

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
March 19, 2024
6:00 p.m.**

1. Pledge of Allegiance

2. Call to Order

3. Public Forum

4. Approval of Agenda

Motion _____ Seconded _____ Action _____
Commissioner Naylor, Commissioner Scarff, Commissioner McDonald, Commissioner Bell,
Mayor Gares

5. Consent Agenda

- I. Minutes of the Regular Commission Meeting March 6, 2024
- II. Agreement for Mutual Aid between the Herington Fire Department DK202 and the City of Enterprise Fire Department DK305

6. Discussion on updating Charter Ordinance #19 on the Convention and Visitor Bureau, by reducing the number of members to 7 and expanding the qualifications to be a member -
ATTACHMENT PENDING

Motion _____ Seconded _____ Action _____
Commissioner Naylor, Commissioner Scarff, Commissioner McDonald, Commissioner Bell,
Mayor Gares

7. Department Head Reports

- a. Administrative
- b. Police Department
- c. Fire Department
- d. Neighborhood Services

8. Consider Purchase of new Truck for WWTF, Award Recommended Bid of \$48,169 to Valor Ford for a 2024 Ford F-250. Purchase will be split between Water Treatment and Wastewater Budgets

Motion _____ Seconded _____ Action _____
Commissioner Naylor, Commissioner Scarff, Commissioner McDonald, Commissioner Bell,
Mayor Gares

9. Consider Purchase of new Police Cruiser, Award Recommended Bid of \$56,306.79 to Superior Emergency Response Vehicles for a new 2024 Ford Police Interceptor. Purchase will be made from 2024 PD Vehicle Budget.

Motion _____ Seconded _____ Action _____
Commissioner Naylor, Commissioner Scarff, Commissioner McDonald, Commissioner Bell,
Mayor Gares

10. City Manager Comments

11. Commissioner Comments

12. Adjourn

Motion _____ Seconded _____ Action _____
Commissioner Naylor, Commissioner Scarff, Commissioner McDonald, Commissioner Bell,
Mayor Gares

To join the City Commission meetings from your computer, tablet, or smartphone, go to
<https://www.youtube.com/channel/UCbvSBw6l4w85XQHXS0S1BXg> Public Forum Comments can be
dropped in the deposit box or emailed to cityoffice@cityofherington.com.

**Regular Meeting
March 5, 2024
6:00 p.m.**

The Herington City Commission met on the above date and time in the Commission Chambers at City Hall. In Attendance were Mayor Eric Gares, Commissioner Robbin Bell, Commissioner Dan McDonald, Commissioner Dalton Scarff and Commissioner Cynthia Naylor. Also in attendance were City Manager Thatcher Moddie, City Attorney Brad Jantz, and City Clerk Megan Lawrenz. Also in attendance were Chris McDonald, Larry Mann, Rhonda Rice and Janet Wade.

The meeting opened with the pledge of allegiance.

Mayor Gares called the meeting to order.

Public Forum – None.

Approval of Agenda – Commissioner Naylor made a motion to approve the agenda, seconded by Commissioner McDonald. Motion carried 5-0.

Consent Agenda – Commissioner McDonald made a motion to approve the following consent agenda items: Minutes of the Regular Commission Meeting February 20, 2024, Appointment of Jennifer Fredrick to HHA, Planning Commission Minutes, Special Meeting December 21, 2023, Planning Commission Minutes, Regular Meeting Minutes January 23, 2024, seconded by Commissioner Bell. Motion carried 5-0.

Jessica Goodale with EDC – Casey’s announcement – Caseys will open on Thursday, Ribbon Cutting at 10am.

Update from Dennis Vahsholtz on status of Father P Disc Golf Park Updates – Dennis spoke about work that has been completed at Father Padilla Park to clean up and repair the disc golf course, and the addition of some new holes.

Discussion on expanding Lake Disc Golf Course through partnership with Discs Unlimited; 15-year lease for Western Course expansion – Commissioner consensus was to move forward with preparing an agreement.

Consider Final Real Estate Purchase Agreement with Krause Mechanical – Commissioner McDonald made a motion to approve the real estate contract as written and authorize the mayor’s signature, seconded by Commissioner Bell. Motion carried 5-0.

Update on Trailhead cleanup, Discussion on Secondary Trail Head at Father P Ball Fields – The Lawrenz’s should be done with their part of clean up by the end of the week. Staff will meet with KDWP in the next few months. There was discussion about what the city could do with the park in the future.

Discussion on Implementation of Neighborhood Revitalization Plan (Adopted 2021) – Staff is looking for a way to utilize this program more. Commissioners would like to see the program promoted on social media, website and flyers at City Hall.

Discussion on Development Plan for Tripp Field, North Park Amenities – The City Manager wanted to open discussion on what we can do with this property in the future.

Update on ROW Vacation Ampride, Public Hearing scheduled for April 2, 2024 – The City will need to vacate the entire street. Half to Ampride and half to the RV park. There will be a public hearing on April 2, 2024.

Update on April 5, 2024, Governing Body Retreat – Reminder to fill out questionnaire by March 15.

City Manager Comments – Received a grant match from KDOT for 170k for Airport lighting project. Rebuilding some screw pumps at the wastewater treatment plant. Caseys grand opening on Thursday. Working to repair the street sweeper and will get on schedule. Continuing to cold patch. Will work on tree trimming. Working on boat docks and ramps at the lake.

Commissioner Comments -

Commissioner Naylor – None

Commissioner Scarff – None

Commissioner McDonald – Asked when we plan to work on a CIP. Staff feels we should finish the Comp plan first.

Commissioner Bell – Asked about utility rates and said that the camper at the lake is gone.

Mayor Gares – Reminded the community that there is a blood drive in Herington on March 8th, at first Baptist church from 12-6.

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

Megan Lawrenz, City Clerk

DRAFT

AGREEMENT FOR MUTUAL AID IN FIRE PROTECTION

THIS AGREEMENT was made and entered into this 15th day of December, 2023 by and between **Herington Fire Department DK202** and **City of Enterprise Fire Department DK305**

WITNESSETH, THAT

WHEREAS, the aforementioned Fire Department are neighboring Fire Departments.

WHEREAS, there might arise in one of the said Fire Department's area, a fire disaster, or an emergency of such proportion as to require the assistance of the other in fighting said fire or handling said emergency or disaster, and,

WHEREAS, it is necessary to enter into a written contract for such services to protect the members of said Fire Department in the matter of pensions and personal injuries and insurance services, and to relieve the Department Heads and Members from personal liability, and

WHEREAS, this agreement is entered into virtue of K.S.A. Sec 12-111, (L1943) in the State of Kansas,

NOW, THEREFORE, in and for consideration of the mutual covenants between said Fire Departments, it is agreed that:

- 1) Said Fire Departments may respond to calls for help received from an officer in charge of the Fire Departments; provided, however that response is to be given only when the Fire Department called on for aid is not otherwise occupied, and only when the services of the responding company can be spared with a margin of safety; and provided further, that the Fire Departments agree not to call for such help unless the fire is beyond their ability to cope with, or unless its Fire Department is engaged in fighting another fire, or handling another disaster or emergency simultaneously, or unless another fire, disaster, or emergency has occurred and cannot be handled by that Fire Department.
- 2) Any dispatch of personnel and equipment pursuant to this agreement is subject to the following conditions:
 - (a) Any request for aid hereunder shall include the name of the officer initiating the request, a statement of the amount and type of equipment and number of personnel requested, and shall specify the location to which the equipment and number of personnel to be furnished shall be determined by the officer in charge of the responding Fire Department.

- (b) The responding Fire Department shall report to the officer in charge of the requesting Fire Department at the location to which the equipment is dispatched and shall be subject to the orders of that officer. The responding equipment and the responding personnel remain the employees of the responding department and shall not be considered the equipment or employee personnel of the requesting department, even though they are under the direction of the requesting department.
 - (c) Responding fire equipment and personnel shall be released by the requesting Fire Department when the services of the responding fire equipment and personnel are no longer required or when the responding fire equipment and personnel are needed within the area for which it normally provided fire protection.
- 3) The Fire Department which calls for aid shall not be liable for any personal injury, death, or property damage occurring to the answering Fire Department, or any Officer, Member, or Employee thereof.
 - 4) The other party shall reimburse no party for any costs incurred pursuant to this agreement.
 - 5) It is recognized that the interests herein are mutual and the contract is entered into the common good of the general public of the involved Fire Department, and for a strictly governmental purpose. Either Fire Department may cancel this agreement in writing.

IN WITNESS WHEREOF: the parties have hereunto set their hands the day and year written above:

Herington Fire Department DK202
700 South Broadway
Herington, KS 67449

Andrew Avantagito, Fire Chief
Herington Fire Department

City of Herington Mayor

City of Enterprise Fire Department DK305
103 East 2nd Street
Enterprise, KS 67441

John Vahsholtz, Fire Chief
City of Enterprise Fire Department

City of Enterprise Mayor

Published in the Dickinson County News – Times, on _____,
2024 and _____, 2024.

ORDINANCE NO.

A CHARTER ORDINANCE REVISING AND AMENDING, CHARTER ORDINANCE NO. 19 ADOPTED DECEMBER 2, 2003 EXEMPTING THE CITY OF HERINGTON, KANSAS, FROM THE PROVISIONS OF K.S.A. 12-1696 TO 12-16,101, INCLUSIVE, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT, RELATING TO CREATION OF A CONVENTION AND VISITOR BUREAU NOW CODIFIED IN THE HERINGTON CITY CODE IN CHAPTER 1, ARTICLE VI. CHAPTER 1 – ADMINISTRATION, ARTICLE VI – CONVENTION AND VISITOR BUREAU, SECTION 1-606 – CITY CONVENTION AND VISITOR BUREAU CREATED, OF THE CODE FOR THE CITY OF HERINGTON, KANSAS; SECTION 1-606 OF THE NOTED CHAPTER AND ARTICLE IS HEREBY AMENDED IN ITS ENTIRETY, TO REVISE AND REDUCE THE NUMBER OF ELECTORS MANDATED TO SERVE ON THE CITY OF HERINGTON CONVENTION AND VISITOR BUREAU FROM TEN (10) TO SEVEN (7) MEMBERS; TO CONFIRM THE COMPOSITION OF THE CITY OF HERINGTON CONVENTION VISITOR BUREAU MEMBERS AS TO RESIDENCY REQUIREMENTS FOR PERMISSIBLE MEMBERSHIP AND SERVICE ON THE CITY OF HERINGTON CONVENTION VISITOR BUREAU; AND REPEALING ANY AND ALL OTHER CURRENT ORDINANCES OR PORTIONS THEREOF IN CONFLICT HERewith.

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

SECTION ONE. REVISED SECTION.

That Chapter 1, Article VI, Section 1-606 shall be revised and amended in its entirety to reduce the number of electors serving on the City of Herington Convention Visitor Bureau from Ten (10) to Seven (7) members and to confirm the applicable jurisdictional limits permissible membership and service on the CITY OF HERINGTON CONVENTION VISITOR BUREAU within The Municipal Code Of The City Of Herington and shall hereinafter read as follows:

Sec. 9. – Convention Visitor Bureau Created.

There is hereby established a Convention Visitor Bureau for the City of Herington, Kansas, which shall consist of seven (7) Electors, each member of the Convention and Visitor Bureau shall be a representative of at least one of the following groups:

- a. Owners, operators, or employees of persons engaged in the hotel or motel business, long-and-short term online homestay businesses, whether such members reside inside or outside the city.
- b. Representatives from agencies or organizations actively engaged in promoting tourism, or from facilities or organizations of historic or cultural attraction in the city or its environs, whether such members reside inside or outside the city.
- c. Members of the public within city limits
- d. Employees of the city or members of other city boards or commissions
- e. Local business owners, who may reside personally outside of the City Limits.
- f. One member can reside outside of the City Limits, but must be within 3 miles of City Limits or in the USD 487 District
- g. One member can reside anywhere in Dickinson County and have a vested interest in Countywide tourism.
- h. One member of local or regional economic development boards may be eligible to serve.

In making appointments to the bureau, the City Manager or Mayor shall designate which group the appointed member is to represent. No more than four representatives from any one of the above groups shall be members of the committee at any time. The bureau shall hold regular meetings at a time and place to be established by them, subject to the approval of the Governing Body. All meetings shall be open to the public. The bureau shall elect a chairman and secretary, which shall also be the vice-chairman. No member of the bureau shall receive any compensation for service thereon. Any member who is absent for three consecutive regular meetings shall be deemed to have resigned, and a successor shall be appointed.

SECTION TWO. REVISION, REPLACEMENT, AND REPEAL.

Any prior versions of this Section are hereby revised and replaced with the language in Section 1 hereof, and any other current ordinances or portions thereof in conflict herewith are hereby repealed.

SECTION THREE. EFFECTIVE DATE.

This Ordinance shall be published, shall take effect and be in force from and after the publication of this Ordinance for two consecutive weeks in the official city newspaper, ***The Dickinson County News – Times***. This Charter Ordinance shall take effect 61 days after the final publication unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the ordinance as provided by Article 12,

Section 5, Subsection (c)(3) of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective upon approval by the majority of the electors voting thereon.

ADOPTED AND PASSED by the Governing Body of the City of Herington, Kansas on _____, 2024 and **APPROVED AND SIGNED** by the, now serving, Mayor of the City of Herington, Kansas.

Approved:

Eric Gares, Mayor, Herington, Kansas

ATTEST:

Megan Lawrenz, City Clerk

(Approved as to Form):

s/ Bradley D. Jantz

Bradley D. Jantz, Herington City Attorney

Herington, Kansas, this ____ day of March, 2024.

Published in the Dickinson County News – Times, on _____,
2024 and _____, 2024.

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Approved:

Eric Gares, Mayor, Herington, Kansas

ATTEST:

Megan Lawrenz, City Clerk

(Approved as to Form):

s/ Bradley D. Jantz

Bradley D. Jantz, Herington City Attorney

Herington, Kansas, this ____ day of March, 2024.



VALOR



1825 GOLDENBELT BLVD JUNCTION CITY, KS 66441 785-238-5114

March 11th, 2024

City of Herington
Wastewater Department
103 West Logan Ave.
Herington, Ks. 67449

Reference: Price for a truck for Wastewater Department.

Dear Commissioners,

We respectfully propose a price of \$48,169.00 for the acquisition of one (1) 2024 Ford F250 Regular Cab 4X4.

This offer stands as an outright purchase price and does not involve any trade-ins. Furthermore, should this offer be accepted, immediate delivery is assured.

For any inquiries or clarifications, please do not hesitate to reach out to Kenny Constable at 785-238-5114.

Thank you for your time and consideration of our dealership.

Warm regards,

Kenny Constable
Fleet Director
Valor Ford
Junction City, Ks. 66441

