

**CITY OF HESSTON
CITY COUNCIL MEETING**

MINUTES of November 13, 2023

Council Meeting No. 14

The regular meeting of the Hesston City Council was held on Monday, November 13, 2023, at 6:00 p.m. in the City Council Chambers at 110 E. Smith Street.

PRESENT

Council members Larry Fuqua, Michael Wallace (via phone), 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.

ABSENT

None

OTHERS PRESENT

Fire and EMS Director Russ Buller, Police Chief Chris Eilert, Library Director Jackie Nelson, Adam Strunk with Harvey County Now.

ADDITIONS TO THE AGENDA

Mayor Kauffman asked if there were any additions to the agenda.

City Administrator Emry stated he had no additions but indicated that the Heartland Foundation agenda item would not be taken up at this meeting.

Mayor Kauffman made the change to the agenda and moved on 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 Kauffman opened the floor for constituency comments.

Hearing none he moved on to the next item of business.

ORDINANCES AND RESOLUTIONS

CHARTER ORDINANCE NO. 140-2023-041

City Administrator Emry stated that the Charter Ordinance was passed on August 14th and published in the newspaper on August 24th and 31st. City Administrator Emry stated that he was aware that a protest petition was circulated. City Attorney Klaus reported that the Kansas Constitution plainly states that the Charter Ordinance does not become effective if a valid protest petition is filed in the office of the city clerk within the 60-day protest period. City Attorney Klaus reported that the Kansas Constitution made it clear that a protest petition should be filed in the office of the city clerk. City Attorney Klaus further explained that the filing of a petition would be necessary to authorize the City Council to call a referendum vote on the protested ordinance. City Clerk Thrasher confirmed that he did not receive any protest petition within the protest period and acknowledged that, to date, no one has actually filed a petition in his office. City Attorney Klaus stated that he was unaware of the reasons why the petition was not filed with the City Clerk. Nonetheless, since a petition had not been filed in the city clerk's office, or even with any other City office or City official within the protest period, under Kansas law, the City was not authorized by law to call an election. Thus, a referendum election on this Charter Ordinance cannot now be legally called, and the Charter Ordinance is valid and in effect.

NEW BUSINESS

BENEFICENT HEARTLAND FOUNDATION PRESENTATION-PROPOSAL

This item was removed from the agenda.

STRATEGIC PLAN PROPOSAL

Clare Moore moved to approve the agreement with Woodbury Associates in the amount of \$13,000 to facilitate the development of the 2025-2029 Strategic Plan. Larry Fuqua seconded. Motion carried 5-0.

EXPIRING BOARDS AND COMMITTEES

This item was for information only with no action taking place.

ADJOURN MEETING

At 6:15 p.m., Clare Moore moved to adjourn the meeting. Michael Wallace seconded. Motion carried 5-0.

Recorded by
Jason Thrasher
City Clerk