

**SPECIAL MEETING AGENDA**  
**October 29,2021**  
**9:00AM**

1. Pledge of Allegiance
  
2. Call to Order
  
3. Discuss and Action on Resolution - **A RESOLUTION GRANTING TEMPORARY EXEMPTION FROM THE REQUIREMENTS OF CHAPTER 3, ARTICLE II, SECTION 3-204 PROHIBITING CONSUMPTION**

Motion \_\_\_\_\_ Seconded \_\_\_\_\_ Motion \_\_\_\_\_  
Commissioner Castleberry, Commissioner Donahue, Commissioner Bell  
Commissioner Hartman, Mayor Urbanek

4. Adjourn

Motion \_\_\_\_\_ Seconded \_\_\_\_\_ Motion \_\_\_\_\_  
Commissioner Castleberry, Commissioner Donahue, Commissioner Bell  
Commissioner Hartman, Mayor Urbanek

**PUBLIC ATTENDANCE OF CITY COMMISSION MEETINGS BY TELECOMMUNICATION IS ENCOURAGED.**

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**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION GRANTING TEMPORARY EXEMPTION FROM THE REQUIREMENTS OF CHAPTER 3, ARTICLE II, SECTION 3-204 PROHIBITING CONSUMPTION OF ANY ALCOHOLIC LIQUOR OR ENHANCED CEREAL MALT BEVERAGE ON PUBLIC PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF HERINGTON, DICKINSON COUNTY KANSAS.**

**WHEREAS**, the City of Herington, Kansas generally prohibits consumption of alcoholic liquor or enhanced cereal malt beverages on public property within the city limits; and,

**WHEREAS**, the Governing Body desires to allow for temporary exemptions from such a general prohibition by resolution lawfully approved by majority vote of the governing body; and,

**WHEREAS**, the Governing Body has received a request for exemption for a public event to be held on city property and deems it appropriate to allow for a temporary exemption.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF HERINGTON, KANSAS:**

1. The Governing Body hereby finds that a temporary exemption should be granted for sale, possession, and consumption of any cereal malt beverage including enhanced cereal malt beverages defined as having an alcohol concentration of no more than 6.0% by volume and alcoholic liquor, on certain public property identified in paragraph 2 of this resolution.
2. The exemption shall apply only to a clearly defined, fenced or marked and secure area of public roadway, common areas, and public property at Broadway Avenue from Main Street to Day Street in the City of Herington, Kansas and within the city limits of the City of Herington, Kansas. Such defined area and the surrounding security barriers shall be approved in advance by the Herington City Manager and/or the Herington Police Chief.
3. The exemption for the area at Broadway Avenue from Main Street to Day Street in the City of Herington, Kansas shall be allowed on October 30<sup>th</sup>, 2021 from two o'clock (2:00) o'clock p.m. until nine o'clock (9:00) p.m., at which time such temporary street closure shall expire by its own term.

4. The exemption for the area at Broadway Avenue from Main Street to Day Street in the City of Herington, Kansas shall be allowed on October 30<sup>th</sup>, 2021 from two o'clock (2:00) o'clock p.m. until nine o'clock (9:00) p.m., at which time such temporary street closure shall expire by its own term.
5. All necessary permits authorizing the sale, possession, and consumption of any cereal malt beverage including enhanced cereal malt beverages defined as having an alcohol concentration of no more than 6.0% by volume, as well as alcoholic liquor, shall be timely applied for and granted by the appropriate licensing agency in advance of the noted date herein as a precondition for award of this exemption.

**ADOPTED AND APPROVED** by the Governing Body of the City of Herington, Dickinson County, Kansas this \_\_\_\_ day of October, 2021.

\_\_\_\_\_  
Debi Urbanek, Mayor

ATTEST:

\_\_\_\_\_  
Megan Lawrenz, City Clerk