

**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  
February 7, 2023  
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 McDonald, Commissioner Castleberry, Commissioner Urbanek  
Commissioner Gares, Mayor Bell

6. Consent Agenda

- i. Discuss and Action on the Minutes of the Regular Meeting January 17, 2023
- ii. Discuss and Action on the Minutes of the Special Meeting January 26, 2023
- iii. Discuss and Action to appoint David Kahle as Director 1 to serve on the board of directors for KMEA term to expire April 30, 2025

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

7. Open the Public Hearing for 315 S A St, Herington, KS 67449

7a. Discuss and Action as necessary for 315 S A St, Herington, KS 67449

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

7b. Close the Public Hearing

8. Open the Public Hearing for 507 N F St, Herington, KS 67449

8a. Discuss and Action as necessary for 507 N F St, Herington, KS 67449

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

8b. Close the Public Hearing

9. Open the Public Hearing for 211 N E St, Herington, KS 67449

9a. Discuss and Action as necessary for 211 N E St, Herington, KS 67449

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

9b. Close the Public Hearing

10. Open the Public Hearing for 117 W Main St, Herington, KS 67449

10a. Discuss and Action as necessary for 117 W Main St, Herington, KS 67449

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

10b. Close the Public Hearing

11. Open the Public Hearing for 112 W Main St, Herington, KS 67449

11a. Discuss and Action as necessary for 112 W Main St, Herington, KS 67449

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

11b. Close the Public Hearing

12. Police Update

13. Fire Update

14. Neighborhood Services Update

15. Discussion on Grant Opportunities

16. Discuss and Action on Temporary Rescue Truck Replacement

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

17. Discuss and Action on Resolution 972 Making Certain Findings and Authorizing the Preparation and Submission of an Application to the Kansas Housing Resources Corporation ("KHRC") to Facilitate Participation in the 2023 Kansas Moderate Income Housing Grant Program

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

18. Executive Session – I move that the Herington City Commission recess into Executive Session, pursuant to the consultation with an attorney on matters that would be deemed privileged in the attorney-client relationship exception K.S.A. 75-4319(b)(2) in order to discuss potential litigation to include the following:

- Governing Body
- Interim City Manager
- City Attorney
- City Clerk, if needed
- \_\_\_\_\_

With the open meeting to resume at \_\_\_\_\_.

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

19. City Manager Comments

20. Commissioner Comments

21. Adjourn

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

**To join the City Commission meetings from your computer, tablet, or smartphone, go to**  
<https://www.youtube.com/channel/UCbvSBw6l4w85XQHSX0S1BXg> Public Forum Comments can be  
dropped in the deposit box or emailed to [cityoffice@cityofherington.com](mailto:cityoffice@cityofherington.com).

**Regular Meeting  
January 17, 2023  
6:00 p.m.**

The Herington City Commission met on the above date and time in the commission chambers. In attendance were Mayor Robbin Bell, Commissioner Eric Gares, Commissioner Dan McDonald and Commissioner Debi Urbaneck via phone and Commissioner Castleberry. Also in attendance were Interim City Manager Andrew Avantagiato, City Clerk Megan Lawrenz, Neighborhood Services Director James Masters, Leo Schlesener and Christine McDonald.

The meeting opened with the pledge of allegiance.

Mayor Bell called the meeting to order.

Public Forum – None.

Additional Agenda Items – Strike agenda item 11. 12 will be 11 and changed to Executive Session for personnel matters of non-elected personnel exception 75-4319(b)(1) and add 6a. Water line at the lake.

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

Consent Agenda – Commissioner Gares made a motion to approve the following consent agenda items; Minutes of the Regular Meeting January 3, 2023, Minutes of the Special Meeting January 11, 2023, CMB Application for Family Dollar for 2023 and CVB Application for Rhonda Rice Term to Expire 1/31/2023, seconded by Commissioner Castleberry. Motion carried 5-0.

6a. Water Line at Lake – The city water line was tapped into and there are only a certain number of times the line can be tapped into, it could have been within the city managers preview to approve, but Mayor Bell thought that it should have come through the commission for approval. Staff to create an internal policy that all water line taps for the Hope line need to be approved by the commission.

Alley Maintenance between 10<sup>th</sup> and 11<sup>th</sup> Street, South of Walnut Street – Mayor Bell would like to double check with the city attorney to make sure that it is legal for the city to remove the asphalt and replace it with gravel like most of the other allies in Herington. Commissioners agreed to replace with gravel if approved by the city attorney.

Trailer Park Code Revisions – Commissioner Gares suggested this go to planning and zoning for discussion prior to city commission discussion. Commissioners agreed.

Vehicle for the Water Department – There were two vehicles available last week, however now there is only a GMC 2500 for \$56,785.00. Funds will be split between Sewer and Water Production, both budgeted 25k for vehicles, the remainder would be out of major equipment from water production. Commissioner Gares made a motion to approve the purchase of a GMC 2500 not to exceed \$57,000, seconded by Commissioner Castleberry. Motion carried 5-0.

Tanker Purchase for the Fire Department – Staff is moving forward with the AFG Grant after the procurement policy written and approved. The price has increased \$369,348. Originally when the cost was \$350,000, our share was \$16,666.66. Now, our share is \$36,014.66. There is money in the fire budget under capital improvement and major equipment. Commissioner Gares made a motion to approve the \$36,014.66, and authorize the mayor signature with staff review, seconded by Mayor Bell. Motion carried 5-0.

Executive Session – Mayor Bell made a motion that the Herington City Commission recess into executive session, pursuant to the personnel matters of non-elected personnel exception, K.S.A. 75-4319(b)(1) in order to discuss the city manager contract, governing body, interim city manager, and city clerk with the

open meeting to resume in the city commission chamber at 7:10 pm, seconded by Commissioner Gares. Motion carried 5-0. The regular meeting resumed with no action taken.

11a. Agenda item 11a was added to discuss setting a date for a special meeting for city manager recruitment on February 22, 2023, at 6:00.

City Manager Comments – We have someone to lease the airport restaurant, working on the contract now: should be a seamless transition. The broken boat dock was removed today, looking for grant opportunities to replace it. Apartments – Lori has bids out for contractors and working with the insurance company to get a bid removed.

Commissioner Comments –

Commissioner McDonald – None.

Commissioner Castleberry – None.

Commissioner Urbanek – Appreciates Vinny.

Commissioner Gares – Census, the highest elected official is the only one who can certify census info. Tree is still down at 3<sup>rd</sup> and Trapp.

Mayor Bell – Land contract follow up. Waiting on Brad's revisions.

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

---

Megan Lawrenz, City Clerk

DRAFT

**Special Meeting  
January 26, 2023  
4:00 p.m.**

The Herington City Commission met on the above date and time. In attendance were Mayor Robbin Bell, Commissioner Eric Gares (via phone), Commissioner Debi Urbanek (via phone), Commissioner Ben Castleberry (via phone), Commissioner Dan McDonald (via phone), Interim City Manager Andrew Avantagiato, and City Clerk Megan Lawrenz.

The meeting opened with the Pledge of Allegiance

Mayor Bell called the meeting to order.

Comprehensive Plan with Updates and to Assign Duties to the Planning Commission as needed – Mayor Bell made a motion to turn the public hearing on the comprehensive plan over to the planning commission., seconded by Commissioner Urbanek. Motion carried 5-0.

Adjourn – Mayor Bell made a motion to adjourn, seconded by Commissioner Gares. Motion carried 5-0.

---

Megan Lawrenz, City Clerk

DRAFT



315 A ST

2-2-2023

Jm



*Resolution published twice weekly in the Dickinson County News Times on  
December 28, 2022 and January 4, 2023.*

**RESOLUTION NO. 965**

**A RESOLUTION OF THE CITY OF HERINGTON, KANSAS FIXING A TIME AND PLACE FOR SHOW CAUSE HEARING PURSUANT TO PURSUANT TO THE HERINGTON CITY CODE CHAPTER II, ARTICLE 3, SECTION 2-306 ET. SEQ. ADOPTED BY THE CITY OF HERINGTON, KANSAS.**

**WHEREAS**, the City of Herington, Kansas is authorized to cause the repair or removal of certain structures located within the City which may have become unsafe or dangerous.

**WHEREAS**, an updated inspection report has been received by the duly authorized building inspector for the City of Herington, Kansas and filed with the City of Herington on October 18, 2022, referencing possible unsafe or dangerous conditions of multiple structure(s) including two residential structures, as well as an accessory structure garage and lean to storage structure, on property which is located within the City of Herington, Kansas described as follows:

**Legally described as follows:**

**Lots 13, 15 and the West 42' of Lots 17 and 19, Block 52, Original Town of Herington, Dickinson County, Kansas.**

**Commonly known by Street Address as:**

**315 S. A Street, Herington, Kansas, 67449 and**

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

That the Governing Body has, pursuant to Herington City Code Chapter II, Article 3, Section 2-306 et.seq., as duly adopted by the City of Herington, Kansas, hereby authorized the fixing of a time and place for hearing at which the owner, her agent, any lienholders of record, and any occupant of such multiple structure(s) including residence(s), certain accessory structures including, but not limited to a garage and open storage building may appear and show cause why such structure(s) should not be condemned and ordered repaired or demolished. The time and place of hearing is hereby established as February 7, 2023 at 6 p.m. or as soon thereafter as is practicable at the Herington City Hall, 17 N. Broadway, Herington, Kansas 67449.



**BE IT FURTHER RESOLVED:**

That a copy of this resolution shall be published once each week for two (2) consecutive weeks on the same day of each week. A copy of this resolution shall be mailed by certified mail within three (3) days after its publication to each owner, agent, lienholder and occupant at his, her, or its last known address and that any owner who is a Kansas resident shall be personally served with three (3) days after publication in lieu of mailing the same.

**ADOPTED AND APPROVED** by the Governing Body of The City of Herington, Dickinson County, Kansas this 18<sup>TH</sup> day of October, 2022.

s/Eric Gares  
Eric Gares, Mayor

DRAFT

ATTEST:

s/Megan Lawrenz  
Megan Lawrenz, City Clerk

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jeremiah Patrick Wollet  
 Kerissa Lea Harlow-Wollet  
 405 E Stockholm St  
 White City, KS 66872



9590 9402 7094 1251 5490 61

2. Article Number (Transfer from service label)

7017 2620 0000 7948 4276

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

J. Wollet

C. Date of Delivery

1-3

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

7017 2620 0000 7948 4276

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
 Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee	4.00
Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ 3.25
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	0.57
Total Postage and Fees	7.82

Postmark Here

Sent To  
 Jeremiah Wollet + Kerissa Harlow-Wollet  
 Street and Apt. No., or PO Box No.  
 405 E Stockholm St  
 City, State, ZIP+4®  
 White City, KS 66872

PROPERTY REPORT OF NEIGHBORHOOD SERVICES DIRECTOR

CITY COMMISSION MEETING DATE October 18, 2022

PROPERTY ADDRESS: 315 S A Street  
Herington, KS 67449

PROPERTY DESCRIPTION: HERINGTON, ORIGINAL TOWN, BLOCK 52  
LOTS 13, 15, W 42' LOTS 17 & 19, LESS R/W

PROPERTY OWNER: Jeremiah Patrick Wollet & Karissa Lea Harlow-Wollet  
405 E Stockholm St  
White City, KS 66872

RECOMMENDATION BY INSPECTOR: Demolition of Structures

2015 INTERNATIONAL PROPERTY MAINTENANCE CODE

108.1.5 - DANGEROUS STRUCTURE OR PREMISES

For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
5. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.
7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

Sincerely,



James Masters  
Neighborhood Services Director



507 N F ST

2-2-2023

(JM)



*Resolution published twice weekly in the Dickinson County News Times on December 28, 2022 and January 4, 2023.*

**RESOLUTION NO. 966**

**A RESOLUTION OF THE CITY OF HERINGTON, KANSAS FIXING A TIME AND PLACE FOR SHOW CAUSE HEARING PURSUANT TO PURSUANT TO THE HERINGTON CITY CODE CHAPTER II, ARTICLE 3, SECTION 2-306 ET. SEQ. ADOPTED BY THE CITY OF HERINGTON, KANSAS.**

**WHEREAS**, the City of Herington, Kansas is authorized to cause the repair or removal of certain structures located within the City which may have become unsafe or dangerous.

**WHEREAS**, an updated inspection report has been received by the duly authorized building inspector for the City of Herington, Kansas and filed with the City of Herington on October 18, 2022, referencing possible unsafe or dangerous conditions of an accessory structure garage which is located on property within the City of Herington, Kansas described as follows:

**Legally described as follows:**

**Lots 13 and 15 Block 3 Murrays Addition to the City of Herington, Dickinson County, Kansas.**

**Commonly known by Street Address as:**

**507 N. F Street, Herington, Kansas**

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

That the Governing Body has, pursuant to Herington City Code Chapter II, Article 3, Section 2-306 et.seq., as duly adopted by the City of Herington, Kansas, hereby authorized the fixing of a time and place for hearing at which the owner, her agent, any lienholders of record, and any occupant of such structure(s) may appear and show cause why such structure should not be condemned and ordered repaired or demolished. The time and place of hearing is hereby established as February 7, 2023 at 6 p.m., or as soon thereafter as is practicable at the Herington City Hall, 17 N. Broadway, Herington, Kansas 67449.

**BE IT FURTHER RESOLVED:**

That a copy of this resolution shall be published once each week for two (2) consecutive weeks on the same day of each week. A copy of this resolution shall be mailed by certified mail within three (3) days after its publication to each owner, agent, lienholder and occupant at his, her, or its last known address and that any owner who is a Kansas resident shall be personally served with three (3) days after publication in lieu of mailing the same.

**ADOPTED AND APPROVED** by the Governing Body of The City of Herington, Dickinson County, Kansas this 18<sup>TH</sup> day of October, 2022.

s/Eric Gares  
Eric Gares, Mayor

DRAFT

ATTEST:

s/Megan Lawrenz  
Megan Lawrenz, City Clerk

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Carl J + Teresa J Gehrke  
P.O. Box 106  
Ramona, KS 67475

**COMPLETE THIS SECTION ON DELIVERY**

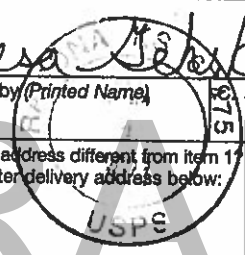
A. Signature  
*Teresa Gehrke*  Agent  Addressee

B. Received by (Printed Name) \_\_\_\_\_ Date of Delivery 1-4-2025

C. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below: \_\_\_\_\_

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Collect on Delivery Restricted Delivery	



DRAFT



2. Article Number (Transfer from service label)  
7017 2620 0000 7948 4320

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

7017 2620 0000 7948 4320

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

OFFICIAL USE

Certified Mail Fee	4.00
Extra Services & Fees (check box, add fees as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ 3.25
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____
Postage	0.57
<b>Total Postage and Fees</b>	<b>7.82</b>

Sent To  
*Carl J + Teresa J Gehrke*  
Street and Apt. No., or PO Box No.  
P.O. Box 106  
City, State, ZIP+4  
Ramona, KS 67475

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for instructions

Postmark Here

PROPERTY REPORT OF NEIGHBORHOOD SERVICES DIRECTOR

CITY COMMISSION MEETING DATE October 18, 2022

PROPERTY ADDRESS: 507 N F St  
Herington, KS 67449

PROPERTY DESCRIPTION: MURRAYS ADD, BLKS 2 & 3; BLOCK 3  
LOT 13 & 15

PROPERTY OWNER: Carl J & Teresa J Gehrke  
PO Box 106  
Romona, KS 67475

RECOMMENDATION BY INSPECTOR: Demolition of Structure

2015 INTERNATIONAL PROPERTY MAINTENANCE CODE

108.1.5 - DANGEROUS STRUCTURE OR PREMISES

For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half of the original designed value.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.
7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.

Sincerely,



James Masters  
Neighborhood Services Director





211 N E ST **RAFT** 2-2-2023 (Jm)



2/ 2/2023 10:55

*Resolution published twice weekly in the Dickinson County News Times on  
December 28, 2022 and January 4, 2023.*

**RESOLUTION NO. 964**

**A RESOLUTION OF THE CITY OF HERINGTON, KANSAS FIXING A TIME AND PLACE FOR SHOW CAUSE HEARING PURSUANT TO PURSUANT TO THE HERINGTON CITY CODE CHAPTER II, ARTICLE 3, SECTION 2-306 ET. SEQ. ADOPTED BY THE CITY OF HERINGTON, KANSAS.**

**WHEREAS**, the City of Herington, Kansas is authorized to cause the repair or removal of certain structures located within the City which may have become unsafe or dangerous.

**WHEREAS**, an updated inspection report has been received by the duly authorized building inspector for the City of Herington, Kansas and filed with the City of Herington on October 18, 2022, referencing possible unsafe or dangerous conditions of structure(s) including a residence, on property which is located within the City of Herington, Kansas described as follows:

**Legally described as follows:**

**Lot Eleven (11) and the North Fifteen (15) feet of Lot Thirteen (13), Block Seventy-five (75), Herington Company's Addition to the City of Herington, Dickinson County, Kansas.**

**Commonly known by Street Address as:**

**211 N. E Street, Herington, Kansas**

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

That the Governing Body has, pursuant to Herington City Code Chapter II, Article 3, Section 2-306 et.seq., as duly adopted by the City of Herington, Kansas, hereby authorized the fixing of a time and place for hearing at which the owner, her agent, any lienholders of record, and any occupant of such structure(s) may appear and show cause why such structure should not be condemned and ordered repaired or demolished. The time and place of hearing is hereby established as February 7, 2023, at 6 p.m., or as soon thereafter as is practicable, at the Herington City Hall, 17 N. Broadway, Herington, Kansas 67449.

**BE IT FURTHER RESOLVED:**

That a copy of this resolution shall be published once each week for two (2) consecutive weeks on the same day of each week. A copy of this resolution shall be mailed by certified mail within three (3) days after its publication to each owner, agent, lienholder and occupant at his, her, or its last known address and that any owner who is a Kansas resident shall be personally served with three (3) days after publication in lieu of mailing the same.

**ADOPTED AND APPROVED** by the Governing Body of The City of Herington, Dickinson County, Kansas this 18<sup>TH</sup> day of October, 2022.

s/Eric Gares  
Eric Gares, Mayor

ATTEST:

DRAFT

s/ Megan Lawrenz  
Megan Lawrenz, City Clerk

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Joseph Benjamin Willis  
409 Wisteria Ave  
Las Vegas, NV 89107



9590 9402 7094 1251 5490 23

2. Article Number (Transfer from service label)

7017 2620 0000 7948 4306

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

*[Handwritten Signature]*

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

1-3-2023

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

7017 2620 0000 7948 4306

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee \$ **4.00**

Extra Services & Fees (check box, add fees as appropriate)

- Return Receipt (hardcopy) \$ **3.25**
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage \$ **0.57**

Total Postage and Fees \$ **7.82**

Sent To **Joseph Benjamin Willis**  
Street and Apt. No., or PO Box No. **409 Wisteria Ave**  
City, State, ZIP+4® **Las Vegas, NV 89107**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7017 2620 0000 7948 4306

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee \$ **4.00**

Extra Services & Fees (check box, add fees as appropriate)

- Return Receipt (hardcopy) \$ **3.25**
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage \$ **0.57**

Total Postage and Fees \$ **7.82**

Sent To **James Willis**  
Street and Apt. No., or PO Box No. **1308 King St**  
City, State, ZIP+4® **Overland Park, KS 66213**

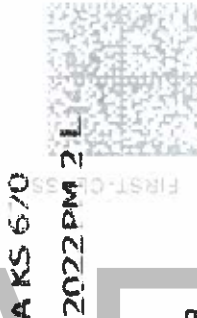
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Resolution Mailed to James Willis returned unopened.

62/01/1000 I 50 749 SIX IN  
 RETURNED TO SENDER  
 DRAWN OF 01 575VNU  
 ANONY - DETEMETTY  
 9590 9402 7094 1251 5490 16

RESOLUTION REPORT

US POSTAGE  
 ZIP 67449 \$ 007.82  
 0061185705 010 29 200



12 PM 2022  
 67449 KS 670

ETEH 8462 0000 0292 2102

James Willis  
 13108 King St  
 Overland Park, KS 66213

801844-61299  
 1800-697-73



THE CITY OF HERINGTON  
 PO Box 31  
 HERINGTON, KS 67449

CERTIFIED MAIL

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 James Willis  
 13108 King St  
 Overland Park, KS 66213

9590 9402 7094 1251 5490 16

COMPLETE THIS SECTION ON DELIVERY

- A. Signature  
 X
- B. Received by (Printed Name)
- C. Date of Delivery
- D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery

2. Article Number (Transfer from service label)  
 7017 2620 0000 7948 4313

Domestic Return Receipt

PS Form 3811, July 2020 PSN 7530-02-000-9053

PROPERTY REPORT OF NEIGHBORHOOD SERVICES DIRECTOR

CITY COMMISSION MEETING DATE October 18, 2022

PROPERTY ADDRESS: 211 N E Street  
Herington, KS 67449

PROPERTY DESCRIPTION: HERINGTON TWN CO ADDITION, BLOCK 75,  
LOT 11 & N 15' LOT 13

PROPERTY OWNER: Joseph Benjamin Willis IV, James A Willis & William W Willis  
211 N E Street  
Herington, KS 67449

RECOMMENDATION BY INSPECTOR: Demolition of Structure

**2015 INTERNATIONAL PROPERTY MAINTENANCE CODE**

**108.1.5 - DANGEROUS STRUCTURE OR PREMISES**

For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half of the original designed value.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.
7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

Sincerely,



James Masters  
Neighborhood Services Director



117 W. Main ST

2-2-2023 (JM)



*Resolution published twice weekly in the Dickinson County News Times on  
December 28, 2022 and January 4, 2023.*

**RESOLUTION NO. 968**

**A RESOLUTION OF THE CITY OF HERINGTON, KANSAS FIXING A TIME AND PLACE FOR SHOW CAUSE HEARING PURSUANT TO PURSUANT TO THE HERINGTON CITY CODE CHAPTER II, ARTICLE 3, SECTION 2-306 ET. SEQ. ADOPTED BY THE CITY OF HERINGTON, KANSAS.**

**WHEREAS**, the City of Herington, Kansas is authorized to cause the repair or removal of certain structures located within the City which may have become unsafe or dangerous.

**WHEREAS**, an updated inspection report has been received by the duly authorized building inspector for the City of Herington, Kansas and filed with the City of Herington on October 18, 2022, referencing possible unsafe or dangerous conditions of structures, on property which is located within the City of Herington, Kansas described as follows:

**Legally described as follows:**

**Lots Seventeen (17) and Nineteen (19), Block Thirty (30), Original Town of Herington, Dickinson County, Kansas.**

**Commonly known by Street Address as:**

**117 W. Main Street, Herington, Kansas**

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

That the Governing Body has, pursuant to Herington City Code Chapter II, Article 3, Section 2-306 et.seq., as duly adopted by the City of Herington, Kansas, hereby authorized the fixing of a time and place for hearing at which the owner, her agent, any lienholders of record, and any occupant of such structure(s) may appear and show cause why such structure should not be condemned and ordered repaired or demolished. The time and place of hearing is hereby established as February 7, 2023 at 6 p.m., or as soon thereafter as is practicable at the Herington City Hall, 17 N. Broadway, Herington, Kansas 67449.



**BE IT FURTHER RESOLVED:**

That a copy of this resolution shall be published once each week for two (2) consecutive weeks on the same day of each week. A copy of this resolution shall be mailed by certified mail within three (3) days after its publication to each owner, agent, lienholder and occupant at his, her, or its last known address and that any owner who is a Kansas resident shall be personally served with three (3) days after publication in lieu of mailing the same.

**ADOPTED AND APPROVED** by the Governing Body of The City of Herington, Dickinson County, Kansas this 18<sup>TH</sup> day of October, 2022.

s/Eric Gares  
Eric Gares, Mayor

DRAFT

ATTEST:

s/Megan Lawrenz  
Megan Lawrenz, City Clerk

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Rex A Hay  
104 Main St  
Smolan, KS 67456



9590 9402 7094 1251 5489 96

2. Article Number (Transfer from service label)

7017 2620 0000 7948 4337

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X by Rex Arthur; Hay  Agent  
 Addressee

B. Received by (Printed Name)

by Rex Arthur; Hay  Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery
- Priority Mail Express®

7017 2620 0000 7948 4337

**U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT**

Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee

\$ 4.00

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ 3.25
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage

\$ 0.57

Total Postage and Fees

\$ 7.82

Sent To

Rex A Hay  
104 Main St  
Smolan, KS 67456

Postmark  
Here

PROPERTY REPORT OF NEIGHBORHOOD SERVICES DIRECTOR

CITY COMMISSION MEETING DATE October 18, 2022

PROPERTY ADDRESS: 117 W Main ST  
Herington, KS 67449

PROPERTY DESCRIPTION: HERINGTON (BLK 118-131), BLOCK 30  
LOTS 17 & 19, LESS R/W

PROPERTY OWNER: Rex A Hay  
104 Main St  
Smolan, KS 67456

RECOMMENDATION BY INSPECTOR: Repair or Demolition of Structure

2015 INTERNATIONAL PROPERTY MAINTENANCE CODE

108.1.5 - DANGEROUS STRUCTURE OR PREMISES

For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.

Sincerely,



James Masters  
Neighborhood Services Director



112 W Main ST

2-2-2023

(SM)

DRAFT



*Resolution published twice weekly in the Dickinson County News Times on December 28, 2022 and January 4, 2023.*

**RESOLUTION NO. 967**

**A RESOLUTION OF THE CITY OF HERINGTON, KANSAS FIXING A TIME AND PLACE FOR SHOW CAUSE HEARING PURSUANT TO PURSUANT TO THE HERINGTON CITY CODE CHAPTER II, ARTICLE 3, SECTION 2-306 ET. SEQ. ADOPTED BY THE CITY OF HERINGTON, KANSAS.**

**WHEREAS**, the City of Herington, Kansas is authorized to cause the repair or removal of certain structures located within the City which may have become unsafe or dangerous.

**WHEREAS**, an updated inspection report has been received by the duly authorized building inspector for the City of Herington, Kansas and filed with the City of Herington on October 18, 2022, referencing possible unsafe or dangerous conditions of a structure, on property which is located within the City of Herington, Kansas described as follows:

**Legally described as follows:**

**Lots 16, 17, and 18, Block 19 in the City of Herington, Dickinson County, Kansas.**

**Commonly known by Street Address as:**

**112 W. Main Street, Herington, Kansas**

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

That the Governing Body has, pursuant to Herington City Code Chapter II, Article 3, Section 2-306 et.seq., as duly adopted by the City of Herington, Kansas, hereby authorized the fixing of a time and place for hearing at which the owner, her agent, any lienholders of record, and any occupant of such structure(s) may appear and show cause why such structure should not be condemned and ordered repaired or demolished. The time and place of hearing is hereby established as February 7, 2023 at 6 p.m., or as soon thereafter as is practicable at the Herington City Hall, 17 N. Broadway, Herington, Kansas 67449.

**BE IT FURTHER RESOLVED:**

That a copy of this resolution shall be published once each week for two (2) consecutive weeks on the same day of each week. A copy of this resolution shall be mailed by certified mail within three (3) days after its publication to each owner, agent, lienholder and occupant at his, her, or its last known address and that any owner who is a Kansas resident shall be personally served with three (3) days after publication in lieu of mailing the same.

**ADOPTED AND APPROVED** by the Governing Body of The City of Herington, Dickinson County, Kansas this 18<sup>TH</sup> day of October, 2022.

s/Eric Gares  
Eric Gares, Mayor

DRAFT

ATTEST:

s/Megan Lawrenz  
Megan Lawrenz, City Clerk

NAME: Robert L + Dawn D Harold

ADDRESS: 112 W Main St

REGARDING: Resolution on hearing for Feb 7, 2023

OFFICER'S RETURN

Received this writ on the 3<sup>rd</sup> day of January, 202~~2~~<sup>3</sup> and served the same on the above-named Defendant on the 3<sup>rd</sup> day of January, 202~~2~~<sup>3</sup> by

Delivering a copy to Defendant, personally Dawn D. Harold

Leaving a copy with \_\_\_\_\_, a person of suitable age and discretion then residing at Defendant's dwelling, house, or usual place of abode

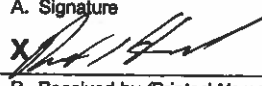

Mailing a copy to Defendant at Defendant's last known address, as follows: \_\_\_\_\_

Defendant not found

James Masters

James Masters  
Neighborhood Services Director

The City of Herington

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature   <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p>	
1. Article Addressed to:	B. Received by (Printed Name) Robert L. Harold	C. Date of Delivery 1-7-28
Robert L + Dawn D Harold P.O. Box 73 Woodbine, KS 67492	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
 9590 9402 7094 1251 5490 47	3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Mail Restricted Delivery	
2. Article Number (Transfer from service label) 7017 2620 0000 7948 4283		

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

7017 2620 0000 7948 4290

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.	
<b>OFFICIAL USE</b>	
Certified Mail Fee \$ 4.00	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ 3.25	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$ 0.57	
Total Postage and Fees \$ 7.82	
Sent To First National Bank of Hope Street and Apt. No., or PO Box No. 112 N. Main St City, State, ZIP+4® Hope, KS 67451	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7017 2620 0000 7948 4283

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.	
<b>OFFICIAL USE</b>	
Certified Mail Fee \$ 4.00	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ 3.25	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$ 0.57	
Total Postage and Fees \$ 7.82	
Sent To Robert L + Dawn D. Harold Street and Apt. No., or PO Box No. P.O. Box 73 City, State, ZIP+4® Woodbine, KS 67492	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



Tracking Number:

[Remove X](#)

## 70172620000079484290

[Copy](#)

[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

### Latest Update

Your item was picked up at the post office at 8:42 am on January 3, 2023 in HOPE, KS 67451.

### Get More Out of USPS Tracking:

[USPS Tracking Plus®](#)

#### Delivered

**Delivered, Individual Picked Up at Post Office**

HOPE, KS 67451

January 3, 2023, 8:42 am

#### Available for Pickup

HOPE, KS 67451

December 31, 2022, 9:15 am

#### Departed USPS Regional Facility

WICHITA KS DISTRIBUTION CENTER

December 30, 2022, 4:10 pm

#### Arrived at USPS Regional Facility

WICHITA KS DISTRIBUTION CENTER

December 29, 2022, 8:59 pm

#### Hide Tracking History

DRAFT

Feedback

**PROPERTY REPORT OF NEIGHBORHOOD SERVICES DIRECTOR**

**CITY COMMISSION MEETING DATE** October 18, 2022

**PROPERTY ADDRESS:** 112 W Main St  
Heringotn, KS 67449

**PROPERTY DESCRIPTION:** HERINGTON (BLK 19), BLK 19,  
LOT 16-18, LESS R/W

**PROPERTY OWNER:** Robert L and Dawn D Harold  
PO Box 73  
Woodbine, KS 67492

**RECOMMENDATION BY INSPECTOR:** Repair of Structure

**2015 INTERNATIONAL PROPERTY MAINTENANCE CODE**

**108.1.5 - DANGEROUS STRUCTURE OR PREMISES**

For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half of the original designed value.

Sincerely,



James Masters  
Neighborhood Services Director