

**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 4, 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 September 20, 2022
- b. Special City Commission Meeting Minutes September 23, 2022
- c. Resignation of Mackenzie Langley from the CVB Board

Motion \_\_\_\_\_ Seconded \_\_\_\_\_ Action \_\_\_\_\_  
Commissioner Castleberry, Commissioner Bell, Commissioner Urbanek,  
Commissioner Donahue, Mayor Gares

7. Police Update

8. Fire Update

9. Neighborhood Services Update

10. Discussion on the Mud Run with Robert Hood

11. Discussion on FRE and Community Assistance

12. Discuss and Action to Approve Street Bid for 2<sup>nd</sup> Street Between Walnut and Main Street for \$126,700 from PP&J Construction

Motion \_\_\_\_\_ Seconded \_\_\_\_\_ Action \_\_\_\_\_  
Commissioner Castleberry, Commissioner Bell, Commissioner Urbanek,

Commissioner Donahue, Mayor Gares

13. Discuss and Action on \$2 Rate Increase and Three-Year Contract Extension Addendum with M&K Trash

Motion \_\_\_\_\_ Seconded \_\_\_\_\_ Action \_\_\_\_\_  
Commissioner Castleberry, Commissioner Bell, Commissioner Urbanek,  
Commissioner Donahue, Mayor Gares

14. Discuss and Action on Ordinance 1875, and authorize the mayor's signature

Motion \_\_\_\_\_ Seconded \_\_\_\_\_ Action \_\_\_\_\_  
Commissioner Castleberry, Commissioner Bell, Commissioner Urbanek,  
Commissioner Donahue, Mayor Gares

15. Discuss and Action on \$12,000 Contract with Charge Point for Electric Vehicle Charger with 100% Reimbursement from the CVB

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: 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
- 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](mailto:cityoffice@cityofherington.com)**

**Regular Meeting  
September 20, 2022  
6:00 p.m.**

The Herington City Commissioners met on the above date and time in the commission chambers at city hall. In attendance were Mayor Eric Gares, Commissioner Vance Donahue, Commissioner Debi Urbanek, and Commissioner Robbin Bell. Absent was Commissioner Castleberry. Also in attendance were City Manager Branden Dross, City Attorney Brad Jantz, City Clerk Megan Lawrenz, Sharon Kolanowski, Mark Will, Kent Campbell, Carl Urbanek, Pam Dalton, Brandy Sensmeier and Karen Soliz.

The meeting opened with the pledge of allegiance.

Mayor Gares called the meeting to order.

Public Forum – Karen Soliz – Ladies Night Out – October 8 from 6 to 9pm to showcase the community and regain normalcy after covid, several downtown businesses participating.

Additional Agenda Items – Add 12a Discussion regarding Ordinance 1875 – Regarding Bonds.

Approval of Agenda – Commissioner Bell made a motion to approve the agenda with the addition of 12a, seconded by Commissioner Donahue. Motion carried 4-0.

Consent Agenda – Commissioner Urbanek made a motion to approve the consent agenda with the minutes from the September 6, 2022, meeting, seconded by Commissioner Donahue. Motion carried 4-0.

Open Public Hearing for the Right of Way Vacation for McClaren Lots 1 & 2 – Opened at 6:05pm.

Close Public Hearing – The public hearing closed at 6:09pm.

Consideration of Vacation of McClaren Lots 1 & 2 Right of Way Property Acquisition – Commissioner Urbanek made a motion to approve the vacation of McClaren Lots 1 & 2 right of way property acquisition and authorize the mayor's signature, seconded by Commissioner Bell. Motion carried 4-0.

Update on the Trick or Treat Event - Cynthia Naylor gave an update on trick or treat festivities for October 29, 2022. Trunk or Treat will be at Tripp Field.

Resolution 960 – A resolution making certain findings and authorizing the preparation and submission of an application to the Kansas Housing Resources Corporation (KHRC) – Ross Vogel and Kent Campbell spoke about having jobs that need to be filled, but there is not enough housing. Commissioner Urbanek made a motion to approve resolution 960 and authorize the mayor's signature, seconded by Commissioner Bell. Motion carried 4-0.

Resolution 961 – Temporary CMB exemption for the Herington Hospital Foundation Event at 108 W Main on Saturday, October 1, 2022, from 6:30 to 9:30 pm, and authorize the mayor's signature. Commissioner Urbanek made a motion to approve resolution 961 and authorize the mayor's signature, seconded by Commissioner Bell. Motion carried 4-0.

12a. Ordinance 1875 – Tabled at the last meeting, staff is still working to make the cost for bonds equitable.

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 open meeting to resume in the City Commission Chamber at 7:13 pm. Seconded by Commissioner Bell. Motion carried 4-0. The regular meeting resumed with no action taken.

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 open meeting to resume in the City Commission Chamber at 7:30 pm. Seconded by Commissioner Urbanek. Motion carried 4-0. The regular meeting resumed with no action taken.

City Manager Comments – Yesterday work at Herington Regional Airport was complete. There was talk about extending the runway out 500 feet, talked to KS Forestry who could use the airport as a drop site for water and fuel. Street work bids were opened yesterday for Main and Walnut on 2<sup>nd</sup> Street. Bids discussed at next meeting. M & K Trash may need \$1.00 increase in billing, hoping for another three-year contract. Branden gone Thursday through Monday, will have phone and email.

#### City Commission Comments

Commissioner Bell – Issues that the FAA had with the drag race, all items have been resolved. Wants a better system for work orders.

Commissioner Urbanek – Asked if the Herington Housing Authority Application was it submitted to the HHA Board for review?

Commissioner Donahue – Feels that the pool will generate more than \$55,000 in tax revenue. Brought up the safe routes to school, but feels sidewalks need to be a priority. Mentioned seeing air-patching on the streets.

Mayor Gares – Also wants to see safe walks happen. Branden has the application submitted, working on ways to get the matching funds, approximately \$200,000. KDOT connecting links – They do have the annexation on file, the price we would get for linear miles is minimal. Had two Ad Hoc Meetings for the mission/vision statement already, another meeting tomorrow. Oct 8-10<sup>th</sup> League Annual Conference.

Adjourn – Commissioner Urbanek made a motion to adjourn, seconded by Commissioner Donahue. Motion carried 4-0.

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Megan Lawrenz, City Clerk

**Special Meeting  
September 23, 2022  
6:00 p.m.**

The Herington City Commission met on the above date and time in the commission chamber at City Hall. In attendance were Mayor Eric Gares via phone, Commissioner Urbanek and Commissioner Bell. Also in attendance was City Clerk Megan Lawrenz. Absent were Commissioner Donahue and Commissioner Castleberry.

The meeting opened with the Pledge of Allegiance.

Mayor Gares called the meeting to order.

Commissioner Bell made a motion to approve Resolution 962 – 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 on September 24, 2022, from 10:00 am to 8:00 pm at the Herington Regional Airport and Authorize the mayor's electronic signature, seconded by Commissioner Urbanek. Motion carried 3-0.

Commissioner Bell made a motion to adjourn, seconded by Commissioner Urbanek. Motion carried 3-0.

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Megan Lawrenz, City Clerk

DRAFT



# THE CITY OF HERINGTON, KANSAS

P. O. Box 31 • 17 North Broadway • Herington, KS 67449

Telephone: (785) 258-2271 FAX: (785) 258-3552

May 16, 2012

Family Resource Center/Prairie Pantry

Herington, Kansas 67449

Dear Volunteers,

The City of Herington will support your endeavors of moving to a joint location on Broadway Street. This move will greatly enhance your ability to be more accessible and visual for the patrons of your services.

The City will sponsor a \$2,500 fund for your electric bill upon starting with completion of your projects approval. This gift will need to be asked for during the budget year by letter to the City Manager office so that the gift can be budgeted each year.

The City thanks you for your support and work your organizations provide to the public.

  
Ron Strickland Sr  
City Manager



# THE CITY OF HERINGTON, KANSAS

P.O. Box 31 • 17 North Broadway • Herington, KS 67449

Telephone: (785) 258-2271 FAX: (785) 258-3552

October 1, 2000

Atalie Thompkins  
Dickinson County Health Dept.  
515 N.E. 10<sup>th</sup>  
Abilene, KS 67410

RE: Office Space for the Family Resource Exchange (Herington)

Dear Mrs. Thompkins:

I have been asked to verify the City of Herington's in-kind contribution to the Family Resource Exchange. The City provides space and all utilities for the office located at 715 South Broadway. A fair value assessment would be \$300.00 per month.

Sincerely,

Matt Benoit  
Herington City Manager



# THE CITY OF HERINGTON, KANSAS

P.O. Box 31 • 17 North Broadway • Herington, KS 67449

Telephone: (785) 258-2271 FAX: (785) 258-3552

September 9, 1999

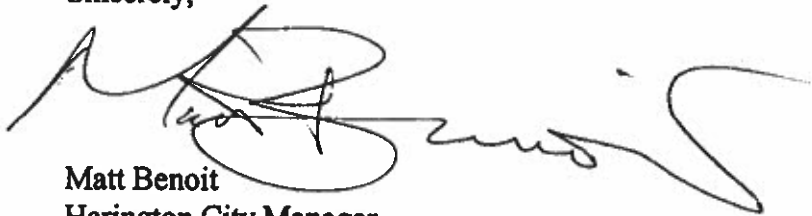
Ardith Hinkle  
Dickinson County Health Dept.  
515 N.E. 10th  
Abilene, KS 67410

RE: Office Space for the Family Resource Exchange (Herington)

Dear Mrs. Hinkle:

I have been asked to verify the City of Herington's in-kind contribution to the Family Resource Exchange. The City provides space and all utilities for the office located at 715 S. Broadway. A fair value assessment would be \$300.00 per month.

Sincerely,



Matt Benoit  
Herington City Manager

MBaf



176-286-3



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ARTICLES OF INCORPORATION

We, the undersigned, incorporators, hereby associate ourselves together to form and establish a corporation NOT for profit under the laws of the State of Kansas.

FIRST: The Name of the Corporation is: The Prairie Pantry, Inc.

000001 10 6380 11-26-70  
NEW CORPORATION  
10 05 75.00  
10 10000. TOTAL 1 75.00

SECOND: The location of its registered office in Kansas is 311 South First Street, Herington, Dickinson County, Kansas 67449, and the resident agent in charge thereof at such address is Daryl E. Hawkins.

THIRD: The Corporation is organized NOT for profit and the nature of its business or purposes to be conducted or promoted is:

A. To operate exclusively for religious and charitable purposes; to maintain and administer a program for charitable food and clothing donations; to maintain and administer a ministerial film library; to provide counseling under the auspices of the local ministerial alliance; and to engage in such other charitable activities consistent with and appropriate to the function of the organization.

B. To engage in any and all lawful activities incidental to the foregoing purposes, except as restricted herein.

C. The Corporation shall neither have nor exercise any power, nor shall it engage directly or indirectly in any activity that would invalidate its status (1) as a Corporation which is exempt from Federal Income Taxation as an organization described in Section 501 (c) (3) of the Internal Revenue Code of 1954, or (2) as a Corporation contributions to which are deductible under Section 170 (c) (2) of the Internal Revenue Code of 1954.

D. No part of the net income of the Corporation shall inure to the benefit of or be distributable to its members, Directors, officers or other private persons except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered.

E. No substantial part of the activities of the Corporation shall consist of carrying on propaganda or

KANSAS SECRETARY OF STATE  
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othelwise attempting to influence legislation; nor shall it in any manner or to any extent participate in (including the publishing or distributing of statements) any political campaign on behalf of any candidate for public office; nor shall the Corporation engage in any activity that is unlawful under the applicable federal, state or local laws.

F. Upon the dissolution of the Corporation, the Board of Directors shall, after paying or making provisions for the payment of all liabilities of the Corporation, distribute all assets of the Corporation exclusively for the purposes of the Corporation in such manner or to such organization or organizations organized and operated exclusively for religious and charitable purposes as shall at the time qualify as an organization or organizations described in Section 501 (c) (3) of the Internal Revenue Code of 1954 as the Board of Directors shall determine.

FOURTH: The Corporation shall not be authorized to issue capital stock.

FIFTH: The condition of membership shall be fixed by the By-Laws.

SIXTH: The names and mailing addresses of each incorporator is as follows:

John Herpich, RFD #1, Herington, Kansas 67449

Lester Trusty, 111 S. 10th St., Herington, KS 67449

John Hester, 419 S. "E" St., Herington, KS 67449

Alma Rowlands, 305 S. "E" St., Herington, KS 67449

Fran Otis, 516 E. Leweren, Herington, KS 67449

Charles Gardner, 7 S. "B" St., Herington, KS 67449

Clinton Rock, 1021 W. Walnut St., Herington, KS 67449

SEVENTH: The name and mailing address of each person who is to serve as a director until a successor is elected and qualified, is as follows:

John Herpich, RFD #1, Herington, Kansas 67449

Lester Trusty, 111 S. 10th St., Herington, KS 67449

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John Hester, 419 S. "E" St., Herington, KS 67449

Alma Rowlands, 303 S. "E" St., Herington, KS 67449

Fran Otis, 516 E. Lewerenz, Herington, KS 67449

Charles Gardner, 7 S. "B" St., Herington, KS 67449

Clinton Rock, 1021 W. Walnut St., Herington, KS 67449

EIGHTH: The Corporation shall have perpetual existence.

IN TESTIMONY WHEREOF, we have hereunto subscribed our names this 30<sup>th</sup> day of November, 1990.

John Herpich  
JOHN HERPICH

Lester Trusty  
LESTER TRUSTY

John E. Hester  
JOHN HESTER

Alma Rowlands  
ALMA ROWLANDS

Frances M. Otis  
FRAN OTIS

Charles Gardner  
CHARLES GARDNER

Clinton A. Rock, Jr.  
CLINTON ROCK

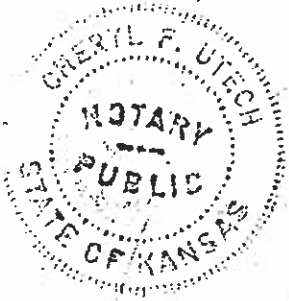
STATE OF KANSAS, COUNTY OF DICKINSON, SS:

Personally appeared before me, a notary public in and for Dickinson County, Kansas, the above named individuals, John Herpich, Lester Trusty, John Hester, Alma Rowlands, Fran Otis, Charles Gardner, and Clinton Rock, who are personally known to me to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal this 30<sup>th</sup> day of November, 1990.

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*Cheryl F. Utech*  
NOTARY PUBLIC

SEAL

My Appointment Expires: Aug. 28, 1992.

DRAFT  
KANSAS SECRETARY OF STATE  
NON-CERTIFIED WEB COPY  
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2017

100 Food Assist

\$3600 Barnes Vouchers

\$11987.56 Family Resource Exchange Funds

\$680 Catholic charities funds

\$100 hope center funds

\$1977.05 purchased Food from Kansas food bank

\*Distributed 8590 pounds of food

199 Adults

124 Children

131 family's

2018

113 Food Assist

\$3720 Barnes Vouchers

\$4773.65 Family Resource Exchange Funds

\$1450 Catholic charities funds

\$990 Hope Center funds

\$4167.33 purchased Food from Kansas food bank

\*Distributed 9322 pounds of food

228 adults

195 children

125 family's

2019

123 food assist

\$4332.40 Barnes Vouchers

\$10068.59 Family Resource Exchange Funds

\$970.61 Hope Center funds

\$4050.85 Catholic charities funds

\$100 SF

\$2829.95 purchased Food from Kansas food bank

\*Distributed 8940 pounds of food

484 adults

394 children

283 families

2020

403 Food assist

\$4310 Barnes voucher

\$5474.87 Family Resource Exchange Funds

\$3580.09 Catholic charities funds

\$107 Hope Center funds

\$6325.71 purchased Food from Kansas food bank

\*Distributed 9528 pounds of food

534Adults

585 Children

956 Families

DRAFT

2021

61 Food Assist

\$2250 Barnes Vouchers

\$12536.81 Family Resource Exchange Funds

\$1998.05 Catholic charities funds

\*Distributed 9128 pounds of food

362 adults

358 children

270 families

2022 ( these numbers are to date as we have not completed the year )

58 food assist

\$2124.54 Barnes Vouchers

\$4311.39 Family Resource Exchange Funds

\$817.12 Catholic charities funds

\$2399.35 purchased Food from Kansas food bank

\*Distributed 5800 pounds of food

133 adults

124 children

68 families

The above Family Resource funds are used to:

Purchase pool vouchers for children living in poverty

Pay utilities propane, gas and electric

Purchase bus passes for clients that do not have transportation

Dental care

Glasses

Prescription assistant

Gas to get back and forth to work

Rental assistance

Programs not listed above but that are also funded separable from Family Resource Exchange are :

Back to School

Seasonal Fans

Holiday meals

Free diapers and wipes for young families

Fresh Produce monthly

School support

Herington Hearts

Barnes shopping for the pantry

Family Resource Exchange helps clients apply for funding through other programs such as food stamps, Kshousing corp and LIEAP.

We work with other organizations to provide support for families in our community:

Dept. of Woman and children

Saint Francis

KSHousing corp

LIEAP

Catholic Charities

The Hope Center

Salvation Army

Community Foundation

We actively pursue grants to improve our community and the people that live in it.

DRAFT

## **City bids received for work on 2<sup>nd</sup> Street between the blocks of Walnut and Main Street September 19, 2022:**

**The bids were opened at 9:05 AM with the following present:**

**Chanda Wilson/ Deputy City Clerk**

**Leo Schlesener/ Water Production Department Head**

**Marcus Hawkes/ Street Department Head**

**Branden Dross/ City Manager**

**Bids were received from two companies:**

- 1. Vanco, VanNahmen Construction, Inc., Manhattan, KS**

**Contact: Shane Ehrlich**

**Bid Amount: \$177,710.60**

- 2. PP&J Construction, Inc., Wichita, KS**

**Contact: Jose A. Solis**

**Bid Amount: \$126,700.00**



# BID SHEET

Department: Street Dept. Head Marcus

Date: 9/19/22

Item description: 2nd St. Between Walnut & Main  
Replacement of Street & curb & gutter.

Vendor 1 Vanco

Phone: 785-320-1628 Contact person: Shane Ehrlich

Cost: 177,710.60

Vendor 2 PP&J

Phone: 316-871-3335 Contact person: Jose A Solis

Cost: 117,150.00 + up to 9550.00 depending on base work

Vendor 3 \_\_\_\_\_

Phone: \_\_\_\_\_ Contact person: \_\_\_\_\_

Cost: \_\_\_\_\_

Recommendation: \_\_\_\_\_

Bid Cost: \_\_\_\_\_

## **Interior Flatwork**

**NONE**

### **Interior Flatwork Notes**

- All slabs on grade to be 4000# standard weight mix design, reinforced per plan
- Thickened slabs at footings as shown
- 4" of ¾" clean rock for slab base
- 15 mil vapor Barrier
- Cure bid as spray applied

## **Site Concrete**

### **ADA ramps – 4 total LF**

- Sized and reinforced per plan

### **8" Paving – 78,605 SF**

- Control joints bid as sawcut
- Expansion joints per plan

### **Curb & Gutter – 350 LF**

- Control joint bid as sawcut
- Expansion joints per plan

### **Site Concrete Notes**

- All flatwork – 4000# mix design
- Flatwork to receive a medium broom finish
- No colored or decorative concrete included – none shown
- Grade work for exterior concrete to be within 0.1' by others before our commencement of work in those areas
- Excavation By VanNahmen Construction of the footings

**FIRST ADDENDUM TO THE CONTRACT FOR MUNICIPAL SOLID WASTE  
COLLECTION AND DISPOSAL**

**THIS FIRST ADDENDUM TO THE CONTRACT FOR MUNICIPAL SOLID WASTE COLLECTION AND DISPOSAL**, is made between the contracting parties, the City of Herington, Kansas, a municipal corporation, hereinafter the “City” and M & K Trash, a sole proprietorship, hereinafter referred to as “Company” on October 4<sup>th</sup>, 2022.

**W I T N E S S E T H:**

**WHEREAS**, the City and Company entered into a “**CONTRACT FOR MUNICIPAL SOLID WASTE COLLECTION AND DISPOSAL**,” dated the 17<sup>TH</sup> day of February, 2021; which shall, along with any agreements made thereunder, be hereinafter be referred to as the “Contract.”

**WHEREAS**, Company continues to provide the contracted for services or the Contract, and the parties desire to amend certain terms and conditions contained in the Contract.

**NOW, THEREFORE**, in consideration of the mutual promises and covenants contained herein, and parties hereto agree to the following amendments to the Contract.

1. **Henceforth, this Contract for the specified subject services shall be extended to terminate on January 31, 2026 under the terms and conditions currently existing in the Contract.**
2. **Until further notice, the existing charges for any billing for services per customer of any kind or character, shall be increased incrementally by a total amount of two dollars (\$2.00) per billing cycle.**
3. **All other terms and conditions of the Lease Agreement, not inconsistent herewith, shall remain in full force and effect and are ratified by the parties**

**including, specifically but not limited to, Paragraph 21 regarding Non-Appropriate of Funds.**

**IN WITNESS WHEREOF**, the parties have hereunto set their hands to the First Addendum ***CONTRACT FOR MUNICIPAL SOLID WASTE COLLECTION AND DISPOSAL*** on the day and year first above written.

CITY:  
CITY OF HERINGTON

COMPANY:  
M & K TRASH

\_\_\_\_\_  
By: Branden Dross, City Manager

\_\_\_\_\_  
By: Mike Walsh, Owner

Attest:

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

Published in the Dickinson County News - Times on \_\_\_\_\_, 2022.

**ORDINANCE NO. 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.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HERINGTON, KANSAS:**

**SECTION 1.** That Chapter 4, Article VIII, Section 4-803, be amended to read as follows:

**Sec. 4-803. - Bond.**

No permit to wreck, dismantle, or tear down any house, building or other structure shall be issued or granted until the owner or owners shall have filed with the City Clerk a bond in in the following categories shall be posted in advance by any applicant for permit:

1. A fifteen thousand dollar (\$15,000.00) bond, providing necessary assurance as specified herein, shall be maintained for any proposed demolition of 600 square feet or more for residential accessory structures and residential dwellings.
2. A twenty-five thousand dollar (\$25,000.00) bond, providing necessary assurance as specified herein, shall be maintained for any application for any proposed demolition of commercial, industrial, mercantile, church, or public structures.
3. Any applicant or contractor undertaking the proposed demolition covered by this ordinance and requiring a permit hereunder, shall be required to furnish

public liability insurance in the amount of not less than five hundred thousand dollars (\$500,000.00 or in lieu of bond.

4. No permit, bond, or attendant insurance imposed under this ordinance shall be required for any demolition contemplated for a proposed project involving a scope of work on a structure with no utilities and sewer service **under** a total square footage of six hundred (600) feet.

All bonds posted bond shall be signed by not less than two sureties to be approved by the City Manager or until, in the alternative, the owner or owners shall have paid to the City Clerk a cash deposit in an amount fixed by the City Manager. The bond or cash deposit shall be for protection of the city, the public, and adjacent lot owners and shall be to secure the payment of all damages of any kind or nature arising from the operations of wrecking, dismantling, or tearing down of the house, building, or other structure and to secure the strict compliance of the owner or owners and the person, firm, or corporation assisting in such operations with the provisions of this article regulating the wrecking, dismantling or tearing down of such house, building or other structure. A public liability insurance policy, issued by an insurance company authorized to do business in the State of Kansas, and conforming to this section may be permitted in lieu of bond.

**SECTION 2.** Existing Article VIII of Chapter 4, Section 4-803 is hereby repealed. All other sections of Chapter 4, Article VIII, shall remain in full force and effect.

**SECTION 3.** This ordinance shall become effective and in full force from and after its passage, adoption and publication one time in the official city newspaper, Dickinson County News - Times.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
ERIC GARES, MAYOR

ATTEST:

\_\_\_\_\_  
MEGAN LAWRENZ  
CITY CLERK

SEAL:

(785) 320-6128  
Landon@vancoconcrete.com



P.O. Box 1081  
Manhattan, KS 66505

The City of Herington  
17 North Broadway  
Herington, KS 67449

September,19 2022

Re: The City of Herington Street improvements \$ 177,710.60

We respectfully submit the following proposal to install new foundations, interior flatwork and site flatwork as described in the following Scope of Work. Estimate was compiled using the following construction documents:

Drawing's date – none  
Specifications none  
Addendum None

Attached is the proposed Scope of Work and our Estimate. Any changes made to the scope of work or listed construction documents could result in an increase or decrease in pricing. This **Estimate is valid for 10 days.**

VanNahmen Construction, Inc. makes no representation of existing site conditions and assumes no responsibility of the existing site conditions that may affect our work. Additional costs caused by rock/soil conditions, existing foundations, existing utilities or buried objects are not included in this proposal.

Thank you,

Shane Ehrlich  
Estimator / Project Manager  
VanNahmen Construction, Inc.  
Cell#: (785) 219-9695

## Proposed Scope of Work

### Building Concrete

#### Excavation

Excavation of building foundations – Footing Excavation Only

- Excavation to the depths shown on the plans
- Building pad to be at 8" below FFE before beginning excavations
- All surveying benchmarks and control points to be provided by GC
- Rock excavation is expressly excluded
- Spoils to be stockpiled on site, one time, in a location directed by the General contractor to be hauled off by others.

#### Foundations

NONE

DRAFT

#### Foundation Notes:

- All foundations to be 4000# concrete
- All footings to be earth formed, Excavating and using the sides off the trench for forms
- Anchor Bolt Sets – 0 bolts to be cast-in-place with foundations
  - Includes grouting of base plates after erection of structure steel
  - Anchor bolts and patterns to be provided by others
  - Layout of anchor bolts is included
- 2" rigid foam insulation installed as shown on interior face of perimeter footings
- Foundations per plan, over excavation or soil conditioning not included



### **Description of Winter Services**

Winter services are NOT included in our base bid. If winter services become necessary on a portion of the above scope, they will be charged as described below on a case-by-case basis agreed to by the GC.

Covering slabs with blankets, one layer - \$0.25/SF

- this includes (1 time each) covering subgrade, uncovering subgrade, covering placed concrete, uncovering placed concrete for slabs-on-grade. For the slabs-on-deck, this includes (1 time each) covering and uncovering placed concrete.
- Footing - \$0.50/LF

Concrete materials

- Hot water (November 1 thru March 31) - \$5.31 per CY
- Non-chloride accelerator (1% per CY) - \$6.19 per CY

Tenting and temporary heat – it will be installed, maintained and otherwise taken care of by the General Contractor.

If use of a ground thaw unit becomes necessary, the cost to rent, install, maintain and otherwise take Care of the unit will be the responsibility of the General contractor.



# ESTIMATE / CONTRACT

PPJ Construction Inc.  
3750 N Old Lawrence Rd.  
Wichita, KS. 67219  
Tel 316-871 3335  
Fax 316 831 0357

**DATE:** AUG 22 2022

**Job Location:** HERRINGTON KS  
**ATTN:** LEO  
**Address:** 2ND ST FROM MAIN TO WALNUT ST  
**Phone:**

Concept	Price(\$)	Notes
CURB AND GUTTER	\$14,750.00	COST TO SET FORMS AND POUR APROX 580 LN FT CURB AND GUTTER, 8 INCH THICK
CONCRETE WORK	\$98,000.00	COST TO GRADE AS NEED THE AREA OF APROX 10800 SQ FT SET FORMS AND POUR 8 INCH PAVING USING 4000 PSI CONCRETE, 12X6X4X4 WIRE MESH ON 4 INCH CHAIRS REINFORCEMENT MEDIUM BROOM FINISH AND CUT CONTROL JOINTS 12 FT APART MAXIMUM.
WCHR	\$4,400.00	COST TO INSTALL 4 WHEEL CHAIR RAMPS ADA COMPLIANCE.

**Subtotal** \$117,150.00  
**Tax**  
**Total** \$117,150.00

Net due upon receipt of invoice, after 30 days a late fee will be assessed at the maximum Legal rates on all the unpaid invoices. All materials guarantee to be as specified. All work to be performed in a workman like manner according to standard practices. Extra work or material will be charged on top of this proposal and must be written approval from both parties.

SIGNATURE \_\_\_\_\_  
JOSE A SOLIS

**ACCEPTANCE:**

The above prices, specifications and conditions are satisfactory and are accepted. You are hereby to do the work, as specified. Payments will be made as outlined above.

DATE \_\_\_\_\_ NAME \_\_\_\_\_  
SIGNATURE \_\_\_\_\_

**Inclusions:**

- All work listed in Scope of Work
- Concrete pump fees
- Layout and installation of anchor bolts
- Grouting of column baseplates
- Fine grading only of exterior flatwork

**Exclusions:**

- Demolition
- Corrosion inhibitor/MVRA 900
- Rock excavation
- Backfilling of foundations
- Light weight concrete
- Joint sealant
- All Hand rails
- Winter concreting materials or services
- Welded or mechanical splices for reinforcement
- Engineering or engineering fees
- Damp proofing, insulation or drainage system for foundations other than listed
- Concrete sealer or floor hardeners
- Fiber reinforcement
- Bond
- haul off or dump fees other than listed
- Testing or testing fees
- Bollard pipe, head walls, parking blocks, splash blocks, trench drains, catch basins or handrail material or installation other than listed
- Material or labor other than listed
- Hauling off of Dirt from Foundations



# ESTIMATE / CONTRACT

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**DATE: AUG 22 2022**

**Job Location:** HERRINGTON KS  
**ATTN:** LEO  
**Address:** 2ND ST FROM MAIN TO WALNUT ST  
**Phone:**

Concept	Price(\$)	Notes
TENSAR ROCK	\$38.00	COST PER TON TO SUPPLY HAUL AND INSTALL TENSAR ROCK FOR BASE ON THIS PROJECT..
		WROST CASE SENARIO THE WHOLE STREET WILL NEED APROX 250 TON FOR NEW BASE
		\$9,550.00

*Subtotal*  
*Tax*  
*Total*

DRAFT

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SIGNATURE \_\_\_\_\_  
JOSE A SOLIS

**ACCEPTANCE:**

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DATE \_\_\_\_\_ NAME \_\_\_\_\_  
SIGNATURE \_\_\_\_\_  
COMPANY \_\_\_\_\_