

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
July 6, 2021
5:30 p.m.**

1. Pledge of Allegiance
2. Call to Order
3. Consider Minutes of the Regular Meeting June 15, 2021, and Special Meeting June 22, 2021

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Donahue, Commissioner Bell,
Commissioner Hartman, Mayor Urbanek

4. Public Forum

5. Additional Agenda Items

6. Approval of Agenda

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Donahue, Commissioner Bell,
Commissioner Hartman, Mayor Urbanek

7. Police Update

8. Fire Update

9. Neighborhood Enforcement Officer Update

10. City Clerk Update

11. Discuss and Action on Planning Board Bylaws

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Donahue, Commissioner Bell,
Commissioner Hartman, Mayor Urbanek

12. Discuss and Action on Approval of Cereal Malt Beverage Special Event Permit for the Tri-County Free Fair from July 9th at 10:00 am to July 11th at 10:00pm

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Donahue, Commissioner Bell,
Commissioner Hartman, Mayor Urbanek

13. Discuss and Action on Approval of Cereal Malt Beverage Special Event Permit for RGEG Presents Championship Wrestling on July 30th from 6:00pm to 10:00pm

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Donahue, Commissioner Bell,
Commissioner Hartman, Mayor Urbanek

14. Discuss and Action on Approval of Cereal Malt Beverage NEW license for Family Dollar Store #32742

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Donahue, Commissioner Bell,
Commissioner Hartman, Mayor Urbanek

15. Discuss and Action on Temporary Exemption for Cereal Malt Beverage Consumption at the South Ball Fields

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Donahue, Commissioner Bell,
Commissioner Hartman, Mayor Urbanek

16. Discuss and Action to Approve the City Manager to Attend the ICMA Annual Conference in Portland, OR in October 2021

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Donahue, Commissioner Bell,
Commissioner Hartman, Mayor Urbanek

17. Update on USDA RD Loan – Water Rate Expectations

18. Executive Session

I move 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).

And to include the following persons:

- Governing Body
- City Manager
- City Attorney
- Chief of Police (if needed)

The open meeting to resume in the City Commission Chamber at: _____.

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Donahue, Commissioner Bell,
Commissioner Hartman, Mayor Urbanek

19. City Manager Comments

20. Commissioner Comments

21. Adjourn

Motion _____ Seconded _____ Action _____
Commissioner Castleberry, Commissioner Donahue, Commissioner Bell,
Commissioner Hartman, Mayor Urbanek

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.
Must be received before 8:00AM the day of the meeting. Please keep statement to a maximum of 3
minutes.

DRAFT

Regular Meeting
June 15, 2021
5:30 p.m.

The Board of City Commissioners of the City of Herington, Kansas met at City Hall at 5:30 p.m. on the above date – the following being present: Mayor Debi Urbanek, Commissioner Hartman, Commissioner Robbin Bell, Commissioner Vance Donahue II, Commissioner Ben Castleberry, City Manager Branden Dross, City Attorney Brad Jantz and City Clerk Megan Lawrenz. Also, in attendance were Eric Gares, Gabriele Simmons, Carl Urbanek, Larry Mann and Steve Lewis.

The meeting opened with the Pledge of Allegiance. Mayor Urbanek called the meeting to order. A motion was made by Commissioner Bell, seconded by Commissioner Castleberry to approve the Minutes of the Regular Meeting June 1, 2021. Motion carried 5-0.

Public Forum Items – None.

Additional Agenda Items – Addition of 7a. Gwen Owens-Wilson Application for the Planning Board term to expire 12/31/2024. Removal of 8. Carl Urbanek rescinds his application for the Planning Board. Addition of 13a. Resolution for Airport Liquor Sales & Consumption.

A motion was made by Commissioner Bell, seconded by Mayor Urbanek to approve the agenda with the addition of 7a, removal of 8 and addition of 13a. Motion carried 5-0.

Discuss and Action on Planning Board Application for DJ Neuberger – Commissioner Bell made a motion to approve DJ Neuberger to the Planning Board term to expire 12/31/2024, seconded by Commissioner Donahue. Motion carried 5-0.

Discuss and Action on Planning Board Application for Gwen Owens-Wilson – Commissioner Bell made a motion to approve Gwen Owens-Wilson to the Planning Board term to expire 12/31/2024, seconded by Commissioner Donahue. Motion carried 5-0.

Discuss and Action on Planning Board Application for Carl Urbanek – Rescinded application.

Discuss and Action on Planning Board Application for Deana Lewis – Commissioner Bell made a motion to approve Deana Lewis to the Planning Board term to expire 12/31/2024, seconded by Commissioner Donahue. Motion carried 4-1 with Commissioner Castleberry casting the dissenting vote.

Discuss and Action on Planning Board Application for Josh Lawrenz – Commissioner Bell made a motion to approve Josh Lawrenz to the Planning Board term to expire 12/31/2024, seconded by Commissioner Donahue. Motion carried 5-0.

Discuss and Action on Planning Board Application for Larry Mann – Commissioner Bell made a motion to approve Larry Mann to the Planning Board term to expire 12/31/2024, seconded by Commissioner Donahue. Motion carried 5-0.

Discuss, Action and Authorize Mayor to sign the Mutual Aid Contract Between the Herington Fire Department and the Abilene Fire Department – Commissioner Bell made a motion to approve the mutual aid contract and to authorize the mayor to sign, seconded by Commissioner Donahue. Motion carried 5-0.

Discuss and Action on Resolution 938 Granting Temporary Exemption from the Requirements of Chapter 5, Article 1, Section 5-110 – Commissioner Bell motioned to approve Resolution 938 Granting Temporary Exemption from the Requirements of Chapter 5, Article 1, Section 5-110, seconded by Commissioner Donahue. Motion carried 5-0.

Discuss and Action on Resolution for Airport Liquor Sales & Consumption – Mayor Urbanek motioned to approve in the next sequential order a on Resolution for Airport Liquor Sales & Consumption, seconded by Commissioner Donahue. Motion carried 5-0.

Discuss and Action on Adopting the Kansas Homeland Security Region (F) Hazard Mitigation Plan – Mayor Urbanek motioned to adopt the Kansas Homeland Security Region (F) Hazard Mitigation Plan, seconded by Commissioner Donahue. Motion carried 5-0.

Discuss and Action on Amendment to Code 5-603 – Sales (Possession, Use and Sale of Fireworks) – Mayor Urbanek Motion to amend Code 5-603 with an Ordinance in the next sequential order, seconded by Commissioner Bell. Motion carried 5-0.

Discuss and Action on Street Closure Request for Father Padilla Park on 7/3/2021 for the Disc Golf Tournament – Commissioner Donahue motioned to approve the street closure request for ingress/egress roads to the park for the Disc Golf Tournament, seconded by Commissioner Hartman. Motion carried 4-1 with Mayor Urbanek casting the dissenting vote.

Discuss and Action on Street Closure Request for roads around the Fairgrounds – Commissioner Bell Motioned to approve the street closure request for some side roads around the fairgrounds that will not prohibit fire vehicles from leaving the shop building for the 4th of July Celebration, seconded by Commissioner Donahue. Motion carried 5-0.

Discuss and Action on Sunday Liquor Sales in Accordance with K.S.A. 41-2911 (b)(1)(A) – Mayor Urbanek motioned to approve changes to Sunday Liquor Sales in Accordance with K.S.A. 41-2911 (b)(1)(A) in the next sequential order, seconded by Commissioner Bell. Motion carried 5-0.

Discuss and Action on Cereal Malt Beverage License for Discovery Child Care Learning Center’s Special Event Permit – Mayor Urbanek Motioned to approve the Cereal Malt Beverage License for Discovery Child Care Learning Center’s Special Event Permit for 7/17 at 9:00am to 7/18 at 11:59pm, seconded by Commissioner Donahue. Motion carried 5-0.

City Manager Comments – Has heard concerns about speeding at the lake and being unable to enforce. Working on a possible MOU with Dickinson County, our PD would have to be deputized, and the city would

want to receive revenue for the PD's time spent at the lake. KMEA is factoring in a generator at wholesale cost, adding approximately \$8,000 monthly. Has received the lake master plan. Looking into making the Airport a training facility. Received county budget info, will be working on it aggressively with the City Clerk and the Accountants. Working on getting the AG routes trees trimmed. Got street improvement numbers out. There is possible interest in Highway 77 expansion. Thanked The Spot attendants for helping to raise almost \$900. Wants to get all community organizations on the same page for getting events promoted.

Commissioner Castleberry – Asked if the City needed and additional insurance for firework sales on city property and was told the City does not. Happy about all the work done on the roads.

Commissioner Donahue – Talked about putting the Electric Departments equipment in the tennis courts so it was fenced in and more secure, was told that there were hopes to get the tennis courts up and working again. Talked about wanting to get repairs done on the pool. Asked if we could work off the last comp plan since the goals were not met. Asked if Branden would follow up on the murals and reach out to the Historical Society.

Commissioner Bell – Reminded staff to get 8th street graded in preparation for harvest.

Commissioner Hartman – None.

Mayor Urbanek – Reminded Branden to utilize staff on issues. Proposed staff get more organized.

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

**Special Meeting
June 22, 2021
5:00 PM**

The Board of the City Commission for the City of Herington, Kansas met at City Hall at 5:00 PM. on the above date – The following being present: Mayor Urbanek, Commissioner Hartman, Commissioner Bell, Commissioner Donahue, Commissioner Castleberry, City Manager Branden Dross, City Attorney Brad Jantz via phone and City Clerk Megan Lawrenz.

The meeting opened with the Pledge of Allegiance.

Executive Session - Mayor Urbanek motioned 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) to include the Governing Body, City Manager and City Attorney with the regular meeting to resume at 5:15pm, seconded by Commissioner Bell. No action taken.

Mayor Urbanek motioned 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) to include the Governing Body, City Manager and City Attorney with the regular meeting to resume at 5:20pm, seconded by Commissioner Bell. No action taken.

Mayor Urbanek made a motion to adjourn, seconded by Commissioner Castleberry. Motion carried 5-0.

Megan Lawrenz, City Clerk

BYLAWS
of the
CITY OF HERINGTON PLANNING COMMISSION

ARTICLE I – CREATION, MEMBERSHIP, AUTHORITY AND DUTIES

Section 1. Creation. The City of Herington Planning Commission hereinafter referred to as the “Commission,” was established by Ordinance 1109, which was revised by Ordinance 1834

Section 2. Membership. The members of the Commission are appointed by the Mayor with the consent of the Commission during regularly scheduled business meetings. Such members take office at the next regular meeting of the Commission following such appointment. Thereafter, all members shall be appointed to terms of three years and which shall consist of nine electors of which seven members shall be residents of the city and two members shall reside outside the city but within three miles of the corporate limits of the city. Vacancies are filled by appointment for the unexpired term.

Section 3. Disqualification. Regular attendance is an important responsibility of membership. Maintaining a quorum for voting purposes is especially important. A quorum shall consist of five members of the Commission to start a meeting. Any member that absences himself or herself for more than three consecutive regular meetings or misses a total of one-half of the meetings during a calendar year for reasons not considered justifiable by the Commission shall be notified that the Commission will recommend to the Governing Body that his or her membership be declared vacated and a replacement appointment be made.

Section 4. Conflicts of Interest. Members of the Commission shall be aware at all times of their responsibility to the citizenry of the City of Herington and the surrounding subdivision territory and shall refrain from any recommendation or action that would benefit individuals or special interest groups rather than serve the best interests of their entire community. In furtherance of this responsibility, members shall refrain from recommending or acting on any matter before the Commission in which they have, either directly or indirectly, any financial interest or use their influence or position to show favoritism that could lead to the development of a clientele at a later date.

Section 5. Authority. The Commission is vested with the responsibilities of a planning commission as contained in the State Planning and Zoning Statutes, i.e., K.S.A. 12-741, et seq., as amended, and 12-736.

Section 6. Duties. As provided for by the statutes referred to in Section 5, the duties of the Commission shall be:

1. To make or cause to be made, adopted, and maintained an official Comprehensive Development Plan for the coordinated development of the City as deemed appropriate, subject to the approval of their Governing Body by ordinance. (K.S.A. 12-747);
2. To annually review or reconsider the Comprehensive Plan at least once a year at the March meeting to determine if the Plan or any portion thereof has become obsolete and to report such status to the Governing Body or propose remedial amendments, extensions, or additions to the plan (K.S.A. 12-747 [d]);
3. To determine the conformance to the Comprehensive Plan of public improvements, facilities or utilities of a type embraced within the recommendations of the Plan which are proposed for construction or authorization and to report upon such conformance or nonconformance within 60 days to the Governing Body unless conformance is otherwise determined by reviewing the member’s capital improvement program (K.S.A. 12-748);

4. To prepare, adopt and maintain Zoning Regulations for the City; to recommend the approval of such regulations to their Governing Body, and to hold hearings and make recommendations on all amendments thereto and zoning applications (K.S.A. 12-753 through 12-759 and 12-763);
5. To prepare, adopt and maintain Subdivision Regulations for the City; to recommend the approval of such regulations by the Governing Body; and to process and approve plats and to transmit them to their Governing Body for the acceptance of dedications thereon (K.S.A. 12-749, 751(a), 752 and 764);
6. To concurrently serve as the Board of Zoning Appeals to hear and decide appeals from determinations of the Zoning Administrator, variances and exceptions as required by the Zoning Regulations (K.S.A. 12-759);
7. To submit to the Governing Body on or before June first of each year a proposed budget for the ensuing year to carry out the Commission's planning program (K.S.A. 12-746);
8. To prepare and approve plans for designated areas and special project areas;
9. To maintain planning reference files of plans, reports, maps, ordinances, regulations and policies accessible to officials, developers and citizens;
10. To maintain cooperation and coordination with township trustees, other city governing bodies, other planning commissions, school districts, the Board of County Commissioners and with such other county, regional and state planning entities as may be deemed appropriate; and
11. To hold hearings, provide plans for and/or make recommendations on such other matters including annexations and vacations as may be periodically assigned by the Governing Body.

Section 7. Compensation. Members of the Commission shall serve without compensation for their services; however, the members may receive reimbursement for their authorized out-of-pocket expenses including mileage when related to the Commission's activities as the Governing Body by policy may deem desirable.

ARTICLE II - - OFFICERS, ELECTIONS, AND DUTIES

Section 1. Officers. The officers of the Commission shall consist of a Chairperson, Vice-Chairperson and The Chairperson and Vice-Chairperson shall be members of the Commission; however, the Secretary may or may not be a member of the Commission. (K.S.A. 12-745)

Section 2. Elections. At the regular Commission meeting in January of each year, the officers shall be nominated and those persons receiving the highest number of votes shall be deemed elected. Officers shall take office following the meeting and serve for one year or until their successor has been elected. Officers may serve for more than one term.

Section 3. Duties. The Chairperson shall preside at all meetings of the Commission. In the absence of the Chairperson, the Vice-Chairperson shall preside. In the absence of both the Chairperson and the Vice-Chairperson, The Chairperson shall sign all minutes and other official papers and documents to indicate that they have been approved by the Commission. The Chairperson shall represent the Commission at all meetings with other groups unless another member is designated to perform that function. The Chairperson shall also be responsible to oversee the preparation and distribution of agendas for each Commission meeting.

The Vice-Chairperson shall act in the manner and capacity of the Chairperson in the absence of the Chairperson.

The City Clerk shall perform the following duties:

1. To prepare the minutes of each Commission meeting and submit them to the Commission for approval;
2. To maintain an official record book of the minutes as approved and signed by the Chairperson and the Secretary and to provide the City Liaison Representative and City Clerk with copies on a continuing basis;
3. To attest to ordinances and certificates adopting the Comprehensive Plan and amendments thereto and to maintain an official file of Comprehensive Plan documents and accompanying adoption materials and ordinances;
4. To distribute to each Commission member all current materials relating to the Comprehensive Plan and Zoning and Subdivision Regulations and to distribute three sets of Zoning and Subdivision Regulations, including amendments thereto, to the City Clerk as the official copies; and
5. To prepare and distribute agendas for each Commission meeting under the direction of the Chairperson. (See Article III, Section 7 on Agendas.)

ARTICLE III – MEETINGS

Section 1. Regular Meetings. When a regular meeting of the Commission is held, it shall be on the fourth Tuesday of the month. When the date of regular meeting conflicts with a legal holiday, the Commission may designate the date for the next regular meeting unless such meeting dates have otherwise been adopted as a schedule for the year. Regular meetings may be canceled with advance notice as needed. All meetings shall be held at the Herington City Hall 17 N Broadway Herington, Kansas at 5:30 pm, unless the case is called elsewhere; provided, however, that the Commission may vote to adopt another hour, date, or place of the meeting. Any such change shall be given wide publicity for the convenience of persons having business before the Commission.

Section 2. Special Meetings. Special meetings may be called by the Chairperson or in the Chairperson's absence by the Vice-Chairperson or upon written request of any three members of the Commission. When a special meeting is called, notice as to date, time, place, and purpose for the meeting shall be given by the Chairperson at least 3 days before the meeting date by mail, hand delivery or telephone. The announcement of a special meeting at a regular meeting shall constitute notice to those persons present. Commission members not present and the Governing Body shall be notified by the Chairperson including all persons designated to receive agendas on a regular basis. (See Article III, Section 7 on Agendas.)

No agenda items other than those stated in the notice shall be considered at a special meeting.

Section 3. Adjourned Meetings. If the business before the Commission is not completed, the Commission by motion may adjourn the meeting or a specific agenda item to a specified date, time and place until the matters on the original agenda or the specified items are acted upon. When such a motion is made known to those persons in attendance, no further notice need be given.

Section 4. Open Meetings and Closed Sessions. Having determined that at least a quorum is present, all actions of the Commission shall be open to the public and to attendance by representatives of the news media, except that closed sessions if deemed necessary may be held to deliberate a rezoning application including a special use wherein such action is considered to be a quasi-judicial function. The motion to recess for a closed session shall be placed in the minutes and include a statement of (a) the justification for closing the meeting; (b) the subjects to be discussed during the closed session; and (c) the time and place at which the open meeting will resume, all according to K.S.A. 75-4319 of the Kansas Open Meetings Act. In such closed sessions, no binding vote or action may be taken.

Section 5. Workshop Sessions. The Commission may meet at a regular or special meeting in a workshop session for a general discussion on one or more topics or for a training session; however, the Kansas Open Meetings Act applies and no binding action may be taken. While regular minutes are not necessary, a record of attendance and a brief summary of the subject(s) discussed should be made.

Section 6. Quorum. A quorum shall consist of a majority of the total membership which is designated by the Ordinance establishing the Commission whether any vacancies exist or not. Thus, a quorum of five members must be present to conduct any business. In the absence of a quorum at any meeting or at the impending loss of a quorum during a meeting, the presiding officer after consultation with those members present may adjourn the meeting to a specified date, time, and place or similarly table an agenda item. When such information is made known to those persons in attendance, no further notice needs to be given.

Members abstaining from voting may be counted when determining whether a quorum is present; however, members disqualified from voting may not be counted. (See Article IV, Sections 10 and 11 on Parliamentary Procedure.)

Section 7. Agendas. The Chairperson shall oversee the preparation of an agenda of all matters to come before the meeting and to have it mailed or delivered to the Commission members no later than five calendar days preceding the next regular meeting. Copies of the agenda shall also be furnished (a) to the City Manager, City Clerk, Zoning Administrator, and any member of the public upon request; (b) to each party having an item on the agenda; and (c) to any person requesting an agenda or a notice of the date, time and place of a regular or special meeting of the Commission under K.S.A. 75-4318 (b) and (d) of the Kansas Open Meetings Act. Any member of the Commission may place items on the agenda by advising the Chairperson no later than noon on the sixth day preceding the next regular meeting. If the number of applications received for zoning or platting would create an unduly long Commission meeting, the Chairperson may carry over such items on a first-come, first-serve basis to the next Commission meeting unless already advertised for public hearing. (See Article IV, Section 1 on the Order of Business.)

Section 8. Recording of Meetings. The City Clerk shall keep complete records of all proceedings of the Commission. The City Clerk shall also prepare and maintain permanent minutes to be kept in a record book available for public view. Permanent copies of such minutes shall not be removed from the Courthouse except by order of a court. Copies of the minutes shall be furnished to all persons or bodies making such a request to the Secretary. The City Clerk may make such changes as are necessary to recover the cost of making such copies.

ARTICLE IV - - CONDUCT OF MEETINGS

Section 1. Order of Business. The order of business shall be as follows unless otherwise decided by the Commission: (a) Roll call; (b) Approval of the agenda; (c) Approval of the minutes; (d) Public Forums; (e) Plats; (f) Committee and staff reports; (g) Communications; (h) Unfinished business; (i) New Business; and (j) Adjournment. If a zoning variance is a part of the meeting, a new meeting will be opened and adjourned after the zoning variance is heard

Off-agenda items may be considered at the discretion of the Commission when such items are added to the agenda at the beginning of the meeting by motion. Approval of such consideration shall be based on a finding that a review or presentation would be in the best interest of the general public and not contrary to the provisions of public notice.

Section 2. Appearance before the Commission. Applicants and petitioners or their representatives and members of the community at large or individuals or their representatives who feel that they will be affected by any action of the Commission may appear to present views and statements either for or against agenda items. Personal appearance before the Commission is recommended; however, written communication may be presented instead. The Commission may at their discretion defer items coming before the Commission if the applicant or petitioner is not present and has not submitted written communication.

Section 3. Actions. In all formal matters, the Commission shall act by motion unless an ordinance is required by law or governmental regulations. All notices required by law to be given by publication including those for public hearings shall be published in the respective officially designated city newspaper. Substantive motions before the Commission shall be restated by the Secretary before a vote is taken. Every motion on a substantive matter shall set forth reasons. Action shall be taken on each agenda item presented at the conclusion of discussion of that item.

Section 4. Voting. When a quorum is declared present, all actions of the Commission shall be taken by a majority vote of the total membership of the Commission (K.S.A. 12-745), except that only a majority vote of the members present and voting at the hearing shall be required to make recommendations on amendments to the zoning regulations, applications for rezoning amendments and special uses (K.S.A. 12-757 [c]). Voting shall be by individual voice ballot of “Aye” or “Nay” on each item and shall be tallied and the results determined by the Chairperson. In the event of a tie or divided vote, see Article IV, Sections 8 and 9 on Parliamentary Procedure.

Section 5. Parliamentary Procedure. All meetings of the Commission shall be conducted in accordance with the current edition of Robert’s Rules of Order Newly Revised, except insofar as modified by these Bylaws and procedures adopted by the Commission:

1. A second shall be required for all motions.
2. The presiding officer shall have the right to make motions and to second motions without vacating the chair.
3. Motions to “receive and file” shall not be debatable.
4. Substitute motions may be made for prime motions; provided, that substitute motions are voted on before the prime motion. Substitute motions shall be made only once and shall be debatable only if the prime motion was debatable. A substitute motion may be made without the consent of the maker of the prime motion.
5. Motions to reconsider any item shall be made by one of the members voting in favor of the item to be reconsidered. Motions to reconsider shall not be allowed in cases where the item proposed for reconsideration has previously been forwarded to and acted on by a Governing Body.
6. The Commission may suspend the rules provided that: (a) the motion to suspend the rules takes precedence over other prime motions; (b) the motion shall state the specific purpose and rule to be suspended; (c) no such motion shall be considered approved unless the length of time such suspension will be in effect has been specified; (d) the motion shall be approved by a majority of the quorum; and (e) no suspension of the rules shall be considered permanent.
7. Participation from the floor (audience) on any matter may be limited as to time at the discretion of the presiding officer when in his or her opinion such participation is repetitious; contains statements derogatory to the character, integrity or actions of the Commission or any member without support of such allegations; or when the course of business due to the number of matters to be considered and/or number of people requesting to be heard will not reasonably permit further participation. Those persons speaking on a given item from the

- floor should first be recognized and then address their remarks to the presiding officer. Each member of the Commission may speak to an issue as many times as may be desired.
8. The presiding officer shall have the right to vote. If the officer chooses not to vote, he or she shall automatically be considered to have abstained from voting. (See Article IV, Section 10 below on Parliamentary Procedure.)
 9. When a divided vote occurs, the presiding officer shall call for a roll-call vote. The Secretary shall enter into the minutes the result by name of all roll-call votes.
 10. Any member abstaining or remaining silent on a vote shall be considered to have voted with the majority vote of those who voted; provided that, such member does not have a conflict of interest or bias in the matter that would otherwise disqualify him or her from voting. In the event of an equally divided vote, the vote of a member abstaining or remaining silent is not to be counted. Members who do abstain or remain silent on a vote are still counted as present in determining a quorum.
 11. The presiding officer may grant permission for any member to abstain on any particular vote when the member declares a conflict of interest or bias and requests the presiding officer to approve an abstention from voting. When such an abstention is granted, the requesting member is disqualified from voting and shall disassociate himself or herself from the assembled members and not engage in discussion until the particular item is acted upon. Members shall automatically be granted such an abstention when they or their spouse own property in the area of notification for a zoning application. Such abstention shall not prevent them from signing a protest petition or appearing before the Commission to speak on the zoning application. When a member is disqualified from voting, they cannot be counted as present for the quorum.
 12. To be eligible to vote on the first date of a public hearing, a member must have been present to hear the entire presentation unless it is appropriate and timely for the Chairperson or another person(s) present to inform such a member sufficiently to apprise him or her of the hearing proceedings to that point in time. If a public hearing or resulting deliberation of the Planning Commission is continued until another date, a member who was not present for all or for only a portion of the prior hearing and has not otherwise been sufficiently informed of the proceedings may abstain or may vote on the pending matter; provided, that the following provisions have been met:
 - (a) The summary of the hearing has been read;
 - (b) Applications and any other materials including drawings submitted or presented by the applicant have been reviewed; and
 - (c) The member acknowledges for the record that he or she has complied with the above provisions.
 13. Subject to these provisions, the presiding officer shall decide all points of order and procedure, unless overruled by a majority of the total membership of the Commission.

ARTICLE V - - HEARING PROCEDURES.

Section 1. Intent and Purpose. It is the intent of the Commission to hold fair and impartial hearings on all matters requiring a public hearing at which adequate legal notice has been given to all concerned parties. The purpose of such hearing is to make it clear that decisions are based on the relevant evidence presented and that well-organized hearings and procedures will lead to legally defensible decisions which are not arbitrary, discriminatory, or unreasonable. To ensure fairness, the hearing room should be able to accommodate all persons wishing to attend and to enable them to properly hear the proceeding.

Ex parte contacts, i.e., those contacts in the form of verbal or written communications outside of a hearing should be discouraged. Commission members should (a) come to a hearing favoring neither side; (b)

have no personal interest in the outcome other than that shared by the Community-at-large; (c) treat both sides alike; and (d) base their decision solely on the facts presented as evidence before the Commission. Any facts determined by the personal investigation should be reported to the Commission at the hearing as ex parte information.

Section 2. Order of Proceedings for Zoning Hearings. Applications for rezoning amendments and special uses that are site-specific land-use decisions are considered quasi-judicial proceedings. The latter includes the procedural due process elements of notice and opportunity to be heard in a fair, open and impartial hearing. At the end of the hearing, the Commission shall adopt a written report or place in the minutes a statement summarizing the evidence and stating the factors that it considered in arriving at its decision. The following order of proceedings shall be used for all such rezoning and special use hearings:

1. Determination that a quorum is present.
2. Determination that proper notice has been given.
3. Report of ex parte contacts with Commission members.
4. Introduction of applicant by staff.
5. Presentation by applicant.
6. Commission and staff question applicant.
7. Public comments on proposed application.
8. Receipt of written communications or petitions.
9. Applicant presents closing comments.
10. Public portion of the hearing closed by the presiding officer.
11. Planning Commission deliberations.
12. Review findings and factors on which recommendation is based.
13. Motion to recommend to the Governing body the approval, disapproval or modification of the application or to table the agenda item to a specific date, time and place.

While no further public comments will be received after the hearing is closed, the Commission may question any participant at any time during the proceedings. At its discretion, the Commission may instruct the Secretary to tape record the hearing(s).

Section 3. Legislative Hearings. Hearings for the adoption of comprehensive plans and zoning and subdivision regulations and amendments thereto are considered legislative in nature. The order of proceedings for hearings in Article V, Section 2 above may be modified for a legislative hearing as to the role of the applicant and the findings and factors on which a decision is based. In any event, the Commission's recommendation to the Governing Body shall be in writing accompanied by a written summary of the hearing thereon.

ARTICLE VI - - COMMITTEES AND LIAISON REPRESENTATIVES

Section 1. Committees and Liaison Representatives. The Chairperson, with the consent of the Commission, may appoint standing and ad hoc committees and liaison representatives as may be needed to assist in the business of the Commission. The membership of such committee(s) and liaison representatives may consist of all Commission members or part Commission members or be all non-commission members. All such committees and representatives shall be provided a formal charge and shall report to the Commission their findings and recommendations unless otherwise directed.

Standing committees and regular liaison representatives are as follows:

1. **Subdivision Committee** - - A Subdivision Committee consisting of three Commission members shall be appointed. All meetings of the committee shall be conducted as open meetings. The Subdivision Administrator and other City staff members may serve as nonvoting ex officio members. The committee may request the assistance of other officials and technicians depending upon the nature of the plat being considered.
2. **Government Liaison Representation** - - Whenever an agenda item is to be forwarded to a Governing Body and it is not deemed necessary or possible for the Chairperson to appear, the Chairperson shall designate a person to appear and to assist in a presentation as necessary on the item. When such representative is present, he or she may also be available to be informed of or report upon activities affecting the Planning Commission. A brief report on the representative's attendance at the Governing Body meeting shall be made at the next Commission meeting.

All standing committees and liaison representatives shall be appointed at the next regular Commission meeting following the election of officers. They shall take office following the meeting of their appointment and serve for one year or until their successor has been appointed. Such committees may elect officers unless otherwise designated by the Chairperson and establish such rules of procedure as they deem desirable.

ARTICLE VII – AMENDMENTS TO BYLAWS

Section 1. Amendments. The Commission may, by a two-thirds majority vote of the total membership thereof, amend these Bylaws or any provisions or sections thereof, at any time when the same is not in conflict or contravention of any of the laws of the State of Kansas or City. Notices of the proposed amendments shall be mailed or delivered by the Secretary to the Commission members and the City Liaison Representative not less than five calendar days prior to the meeting at which such amendments are to be considered. A current copy of the Bylaws adopted by the Commission and signed shall be filed by the Secretary with the City Clerk including any amendments thereto.

Section 2. Adopted. The above and foregoing Bylaws are hereby adopted as the Bylaws of the City of Herington Planning Commission subject to the approval of the Governing Body by a majority vote.

DATED this 1st day of July 2021.


Dennis Albrecht, Chairperson

ATTEST:


Larry Mann, Vice-Chairperson

APPROVED by the Governing Body of the City of Herington, Kansas on this 1st day of June, 2021.

Debi Urbanek, Mayor of Herington

ATTEST:

Megan Lawrenz, City Clerk



THE CITY OF HERINGTON
P.O. Box 31 • 17 North Broadway • Herington, KS 67449

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

City Commission,

Below is our water distribution forecasted revenue taking the City into 2025. If we keep our current rate with a 3% annual increase to operations, we will see a net loss starting in 2024. The \$53.90 is taking into account the price per 1000 gallons and the meter fees. We are - \$7.57 from where the USDA RD communities are at. City staff will bring options regarding meter fees or price per 1000 gallons to an upcoming meeting.

This letter serves as an FYI

PROJECTED ANNUAL OPERATING COSTS					
	2021	2022	2023	2024	2025
Revenue	\$ 846,000	\$ 846,000	\$ 846,000	\$ 846,000	\$ 846,000
Expenses*	\$ 704,345	\$ 725,475	\$ 747,239	\$ 769,656	\$ 792,746
Debt Service					
2007 Water Treatment**	\$86,746	\$ 0	\$ 0	\$ 0	\$ 0
New USDA Loan***		\$165,000	\$165,000	\$165,000	\$165,000
Total Expenditures	\$ 704,345	\$ 803,729	\$ 825,493	\$ 847,910	\$ 871,000
Excess/Shortfall	\$ 141,655	\$ 42,271	\$ 20,507	(\$ 1,910)	(\$ 25,000)

* Expenses estimated to increase at 3% per year

** Existing Loan to be paid off w/USDA Loan and is included in the expense's calculation

*** New USDA Loan Payment Information Provided by USDA

As indicated previously, the City of Herington user rate for water service is still below the state average. During the master planning process, it was discussed that the city would raise their user fees throughout the process to help offset the cost of the proposed improvements. The City's current water rate is 53.90 per 5,000 gallons of usage while the 2020 state average is 61.57 per 5,000 gallons for communities that are utilizing USDA Rural Development Funds for water system improvements.

Cordially,

Branden Dross
City Manager

**INDIVIDUAL/SOLE PROPRIETOR
APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES**
(This form has been prepared by the Attorney General's Office)

City or County of Herington

SECTION 1 – LICENSE TYPE	
Check One: <input type="checkbox"/> New License <input type="checkbox"/> Renew License <input checked="" type="checkbox"/> Special Event Permit	
Check One: <input checked="" type="checkbox"/> License to sell cereal malt beverages for consumption on the premises. <input type="checkbox"/> License to sell cereal malt beverages in original and unopened containers and not for consumption on the licenses premises.	
SECTION 2 – APPLICANT INFORMATION	
Kansas Sales Tax Registration Number (required): <u>004-642210728-F01</u>	
I have registered as an Alcohol Dealer with the TTB. <input checked="" type="checkbox"/> Yes (required for new application)	
Name <u>Lauren Spelts</u>	Phone [REDACTED]
Residence Street Address [REDACTED]	[REDACTED]
Applicant Spousal Information	
Spouse Name <u>NA</u>	Phone No. [REDACTED] Date of Birth [REDACTED]
Residence Street Address [REDACTED]	City [REDACTED] Zip Code [REDACTED]
SECTION 3 – LICENSED PREMISE	
Licensed Premise (Business Location or Location of Special Event)	Mailing Address (If different from business address)
DBA Name <u>Tri-County Free Fair</u>	Name <u>Rails Liquor</u>
Business Location Address <u>502 S Broadway Fair Grounds</u>	Address <u>401 S 5th St</u>
City <u>Herington</u> State <u>KS</u> Zip <u>67449</u>	City <u>Herington</u> State <u>KS</u> Zip <u>67449</u>
Business Phone No. <u>785-258-3359</u>	<input type="checkbox"/> I own the proposed business location. <input checked="" type="checkbox"/> I do not own the proposed business location.
Business Location Owner Name(s) <u>contact: Jennifer Doenas</u>	
SECTION 4 – APPLICANT QUALIFICATION	
I am a U.S. Citizen	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of Kansas for at least one year prior to application.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have resided within the state of Kansas for <u>3</u> years.	
I am at least 21 years old.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of this county for at least 6 months.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Within 2 years immediately preceding the date of this application, neither I nor my spouse* have been convicted of, released from incarceration for or released from probation or parole for any of the following crimes: (1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
My spouse has previously held a CMB license. <u>NA</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
My spouse has never been convicted of one of the crimes mentioned above while licensed <u>NA</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

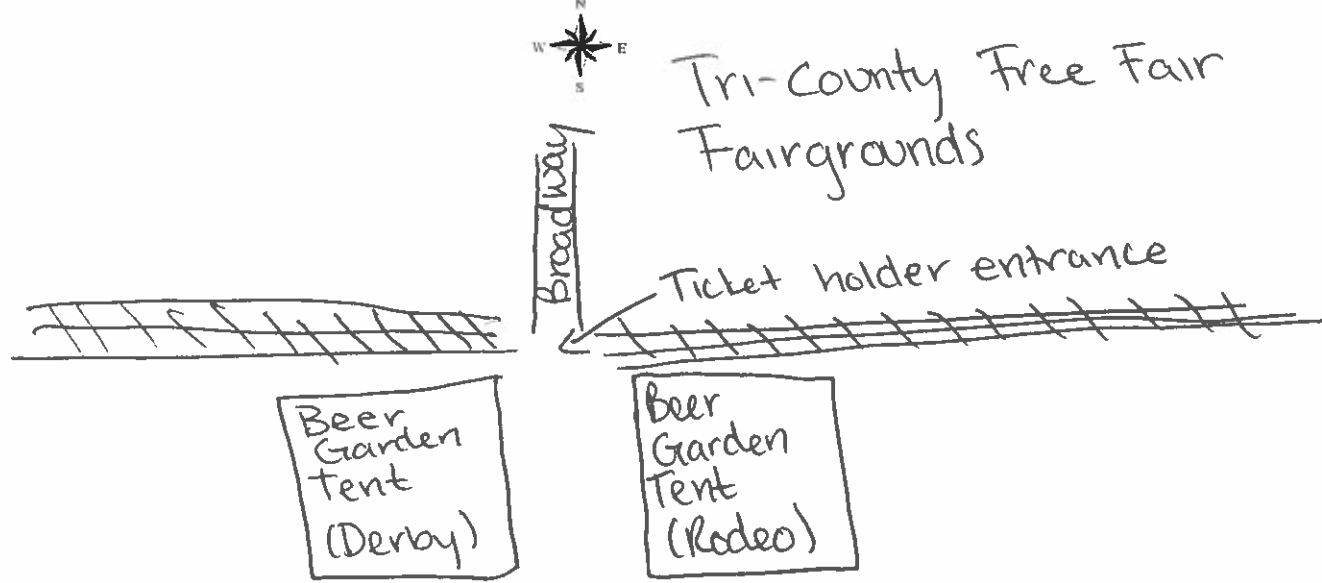
SECTION 5 – MANAGER OR AGENT QUALIFICATION		
My place of business or special event will be conducted by a manager or agent.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, provide the following:		
Manager/Agent Name	Phone No.	Date of Birth
Residence Street Address	City	Zip Code
Manager or Agent Spousal Information		
Spouse Name	Phone No.	Date of Birth
Residence Street Address	City	Zip Code
Qualification Statement		
My manager/agent and his/her spouse* meets all of the qualifications in Section 4. NA		<input type="checkbox"/> Yes <input type="checkbox"/> No
SECTION 6 – DURATION OF SPECIAL EVENT		
Start Date	Time	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM
July 9th, 2021	10	
End Date	Time	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM
July 11th, 2021	10	

Proceed to Section 7 on the next page.

DRAFT

SECTION 7 – LICENSED PREMISE

In the space below, draw the area you wish to sell or deliver CMB. Include entrances, exits and storage areas. Do not include areas you do not wish to license. If you wish to attach a drawing, check the box: 8 1/2" by 11" drawing attached.



DRAFT

Demolition Derby

Rodeo

I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct. (K.S.A. 52-601)

SIGNATURE James Spelt DATE 6/15/2021

FOR CITY/COUNTY OFFICE USE ONLY:

License Fee Received Amount \$ _____ Date _____
(\$25 - \$50 for Off-Premise license or \$25-200 On-Premise license)

\$25 CMB Stamp Fee Received Date _____

Background Investigation Completed Date _____ Qualified Disqualified

Verified applicant has registered with the TTB as an Alcohol Dealer

New License Approved Valid From Date _____ to _____ By: _____

License Renewed Valid From Date _____ to _____ By: _____

Special Event Permit Approved Valid From Date _____ to _____ By: _____

A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE STAMP FEE REQUIRED BY K.S.A. 41-2702(e), MUST BE SUBMITTED WITH YOUR MONTHLY REPORT (ABC-307) TO THE ALCOHOLIC BEVERAGE CONTROL, 109 SW 9TH ST, 5TH FLOOR, PO BOX 3506, TOPEKA, KS 66601.

* Applicant's spouse is not required to meet the citizenship, residency or age requirements. If renewal application, applicant's spouse is not required to meet the no criminal history requirement. K.S.A. 41-2703(b)(9)

**INDIVIDUAL/SOLE PROPRIETOR
APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES**

(This form has been prepared by the Attorney General's Office)

City or County of Herington

SECTION 1 – LICENSE TYPE	
Check One: <input type="checkbox"/> New License <input type="checkbox"/> Renew License <input checked="" type="checkbox"/> Special Event Permit	
Check One: <input checked="" type="checkbox"/> License to sell cereal malt beverages for consumption on the premises. <input type="checkbox"/> License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensee's premises.	
SECTION 2 – APPLICANT INFORMATION	
Kansas Sales Tax Registration Number (required): <u>513 80 1713</u>	
I have registered as an Alcohol Dealer with the TTB. <input type="checkbox"/> Yes (required for new application)	
Name <u>Steven E Woodard</u>	[REDACTED]
Residence Street Address [REDACTED]	[REDACTED]
Applicant Spousal Information	
Spouse Name	Phone No.
Residence Street Address	Date of Birth
	City
	Zip Code
SECTION 3 – LICENSED PREMISE	
Licensed Premise (Business Location or Location of Special Event)	Mailing Address (If different from business address)
DBA Name <u>RKGG presents: Championship Wrestling</u>	Name
Business Location Address <u>Herington Community Building 810 S. Broadway</u>	Address
City <u>Herington</u> State <u>KS</u> Zip <u>67449</u>	City
Business Phone No. <u>785-307-8751</u>	State
Business Location Owner Name(s) <u>City of Herington</u>	Zip
	<input type="checkbox"/> I own the proposed business location. <input checked="" type="checkbox"/> I do not own the proposed business location.
SECTION 4 – APPLICANT QUALIFICATION	
I am a U.S. Citizen	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of Kansas for at least one year prior to application.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have resided within the state of Kansas for <u>41</u> years.	
I am at least 21 years old.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of this county for at least 6 months.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Within 2 years immediately preceding the date of this application, neither I nor my spouse* have been convicted of, released from incarceration for or released from probation or parole for any of the following crimes: (1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
My spouse has previously held a CMB license.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
My spouse has never been convicted of one of the crimes mentioned above while licensed.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

SECTION 5 – MANAGER OR AGENT QUALIFICATION

My place of business or special event will be conducted by a manager or agent. Yes No

If yes, provide the following:

Manager/Agent Name
Crystal Quinn

Residence Street Address
[Redacted]

Manager or Agent Signature
[Redacted]

Spouse Name	Phone No.	Date of Birth
Residence Street Address	City	Zip Code

Qualification Statement

My manager/agent and his/her spouse* meets all of the qualifications in Section 4. Yes No

SECTION 6 – DURATION OF SPECIAL EVENT

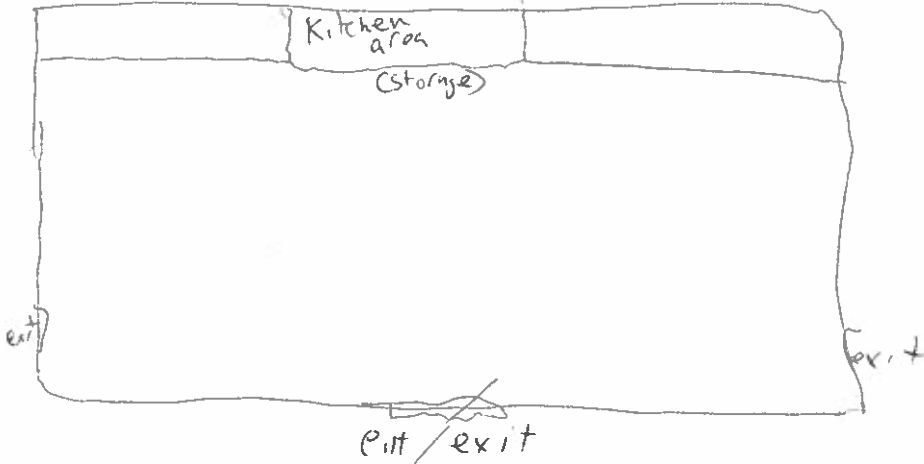
Start Date 6 7/30/2021	Time 6:00	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM
End Date 7/30/2021	Time 10:00	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM

Proceed to Section 7 on the next page.

DRAFT

SECTION 7 – LICENSED PREMISE

In the space below, draw the area you wish to sell or deliver CMB. Include entrances, exits and storage areas. Do not include areas you do not wish to license. If you wish to attach a drawing, check the box: 8 1/2" by 11" drawing attached.



DRAFT

I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct. (K.S.A. 52-601)

SIGNATURE

DATE

16 June 2021

FOR CITY/COUNTY OFFICE USE ONLY:

- License Fee Received Amount \$ _____ Date _____
(\$25 - \$50 for Off-Premise license or \$25-200 On-Premise license)
- \$25 CMB Stamp Fee Received Date _____
- Background Investigation Completed Date _____ Qualified Disqualified
- Verified applicant has registered with the TTB as an Alcohol Dealer
- New License Approved Valid From Date _____ to _____ By: _____
- License Renewed Valid From Date _____ to _____ By: _____
- Special Event Permit Approved Valid From Date _____ to _____ By: _____

A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE STAMP FEE REQUIRED BY K.S.A. 41-2702(e), MUST BE SUBMITTED WITH YOUR MONTHLY REPORT (ABC-307) TO THE ALCOHOLIC BEVERAGE CONTROL, 109 SW 9TH ST, 5TH FLOOR, PO BOX 3506, TOPEKA, KS 66601.

* Applicant's spouse is not required to meet the citizenship, residency or age requirements. If renewal application, applicant's spouse is not required to meet the no criminal history requirement. K.S.A. 41-2703(b)(9)

CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES

(This form has been prepared by the Attorney General's Office)

City or County of HERINGTON

SECTION 1 – LICENSE TYPE	
Check One: <input checked="" type="checkbox"/> New License <input type="checkbox"/> Renew License <input type="checkbox"/> Special Event Permit	
Check One:	
<input type="checkbox"/> License to sell cereal malt beverages for consumption on the premises.	
<input checked="" type="checkbox"/> License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensed premises.	

SECTION 2 – APPLICANT INFORMATION			
Kansas Sales Tax Registration Number (required): 004-562056614F-01			
Name of Corporation FAMILY DOLLAR, INC.		Principal Place of Business SAME	
Corporation Street Address 500 VOLVO PARKWAY		Corporation City CHESAPEAKE	State <u>VA</u> Zip Code 23320
Date of Incorporation 11/17/1997		Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Resident Agent Name CORPORATION SERVICE COMPANY		Phone No. 1-800-927-9800	
Residence Street Address 2900 SW WANAMAKER DR, STE 204		City <u>TOPEKA</u>	State <u>KS</u> Zip Code 66614

SECTION 3 – LICENSED PREMISE			
Licensed Premise (Business Location or Location of Special Event)		Mailing Address (If different from business address)	
DBA Name FAMILY DOLLAR STORE #32742		Name FAMILY DOLLAR, INC.	
Business Location Address 9 SOUTH BROADWAY		Address 500 VOLVO PARKWAY	
City HERINGTON	State <u>KS</u> Zip 67449	City CHESAPEAKE	State <u>VA</u> Zip 23320
Business Phone No.		<input type="checkbox"/> Applicant owns the proposed business location. <input checked="" type="checkbox"/> Applicant does not own the proposed business location.	
Business Location Owner Name(s) FD9, LLC			

SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK			
List each person and their spouse, if applicable. Attach additional pages if necessary.			
Name PETER A. BARNETT		Position	
Residence Street Address [REDACTED]		City	
Spouse Name YVONNE BARNETT		Position	
Residence Street Address [REDACTED]		City	
Name BRUCE WALTERS		Position	
Residence Street Address [REDACTED]		City	
Spouse Name JOYCE WALTERS		Position	
Residence Street Address [REDACTED]		City	
Name WILLIAM A. OLD, JR.		Position	
Residence Street Address [REDACTED]		City	
Spouse Name ELIZABETH OLD		Position	
Residence Street Address [REDACTED]		City	

SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK (CONTINUED)

Name
ROGER DEAN
Residence Street Address
[REDACTED]

Spouse Name
DEANNA DEAN
Residence Street Address
[REDACTED]

Name
JONATHAN ELDER
Residence Street Address
[REDACTED]
Spouse Name
N/A
Residence Street Address
[REDACTED]

Name
KEVIN S. WAMPLER
[REDACTED]
Spouse Name
RENEE WAMPLER
[REDACTED]

Name
DEBORAH MILLER
Residence Street Address
[REDACTED]
Spouse Name
N/A
Residence Street Address
[REDACTED]

Name
CHRISTOPHER WILLIAMS
Residence Street Address
[REDACTED]
Spouse Name
HEATHER WILLIAMS
Residence Street Address
[REDACTED]

Name
TODD LITTLER
Residence Street Address
[REDACTED]
Spouse Name
KRISTIN LITTLER
Residence Street Address
[REDACTED]

Name
SHAWNTA TOTTEN-MEDLEY
[REDACTED]
Spouse Name
DARRELL S MEDLEY
[REDACTED]

Name
SANDRA L. BOSCIA
Residence Street Address
[REDACTED]
Spouse Name
RALPH BOSCIA
Residence Street Address
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

DRAFT

SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK (CONTINUED)

Name
DANA H. HAY

Residence Street Address
[REDACTED]

Spouse Name
PAUL S. WINTON

Residence Street Address
[REDACTED]

[REDACTED]

Name	Position	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Position	Date of Birth
Residence Street Address	City	State Zip Code

Name	Position	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Position	Date of Birth
Residence Street Address	City	State Zip Code

Name	Position	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Position	Date of Birth
Residence Street Address	City	State Zip Code

Name	Position	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Position	Date of Birth
Residence Street Address	City	State Zip Code

Name	Position	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Position	Date of Birth
Residence Street Address	City	State Zip Code

Name	Position	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Position	Date of Birth
Residence Street Address	City	State Zip Code

Name	Position	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Position	Date of Birth
Residence Street Address	City	State Zip Code

DRAFT

SECTION 5 – MANAGER OR AGENT INFORMATION

My place of business or special event will be conducted by a manager or agent.

 Yes No

If yes, provide the following:

Manager/Agent Name

MARGARET D. JONES (GARRETSON)

Residence Street Address

Manager or Agent Spousal Information*

Spouse Name

N/A

Phone No.

Date of Birth

Residence Street Address

City

Zip Code

SECTION 6 – QUALIFICATIONS FOR LICENSURE

Within 2 years immediately preceding the date of this application, have any of the individuals identified in Sections 4 & 5 have been convicted of, released from incarceration for or released from probation or parole for any of the following crimes*:

(1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law.

 Yes No

Have any of the individuals identified in Sections 4 and 5 been managers, officers, directors or stockholders owning more than 25% of the stock of a corporation which:

(1) had a cereal malt beverage license revoked; or (2) was convicted of violating the Club and Drinking Establishment Act or the CMB laws of Kansas.

 Yes No

All of the individuals identified in Sections 4 & 5 are at least 21 years of age*.

 Yes No**SECTION 7 – DURATION OF SPECIAL EVENT**

Start Date

N/A

Time

 AM PM

End Date

Time

 AM PM

Proceed to Section 8 on the next page.

SECTION 8 – LICENSED PREMISE

In the space below, draw the area you wish to sell or deliver CMB. Include entrances, exits and storage areas. Do not include areas you do not wish to license. If you wish to attach a drawing, check the box: 8 1/2" by 11" drawing attached.



DRAFT

I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct and that I am authorized by the corporation to complete this application. (K.S.A. 53-601)

SIGNATURE

DATE

5/13/2021

FOR CITY/COUNTY OFFICE USE ONLY: PETER A. BARNETT

License Fee Received Amount \$ _____ Date _____
(\$25 - \$50 for Off-Premise license or \$25-200 On-Premise license)

\$25 CMB Stamp Fee Received Date _____

Background Investigation Completed Date _____ Qualified Disqualified

Verified applicant has registered with the TTB as an Alcohol Dealer

New License Approved Valid From Date _____ to _____ By: _____

License Renewed Valid From Date _____ to _____ By: _____

Special Event Permit Approved Valid From Date _____ to _____ By: _____

A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE STAMP FEE REQUIRED BY K.S.A. 41-2702(e), MUST BE SUBMITTED WITH YOUR MONTHLY REPORT (ABC-307) TO THE ALCOHOLIC BEVERAGE CONTROL, 109 SW 9TH ST, 5TH FLOOR, PO BOX 3506, TOPEKA, KS 66601.

* Applicant's spouse is not required to meet citizenship, residency or age requirements. If renewal application, applicant's spouse is not required to meet the no criminal history requirement. K.S.A. 41-2703(b)(9)

STATE OF KANSAS

ALCOHOLIC BEVERAGE CONTROL
 109 SW 9th STREET
 P.O. Box 3506
 TOPEKA KS 66601-3506



DEPARTMENT OF REVENUE
 PHONE: 785-296-7015
 FAX: 785-296-7185
 www.ksrevenue.org/abc.html

CEREAL MALT BEVERAGE (CMB) STAMP ORDER FORM

To order State CMB Stamps, please complete and return this form via mail, fax or e-mail.

City/County Clerk Information:	
City / County Name:	CITY OF HERINGTON
City / County ID Number:	
Name of Person Requesting CMB Stamps:	
Title of Person Requesting CMB Stamps:	
Mailing Address:	
City / State / Zip:	
Phone:	Fax:
CMB Order Information	
*Quantity of State CMB Stamps Requested:	

[Handwritten Signature]

5/13/2021
Date

Signature of Person Requesting State CMB Stamps

ABC Office Use Only:	
CMB Stamp Numbers Issued: Starting #	Ending #:
Quantity Issued:	
Date Issued:	
Issued By:	

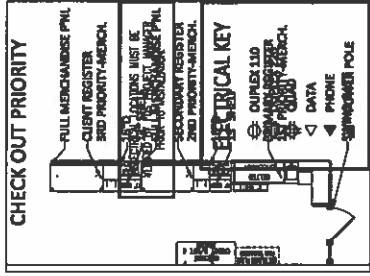
*Order CMB Stamps in multiples of five (5) up to a maximum of 500.

POWER PANEL LIST	
PP (03)	RETS - ACCESSORIES
PP (04)	RETS & WALLS
PP (05)	LITTLE TRINE AIR FRESHENER
PP (07)	REPT SHIRT
PP (08)	TOYS
PP (09)	FRIGIDITY BATH
PP (10)	PIZZE BORDS
PP (11)	ROCK CANDLE CARE
PP (12)	WICKS & CANS
PP (13)	SHRIMP BATTERS
PP (14)	SHRIMP BATTERS
PP (15)	SHRIMP BATTERS
PP (16)	PLACEMATS
PP (17)	SHAWNS
PP (18)	SHAWNS
PP (19)	DT PRODUCT

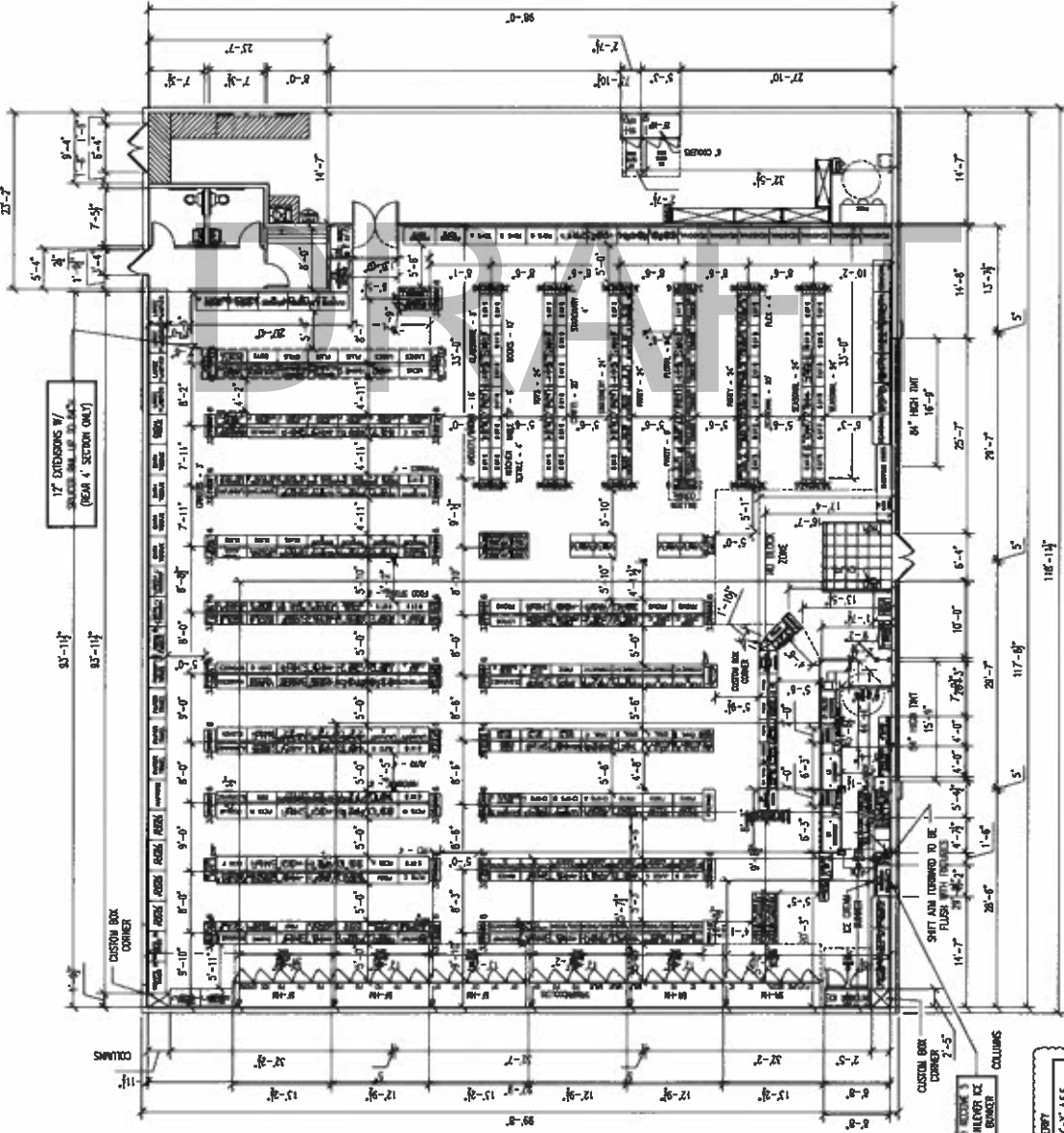
FOR ALL PERMETER WALLS WHERE WALL CONDOILA WILL BE PLACED

MISSING PRODUCT IN STORE
• \$DT CANDLES - 1'

DATA EXTRACTION
SUBTRACT 100 15' SHELVES
FROM TOTAL SHELF COUNT
FOR DTI (OWAT)



- INT-SHIRT STORES WILL RECEIVE PHONE & INSIDE E2.
- FILE FLY APPROVAL SECTIONS IN BETWEEN CHANGES
- MUSKAM COOLERS ARE TO BE PLACED AGAINST THE WALL. NO ELECTRICAL ISSUES
- PACKAGING IS REQUIRED ON WALL SECTIONS IN FRONT OF CLASS
- STORE WILL NOT RECEIVE TSDA



REVISIONS	DATE

JANUARY DUAL
ON VARIOUS PRIORITY 1. COMMERCIAL, WA ONLY
COMMERCIAL - FAMILY BOLLER LANE ONLY
FLORIDA CHECK, NUMBER OF THE ART. LINE REFERRED
INDICATES THE DATE THE WORK SHOULD BE
COMPLETED TO THE CLIENT.

DATE: 3/28/2023
BAKER
W. BATTLE
40/EC

SECTION: 504
COUNT: 40/EC

AA: VERY LOW
AA: HAIR CARE: VERY LOW
AA: HAIR CARE: VERY LOW

LOBBY: 1,158
STOCK: 1,158
TOTAL: 2,316

START DATE: X/2021
TOTAL: 21,300
TOTAL: 21,300

PROJECT NUMBER: 788654
LOCATION: HERRINGTON, KS
STORE NUMBER: NEW 1272 8772

PH TO VERIFY
WEE WALL @ 2'-0" A.S.F.
CLUST TO 3'-0" ABOVE DNEE WALL

Division of Taxation
120 SE 10th Avenue
PO Box 3506
Topeka KS 66625-3506



909019

Phone: 785-368-8222
Fax: 785-296-2073
www.ksrevenue.org

Mark A. Burghart, Secretary

Laura Kelly, Governor

April 13, 2021

FAMILY DOLLAR STORES OF KANSAS INC
500 VOLVO PKWY
CHESAPEAKE, VA 23320-1604

Attached is your Kansas Retailers' Sales tax registration certificate. Refer to the next page to see how to use your certificate. If you close or sell your business, please return this certificate along with a Discontinuation of Business form, which can be found on our web site.

You are required by Kansas law to file returns electronically. To do so or make payments electronically, visit our web site at <http://www.ksrevenue.org/eservices.html> or www.webtax.org. See the next page for more details.

KANSAS DEPARTMENT OF REVENUE
Division of Taxation

www.ksrevenue.org

RETAILERS' SALES TAX REGISTRATION CERTIFICATE



Family Dollar Stores of Kansas Inc
Family Dollar #32742
9 S Broadway
Herington, KS 67449-2433

Tax Account Number: 004-XXXXX6614F-01

Inception Date: 07/29/2021

Filing Frequency: Pre-paid Monthly

This Registration Certificate is valid until canceled and is not transferable.

01000100

RESOLUTION NO. 940

A RESOLUTION GRANTING TEMPORARY EXEMPTION FROM THE REQUIREMENTS OF CHAPTER 5, ARTICLE 1, SECTION 5-110 PROHIBITING CONSUMPTION OF ANY ALCOHOLIC LIQUOR OR ENHANCED CEREAL MALT BEVERAGE ON PUBLIC PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF HERINGTON, DICKINSON COUNTY, KANSAS.

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

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

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

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

1. The Governing Body hereby finds that a temporary exemption should be granted for sale, possession, and consumption of any cereal malt beverage including enhanced cereal malt beverages defined as having an alcohol concentration of no more than 6.0% by volume and alcoholic liquor, on certain public property identified in paragraph 2 of this resolution.
2. The exemption shall apply only to a clearly defined, fenced and secure area in and on the area commonly known as the "South Ball Fields" located adjacent to the Herington Fairgrounds and the South Recreation Complex (including the east and west baseball fields) within the city limits of the City of Herington, Kansas. The area is illustrated in the accompanying map attached hereto and labeled as **Exhibit A** incorporated by reference herein as if set out in full. Such defined area as established, and any signage or surrounding security barriers identifying the prescribed area, shall be approved in advance by the Herington Police Chief.
3. The exemption shall be allowed on Saturday July 17, 2021 from 10 a.m. until 11:30 p.m. and July 18, 2021 from 10 a.m. to 9:00 p.m. at which time such temporary exemption shall expire.
4. Such exemption shall apply for the possession and consumption of enhanced cereal malt beverages only, defined as having an alcohol concentration of no more than 6.0% by volume.

5. All necessary permits authorizing the sale, possession, and consumption of any cereal malt beverage including enhanced cereal malt beverages defined as having an alcohol concentration of no more than 6.0% by volume and alcoholic liquor, shall be timely applied for and granted by the appropriate licensing agency in advance of the noted date herein as a precondition for award of this exemption.

ADOPTED AND APPROVED by the Governing Body of the City of Herington, Dickinson County, Kansas this 6th day of July 2021.

Debi Urbanek, Mayor

ATTEST:

Megan Lawrenz, City Clerk

DRAFT