

**CITY OF HESSTON
CITY COUNCIL MEETING**

MINUTES of November 14, 2022

Council Meeting No. 12

The regular meeting of the Hesston City Council was held on Monday, November 14, 2022, at 6:00 p.m. in the City Council Chambers at 110 E. Smith Street.

PRESENT

Council members Larry Fuqua, Michael Wallace, Brad Unruh, Susan Swartzendruber, and Clare Moore, City Administrator Gary Emry, City Attorney J.T. Klaus, and City Clerk Jason Thrasher with Mayor David Kauffman presiding. A quorum was present.

OTHERS PRESENT

Brad and Aurelia Heppner and Derek Fletcher with Ben: The Beneficent Company Group (via Zoom), Greg Ezell with Beneficent, Keith Martens, Phil and Kami Regier with Ben / The Heartland Foundation, Denise Goevert, Jim Brenneman with The Heartland Foundation, Harvey County Economic Development Director Beth Shelton, Police Chief Chris Eilert, Public Works Superintendent Scott Robertson, Fire/EMS Director Russ Buller, Hesston Chamber of Commerce Director Megan Smith, Blake Spurney and Adam Strunk with Harvey County Now / The Hesston Record.

ADDITIONS TO THE AGENDA

Mayor Kauffman asked if there were any additions to the agenda. Hearing none he proceeded to the next item of business.

CONSENT AGENDA

Brad Unruh moved to approve the consent agenda as presented. Clare Moore seconded. Motion carried 5-0.

CONSTITUENCY COMMENTS

Mayor David Kauffman opened the floor for constituency comments. Hearing none he moved on to the next item of business.

NEW BUSINESS

BENEFICIENT BRIEFING

Brad Heppner and Derek Fletcher with The Beneficent Company Group were present via Zoom to provide an update on the company's success in meeting certain regulatory requirements needed to operate a TEFPI (Technology-Enabled Financial Fiduciary) in Kansas.

Beneficent sponsored the TEFPI Act legislation which allows for alternative asset investments that generate economic growth contributions that will be used to spur economic activity in rural Kansas communities. Beneficent has chosen Hesston as the recipient of the economic growth contributions generated through their TEFPI with The Heartland Foundation Board overseeing the use of the funds. Mr. Heppner reported that The Heartland Foundation Board has received approximately \$15.2M in funding for the benefit of Hesston.

Greg Ezell with Beneficent was present to provide the Council with audited financial statements of The Heartland Foundation.

Denise Goevert with the Heartland Foundation Board was present to brief the Council on progress made on the grocery store initiative, which includes a tentative agreement with a grocery store owner / operator, and a location and preliminary design of an 18,000 sq. ft. grocery store located on the east side of the 100 block of Main Street.

Mr. Ezell requested that the City approve a (MOU) Memorandum of Understanding with White's Foodliner to operate and manage a grocery store in Hesston, further he requested that the City provide free utilities to the grocery store building and approve a property tax abatement. The MOU would be considered at a future meeting.

IDEATEK EASEMENT REQUEST

Clare Moore moved to approve and authorize Mayor Kauffman to sign an easement, after a review by legal, that would allow Ideatek to place fiber network and a natural gas generator equipment at the city water tower parcel located at 413 W. Lincoln Blvd. Larry Fuqua seconded. Motion carried 5-0.

CITY SHOP GENERATOR PURCHASE

Clare Moore moved to approve the purchase and installation of a generator for the city shop from Kansas Electric in the amount of \$50,750 with the funds coming from the Utility Maintenance Reserve Fund. Brad Unruh seconded. Motion carried 5-0.

STREET DEPARTMENT TRUCK PURCHASE

Brad Unruh moved to approve the purchase of a F-350 Supercab pickup truck from Midway Motors in the amount of \$50,539 and a Utility Bed from Midwest Truck Equipment in the amount of \$15,625 with the funds coming from the Street Department Equipment Reserve. Michael Wallace seconded. Motion carried 5-0.

COUNCIL / STAFF WORK SESSION

It was the consensus of the Council to set Tuesday, December 13th from 6:00 a.m. to 10:00 a.m. in the Council Chambers to hold a Council / Staff Work Session.

BOARD AND COMMITTEE APPOINTMENTS

Brad Unruh moved to approve the Mayoral appointment of Grady Pauls to serve another term on the Hesston Recreation and Community Education Board. The term would run January 2023 to December 2026. Susan Swartzendruber seconded. Motion carried 5-0.

EXECUTIVE SESSION #1

At 7:10 p.m. Brad Unruh moved to enter into an executive session for 30 minutes pursuant to the exemption related to confidential data relating financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships (K.S.A. 75-4319(b)(4)) to consult with the city attorney. The open meeting would resume in the city council chambers at 7:40 p.m. with those present in the executive session being the Mayor, City Council, City Administrator, City Attorney, and Harvey County EDC Director Beth Shelton. Clare Moore seconded. Motion carried 5-0.

At 7:40 p.m. the regular session resumed with no binding action taken during the session.

At 7:45 p.m. Clare Moore moved to enter into an executive session for 15 minutes pursuant to the exemption related to confidential data relating financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships (K.S.A. 75-4319(b)(4)) to consult with the city attorney. The open meeting would resume in the city council chambers at 8:00 p.m. with those present in the executive session being the Mayor, City Council, City Administrator, City Attorney, and Harvey County EDC Director Beth Shelton. Clare Moore seconded. Motion carried 5-0.

At 8:00 p.m. the regular session resumed with no binding action taken during the session.

EXECUTIVE SESSION #2

At 8:00 p.m. Michael Wallace moved to enter into an executive session for 10 minutes pursuant to the exemption related to attorney client privilege (K.S.A. 75-4319(b)(2)) to consult with the city attorney. The open meeting would resume in the city council chambers at 8:10 p.m. with those present in the executive session being the Mayor, City Council, City Administrator, and City Attorney. Larry Fuqua seconded. Motion carried 5-0.

At 8:10 p.m. the regular session resumed with no binding action taken during the session.

Larry Fuqua made a motion that the City engage the City Attorney's firm of Triplett Woolf Garretson, LLC to proceed with the filing of the petition in Harvey County District Court to quiet title in the U.S. 81 Highway Right-of-way triangle generally located between said highway and Lancaster Avenue immediately to the North of Knott Street. Clare Moore seconded. Motion carried 5-0.

ADJOURN MEETING

At 8:16 p.m. Clare Moore moved to adjourn the meeting. Susan Swartzendruber seconded. Motion carried 5-0.

Recorded by
Jason Thrasher
City Clerk