (Mayor Eric Gares), Vice Mayor Vance Donahue II, Planning Commissioner Marcus Hawkes, Herington Unified School District Representative Mr. Mark Paul and Community at-large member Ms. Erin Pritchard were appointed previously by the City Commission of the City of Herington. This committee was tasked with drafting a new mission and vision statement that would be approved by the City Commission and then would go into the new city comprehensive plan, "Herington Tomorrow".

The ad hoc committee met on five separate occasions for work sessions (September 16, September 19, September 21, September 26 and October 3) and then again at noon on Friday, October 14, 2022. These meetings were opened to the public at all times. At the October 14th meeting, the ad hoc committee voted in open session to present the following primary options for the mission and vision statement. Unfortunately, Vice Mayor Donahue II was unable to attend; however, he has subsequently spoken with myself and agreed with the committee's decisions.

In regards to the **Mission Statement**, the ad hoc committee agrees by a 4-0 vote, to provide the following two options, with the emphasis that Option 1 is the better option of the two, to the City Commission:

Option 1: Herington strives to create a place to call home through safe reliable services and amenities for a better quality of life in our community.

Option 2: Herington is a place to call home with a sense of pride and a better quality of life while providing reliable services through effective governance in our community.

In regards to the **Vision Statement**, the ad hoc committee agrees by a 4-0 vote, to provide the following three options, with the emphasis that Option 1 is the better option of the three, to the City Commission:

Option 1:
Herington is a welcoming community focused on providing its citizens a safe and reliable place to live, work and be active in pursuing opportunities through effective and transparent governance. We will continue embracing our past while pursuing future commitments to support its citizens with quality community services, public amenities, business opportunities and future growth.

Option 2:
Herington is focused on supporting its citizens to live, work and be active in their community.
Herington is centrally located, inclusive and provides reliable and quality services.
Herington pursues opportunities to better our community with transparency.
Herington continues embracing its past while pursuing our future.
Herington encourages and assists with future business growth.

Option 3:
Herington is focused on supporting its citizens to live, work and be active in their community.
Herington is centrally located, inclusive and provides reliable and quality services.
Herington will pursue opportunities to better our community with transparency.
Herington will continue embracing its past while pursuing our future.
Herington will encourage and assist with future business growth.

I present these top options for both the **Mission and Vision Statement** as the recommendation of the appointed ad hoc committee to the City Commission of the City of Herington for their review and collective consideration.

Respectfully submitted,

Eric Gares
Mayor for the City of Herington, Kansas