

**CITY COMMISSION MEETING
Winfield, Kansas**

DATE: Monday, February 04, 2019
TIME: 5:30 p.m.
PLACE: City Commission – Community Council Room – First Floor – City Building

AGENDA

CALL TO ORDERMayor Ronald E. Hutto
ROLL CALL.....Deputy City Clerk, Carina Anderson
MINUTES OF PRECEDING MEETING.....Tuesday, January 22, 2019
MINUTES OF SPECIAL CALLED MEETINGMonday, January 28, 2019
MINUTES OF SPECIAL CALLED MEETINGThursday, January 31, 2019

BUSINESS FROM THE FLOOR

-Citizens to be heard

NEW BUSINESS

Ordinances & Resolutions

- Bill No. 1903 – A Resolution** – Accepting and authorizing the filing of a certain permanent easement necessary to provide right-of-way for installation, construction, maintenance, repair, and removal of the utilities and the necessary appurtenances therefore, in, over, under, and across real estate in Section 32, Township 32 South, Range 4 East of the 6th P.M., City of Winfield, Cowley County, Kansas.
- Bill No. 1904 – A Resolution** – Approving the existence of certain nuisances in the City of Winfield, Kansas, and authorizing further action pursuant to the City Code of said City. (1513 Mansfield)
- Bill No. 1905 – A Resolution** – Determining the existence of certain nuisances in the City of Winfield, Kansas, and authorizing further action pursuant to the City Code of said City. (607 Loomis)
- Bill No. 1906 – A Resolution** – Determining the existence of certain nuisances in the City of Winfield, Kansas, and authorizing further action pursuant to the City Code of said City. (332 Massachusetts)
- Bill No. 1907 – A Resolution** – Fixing the time and place and providing for notice of a public hearing before the Governing Body of the City of Winfield, Kansas, regarding the condemnation of a certain structures, a house and detached garage in the City of Winfield, Cowley County, Kansas. (1421 E 9th and 909 High)
- Bill No. 1908 – A Resolution** – Authorizing and providing of the calling of a Special Question election in the City of Winfield, Kansas, for the purpose of submitting to the electors of the City the question of imposing a one percent (1%) City-wide Retailers' Sales Tax; and providing for the giving of Notice of said election.

OTHER BUSINESS

- Consider quote for 2019 Street Work from Bryant & Bryant
- Consider 2019 Computer Purchase
- Consider purchase of a drone for the Electric Department
- Consider acquisition of a 1 ½ ton truck for Underground Utility
- Consider Board Appointment to the Senior Citizen's Advisory Committee
- Executive Session - Discuss matters pursuant to the Attorney-Client Privilege
- Executive Session – Discuss matters pertaining to non-elected personnel

ADJOURNMENT

- Next City Commission Work Session will be Thursday February 14, 2019 at 4:00 pm.
- Next regular meeting 5:30 p.m. Tuesday, February 19, 2019.

CITY COMMISSION MEETING MINUTES
Winfield, Kansas
January 22, 2019

The Board of City Commissioners met in regular session, Tuesday, January 22, 2019 at 5:30 p.m. in the City Commission-Community Council Meeting Room, City Hall; Mayor Ronald E. Hutto presiding. Commissioners Phillip R. Jarvis and Gregory N. Thompson were also present. Also in attendance were Brenda Peters, Interim City Manager; Carina Anderson, Deputy City Clerk; and William E. Muret, City Attorney. Other staff members present were Gus Collins, Director of Utilities; Gary Mangus, Assistant to the City Manager; Vincent Warren, Fire Chief; Peter Rowley, Fire Lieutenant/EMT, and Bryan Root, Power Plant Operator I.

Mayor Hutto noted all Commissioners present.

Commissioner Jarvis moved that the minutes of the January 7, 2019 meeting be approved. Commissioner Thompson seconded the motion. With all Commissioners voting aye, motion carried.

Commissioner Thompson moved that the minutes of the January 10, 2019 meeting be approved. Commissioner Jarvis seconded the motion. With all Commissioners voting aye, motion carried.

BUSINESS FROM THE FLOOR

Nick Lawrence from Boy Scout Troop 318 was present to fulfill requirements for Citizenship in the Community.

NEW BUSINESS

Bill No. 1901 – A Resolution – Amending the Personnel Policies and Regulations for the City of Winfield, Kansas. Interim City Manager Peters explained this Resolution would remove the last sentence of Chapter 12 section E, “Employees terminated for gross misconduct shall not be paid their accrued vacation at time of separation.” This would mean that anyone terminating with the City would receive any accrued vacation. The second change to the Personnel Policies and Regulations would be to introduce a new section which will re-instate the Grievance Policy. Upon motion by Commissioner Jarvis, seconded by Commissioner Thompson all Commissioners voting aye, Bill No. 1901 was adopted and numbered Resolution 0119.

Bill No. 1902 – A Resolution – Authorizing the City of Winfield, Kansas to sell a 65% undivided interest in its electric transmission facilities; approving the execution and delivery of an asset purchase agreement between Gridliance High Plains, LLC and the City; and authorizing the execution and delivery of such other documents as shall be necessary in connection therewith. Director of Utilities Collins explained to the Commissioners this Resolution authorizes the signing of the agreement with Gridliance, as well as future documents as they are presented. Collins also clarified that there would be no changes for our utility customers, as we will still be billing, reading meters and performing maintenance on our lines. Mayor Hutto commended all parties on the work that went into this partnership. Upon motion by Commissioner Thompson, seconded by Commissioner Jarvis all Commissioners voting aye, Bill No. 1902 was adopted and numbered Resolution No. 0219.

OTHER BUSINESS

-Fire Chief Warren asks that the Commission award the purchase of the Osage 2019 Ford F450 Type I Ambulance in the amount of \$198,900 to Emergency Service Supply, Osage, Missouri. Emergency Service Supply has agreed to sell the ambulance for the same price as the 2018 bid price. Since it is the same price, it is under an existing contract and does not need to be submitted for bids. Commissioner Jarvis moved to approve the purchase of the Osage 2019 Ford F450 Type I Ambulance in the amount of \$198,900 from Emergency Service Supply, Osage, Missouri. Motion was seconded by Commissioner Thompson. With all Commissioners voting aye, motion carried.

-Brett Hooten from Gridliance expressed his appreciation for all the work that went into making the partnership happen.

-Bary Warren from Gridliance spoke to the Commissioners about the next step moving forward with the Kansas Corporation Commission, working with Director of Utilities Collins and Kansas Power Pool preparing for filing in late February.

-Commission Jarvis moved the City Commission recess into Executive Session for consultation with the City Attorney and the Interim City Manager which would be deemed privileged in the attorney-client relationship pursuant to the consultation with the City Attorney matter exception, K.S.A. 75-4319(b)(2). The open meeting will reconvene in the Community Council Room at 6:00 p.m.

ADJOURNMENT

Upon motion by Commissioner Thompson, seconded by Commissioner Jarvis, all Commissioners voting aye, the meeting adjourned at 6:12 p.m.

Signed and sealed this 1st day of February 2019.

Signed and approved this 4th day of February 2019.

Carina Anderson, Deputy City Clerk

Ronald E. Hutto, Mayor

CITY COMMISSION MEETING MINUTES
Winfield, Kansas
January 28, 2019

The Board of City Commissioners met in special session, Monday, January 28, 2019 at 3:00 p.m. in the basement of the Physician's Pavilion, Mayor Ronald E. Hutto presiding. Commissioners Gregory N. Thompson and Phillip R. Jarvis were also present. Also in attendance were Brenda Peters, Interim City Manager.

Commissioner Jarvis made a motion to move into Executive Session to conduct City Manager interviews pursuant to the non-elected personnel exception, K.S.A. 75-4319 (b)(1). The open meeting will resume at 7:30 p.m. Motion was seconded by Commissioner Thompson. With all Commissioners voting aye, motion carried.

The special session resumed at 7:30 p.m.

Commissioner Jarvis made a motion to move into Executive Session to conduct City Manager interviews pursuant to the non-elected personnel exception, K.S.A. 75-4319 (b)(1). The open meeting will resume at 8:15 p.m. Motion was seconded by Commissioner Thompson. With all Commissioners voting aye, motion carried.

The special session resumed at 8:15 p.m.

Commissioner Thompson made a motion to adjourn. The motion was seconded by Commissioner Jarvis. With all Commissioners voting aye, motion carried. Meeting adjourned at 8:45 p.m.

Signed and sealed this 27th day of January 2019.

Signed and approved this 7th day of January 2019.

Brenda Peters, City Clerk

Ronald E. Hutto, Mayor

CITY COMMISSION MEETING MINUTES
Winfield, Kansas
January 31, 2019

The Board of City Commissioners met in special session, Thursday, January 31, 2019 at 11:30 a.m. in the basement of William Newton Memorial Hospital, Mayor Ronald E. Hutto presiding. Commissioners Gregory N. Thompson and Phillip R. Jarvis were also present. Also in attendance were Brenda Peters, Interim City Manager.

The City Commission and Interim City Manager attended an executive session held by the William Newton Hospital Board to discuss patient/provider issues.

Commissioner Jarvis made a motion to adjourn. The motion was seconded by Commissioner Thompson. With all Commissioners voting aye, motion carried. Meeting adjourned at 12:17 p.m.

Signed and sealed this 31st day of January 2019.

Signed and approved this 7th day of January 2019.

Brenda Peters, City Clerk

Ronald E. Hutto, Mayor



Request for Commission Action

Date: January 29, 2019

Requestor: Gus Collins, Director of Utilities
Troy Blanton, Natural Gas Utility Supervisor

Action Requested: Consider accepting an easement from the Winfield Country Club.

Analysis: This easement is necessary to extend the gas line to serve Country Club Villas. Staff determined the best option to serve the Villa's was from the existing gas main North of the development. Due to the additional utilities' conflicts i.e. AT&T fiber optic, water, it was requested to obtain an additional easement from the Country Club, to the East, in order to accommodate the installation of the gas line. The Winfield Country Club ownership was approved and is now submitted to the governing body.

Fiscal Impact: N/A - Easement was provided at no cost. The cost of the install will be reimbursed in the terms of the development agreement.

Attachments: Easement & Map depicting the proposed easement.

A RESOLUTION

ACCEPTING and authorizing the filing of a certain permanent easement necessary to provide right-of-way for installation, construction, maintenance, repair, and removal of the utilities and the necessary appurtenances therefore, in, over, under, and across real estate in Section 32, Township 32 South, Range 4 East of the 6th P.M., City of Winfield, Cowley County, Kansas.

WHEREAS, it was necessary to acquire a certain permanent easement to provide right-of-way for installation, construction, maintenance, repair, and removal of the utilities and the necessary appurtenances in Cowley County, Kansas; and,

WHEREAS, said easement has been successfully negotiated.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WINFIELD, KANSAS, THAT:

Section 1. The Mayor and Clerk of the City of Winfield, Kansas, are hereby authorized and directed to accept a certain permanent easement in Cowley County, Kansas, granted by the Winfield Country Club, Cory A. Lindenman, President, necessary to provide right-of-way for the purpose of installation, construction, maintenance, repair, and removal of the utilities and the necessary appurtenances therefore, in, over, under, and across the real estate described as follows:

Beginning at the Northwest corner of Lot 1, Block B, Country Club Villas Addition to the City of Winfield, Cowley County, Kansas, a strip of land twenty five feet in width parallel & adjacent to and exclusive of the East right-of-way line of F.A.S. Route 161 in the Southwest Quarter of Section 32, Township 32 South, Range 4 East of the 6th P.M. extending to the South right-of-way line of Braid Hill Drive.

Section 2. The Clerk of the City of Winfield, Kansas shall record said easement with the Register of Deeds of Cowley County, Kansas.

Section 3. This resolution shall be in full force and effect from and after its adoption.

ADOPTED this 4th day of February 2019.

(SEAL)

Ronald E. Hutto, Mayor

ATTEST:

Carina Anderson, Deputy City Clerk

Approved as to form: _____
William E. Muret, City Attorney

Approved for Commission action: _____
Brenda Peters, Interim City Manager / ps

PERMANENT EASEMENT

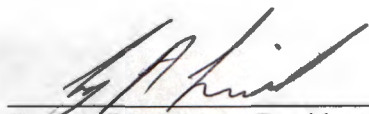
We, the Winfield Country Club, Inc., owners, in consideration of the benefit to be obtained from the utility lines which are the subject of these easements, payment of the sum of \$1.00 and other valuable consideration, receipt of which is hereby acknowledged, do hereby convey and assign to the CITY OF WINFIELD, Cowley County, Kansas, permanent easements and right-of-way for the purpose of installation, construction, maintenance, repair, and removal of said utilities and the necessary appurtenances therefor, in, over, under, and across the real estate in the Southwest Quarter of Section 32, Township 32 South, Range 4 East of the 6th P.M., City of Winfield, Cowley County, Kansas, described as follows:

Beginning at the Northwest corner of Lot 1, Block B, Country Club Villas Addition to the City of Winfield, Cowley County, Kansas, a strip of land twenty five feet in width parallel & adjacent to and exclusive of the East right-of-way line of F.A.S. Route 161 in the Southwest Quarter of Section 32, Township 32 South, Range 4 East of the 6th P.M. extending to the South right-of-way line of Braid Hill Drive.

The amount of money as set forth herein is in full payment for the use of said property and the undersigned releases the City of Winfield, Kansas, from any claims for damages for acts or omissions pertaining to the purpose as set forth herein except for negligence on the part of said City. There are no other agreements, oral or written, between the parties except as set forth herein.

This easement is binding upon the heirs, executors, administrators, successors, trustees, and assigns of the parties hereto.

Dated this 22 day of January, 2019.


Cory A. Lindenman, President
Winfield Country Club Inc.

STATE OF KANSAS
COUNTY of COWLEY, SS.

On this 22nd day of January, 2019, before me a notary public in and for said county and state, personally appeared Cory Lindenman, to me known to be the person named in and who executed the foregoing instrument, and duly acknowledged the execution thereof.


Notary Public

My commission expires: 9/28/2019



Accepted and authorized for filing in the Office of Register of Deeds, Cowley County, Kansas, this _____ day of _____, 2019, by Resolution No. _____ of the Governing Body of the City of Winfield, Kansas.

Ronald E. Hutto, Mayor

ATTEST:

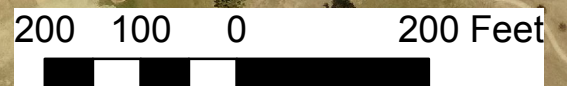
Carina Anderson, Deputy City Clerk

Proposed Utility Easement

Braid Hill Drive

Proposed 25' Easement

Country Club Villas





Request for Commission Action

Date: January 31, 2019

Requestor: John Adams, Code Enforcement Inspector

Action Requested: Seeking approval of 3 nuisance resolutions ordering the removal and abatement of a trash nuisance at 1513 Mansfield St., 607 Loomis St. and 332 Massachusetts. Consideration of a Setting Resolution setting a time and date for a public hearing for possible condemnation of 1421 E. 9th Ave.

Analysis: **1513 Mansfield:** Spoke with the owner on prior occasions who explained that her deceased husband had used the property to keep scrap materials and she would have someone clean it up. Since that conversation it appears that no scrap metal remains however the property is increasingly becoming a dumping ground. A fence of metal roofing hides the junk which due to overgrowth of trees is only noticeable during the winter months. The non-conforming fence will also be removed during the clean up process.

607 Loomis: Spoke with the owner regarding outdoor storage in the side and back yard. He advised at the time that he would need some time to get the items removed. No action to remove has taken place since the initial conversation.

332 N. Massachusetts: Completed a clean-up of this property in 2017 and upon inspection found trash under the carport and furniture in the side and back yard as well as junk and trash on the alley.

1421 E. 9th Ave.: Completed internal and external inspection of two structures on the same parcel with the permission of the owner. Inspections revealed the two-story apartment is in a severe state of deterioration and should be considered for condemnation. The second structure addressed as 909 High is also in a state of disrepair however it is not irreparable and owner could affect necessary repair to bring the structure up to a habitable state.

Fiscal Impact: Unknown fiscal impact as of now. If no action is taken by the owner a contractor will be assigned to complete the demolition and removal of both structures and that cost passed to the owner.

Attachments: Nuisance Resolution 1513 Mansfield St.
 Nuisance Resolution 607 Loomis St.
 Nuisance Resolution 332 Massachusetts St.
 Fixing Resolution 1421 E. 9th Ave./909 High St.

A RESOLUTION

DETERMINING the existence of certain nuisances in the City of Winfield, Kansas, and authorizing further action pursuant to the City Code of said City.

WHEREAS, under the provisions of Section 54-3 and 70-2 of the Winfield City Code, Winfield, Kansas, adopted pursuant to K.S.A. 12-1617e, the Governing Body has the power to remove or abate from any lot or parcel of ground within the City any nuisance thereon, upon a finding and determination thereof by said Governing Body; and,

WHEREAS, the City's inspector, on or about the 10th day of May, 2019 and on prior and subsequent times, inspected the premises described below and observed the following conditions as set forth below;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WINFIELD, KANSAS, THAT:

Section 1. The conditions hereinafter described are hereby found to be nuisances, and determined to be a menace and dangerous to the health of the inhabitants of the city or of any neighborhood, family or resident of the city, to wit:

(1) Owner: CARTER, SHIRLEY DIANE
28270 41ST RD
ARKANSAS CITY, KS. 67005

Occupant: VACANT LOT
Property Address: 1513 Mansfield
Legal Description: The South 25 feet of Lot 4 and all of Lots 5 and 6, Block 55, in Robinson's Addition to Winfield, Cowley County, Kansas, according to plat thereof, commonly known as 1513 Mansfield in said city.

Nature of Nuisance: A nuisance consisting of a non-conforming fence built of roofing tin, a small collapsed auxiliary structure and miscellaneous trash, and junk and discarded furniture throughout the vacant lot.

Disposition of Items: Property items determined by the City to be of value will be impounded and stored at the City impound lot. Such items may be retrieved after appropriate impound fees and other incurred expenses have been paid by the owners.

Section 2. The Clerk of the City of Winfield, Kansas is hereby authorized to issue notice for the removal and abatement of said nuisances and take any remedial action as authorized under Section 54-2 of the Winfield City Code, Winfield, Kansas.

Section 3. This resolution shall be in full force and effect from and after its passage and approval.

ADOPTED this 4th day of February, 2019.

(SEAL)

Ronald E. Hutto, Mayor

ATTEST:

Carina Anderson, Deputy City Clerk

Approved as to form: _____
William E. Muret, City Attorney

Approved for Commission action: _____
Brenda Peters, Interim City Manager/jha

A RESOLUTION

DETERMINING the existence of certain nuisances in the City of Winfield, Kansas, and authorizing further action pursuant to the City Code of said City.

WHEREAS, under the provisions of Section 54-3 and 70-2 of the Winfield City Code, Winfield, Kansas, adopted pursuant to K.S.A. 12-1617e, the Governing Body has the power to remove or abate from any lot or parcel of ground within the City any nuisance thereon, upon a finding and determination thereof by said Governing Body; and,

WHEREAS, the City's inspector, on or about the 25th day of July, 2017 and on prior and subsequent times, inspected the premises described below and observed the following conditions as set forth below;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WINFIELD, KANSAS, THAT:

Section 1. The conditions hereinafter described are hereby found to be nuisances, and determined to be a menace and dangerous to the health of the inhabitants of the city or of any neighborhood, family or resident of the city, to wit:

(1) Owner: BELL, MATTHEW CLANCY
1315 FULLER ST
WINFIELD, KS. 67156

Occupant: NONE KNOWN
Property Address: 607 LOOMIS
Legal Description: South 55 feet of Lot 1, Block 146, Winfield, Cowley County, Kansas.

Nature of Nuisance: A nuisance consisting of miscellaneous trash, and junk throughout property and on front porch.

Disposition of Items: Property items determined by the City to be of value will be impounded and stored at the City impound lot. Such items may be retrieved after appropriate impound fees and other incurred expenses have been paid by the owners.

Section 2. The clerk of the City of Winfield, Kansas is hereby authorized to issue notice for the removal and abatement of said nuisances and take any remedial action as authorized under Section 54-2 of the Winfield City Code, Winfield, Kansas.

Section 3. This resolution shall be in full force and effect from and after its passage and approval.

ADOPTED this 4th day of February, 2019.

(SEAL)

Ronald E. Hutto, Mayor

ATTEST:

Carina Anderson, Deputy City Clerk

Approved as to form: _____
William E. Muret, City Attorney

Approved for Commission action: _____
Brenda Peters, Interim City Manager/jha

A RESOLUTION

DETERMINING the existence of certain nuisances in the City of Winfield, Kansas, and authorizing further action pursuant to the City Code of said City.

WHEREAS, under the provisions of Section 54-3 and 70-2 of the Winfield City Code, Winfield, Kansas, adopted pursuant to K.S.A. 12-1617e, the Governing Body has the power to remove or abate from any lot or parcel of ground within the City any nuisance thereon, upon a finding and determination thereof by said Governing Body; and,

WHEREAS, the City's inspector, on or about the 1st day of November, 2018 and on prior and subsequent times, inspected the premises described below and observed the following conditions as set forth below;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WINFIELD, KANSAS, THAT:

Section 1. The conditions hereinafter described are hereby found to be nuisances, and determined to be a menace and dangerous to the health of the inhabitants of the city or of any neighborhood, family or resident of the city, to wit:

(1) Owner: MCCULLOUGH, BRIAN D
332 N MASSACHUSETTS
WINFIELD, KS. 67156

Occupant: MCCULLOUGH, BRIAN D
Property Address: 332 N MASSACHUSETTS
Legal Description: The South 35 feet of the North 70 feet of Lot 9, Block 30
Musgrove's Addition to the City of Winfield.

Nature of Nuisance: A nuisance consisting of miscellaneous discarded furniture, debris, trash, and junk under a carport and in front of and north of an auxiliary structure on the alley.

Disposition of Items: Property items determined by the City to be of value will be impounded and stored at the City impound lot. Such items may be retrieved after appropriate impound fees and other incurred expenses have been paid by the owners.

Section 2. The Clerk of the City of Winfield, Kansas is hereby authorized to issue notice for the removal and abatement of said nuisances and take any remedial action as authorized under Section 54-2 of the Winfield City Code, Winfield, Kansas.

Section 3. This resolution shall be in full force and effect from and after its passage and approval.

ADOPTED this 4th day of February, 2019.

(SEAL)

Ronald E. Hutto, Mayor

ATTEST:

Carina Anderson, Deputy City Clerk

Approved as to form: _____
William E. Muret, City Attorney

Approved for Commission action: _____
Brenda Peters, Interim City Manager/jha

(First published in the Cowley Courier Traveler, Friday, February 8, 2019)

BILL NO. 1907

RESOLUTION NO. 0719

A RESOLUTION

FIXING the time and place and providing for notice of a public hearing before the Governing Body of the City of Winfield, Kansas, regarding the condemnation of a certain structures, a house and detached garage in the City of Winfield, Cowley County, Kansas.

WHEREAS, on May 01, 2017, the Code Enforcement Inspector of the City of Winfield, Kansas, acting as the enforcing officer pursuant to K.S.A. 12-1750 Supp. et. Seq., filed with the Governing Body of said City, a statement in writing that certain structures hereinafter described are unsafe for human habitation and/or dangerous.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WINFIELD, KANSAS, THAT:

Section 1. A hearing will be held on April 1st, 2019 at 5:30 p.m. in the Community Council Room, City Hall, 200 East Ninth Avenue, Winfield, Kansas, at which time the owners, their agents, lien holders of record and any occupants of said structures legally described below:

- 1) A house on a tract of land legally described as: ***Lot 1, and the East Half of Lot 2, Block 26, Grand View Addition, to Winfield, Kansas. Commonly known as 1421 E. 9th Ave. Recorded in Book 0703 Page 885***, in the Office of the Register of Deeds of Cowley County, Kansas, may appear and show cause why said structures should not be condemned as unsafe and dangerous and ordered repaired or demolished.
- 2) A house on the same tract of land legally described as: ***Lot 1, and the East Half of Lot 2, Block 26, Grand View Addition, to Winfield, Kansas. Commonly known as 909 High St. Recorded in Book 0703 Page 885***, in the Office of the Register of Deeds of Cowley County, Kansas, may appear and show cause why said structures should not be condemned as unsafe and dangerous and ordered repaired or demolished.

Section 2. The City Clerk is hereby directed to have this resolution published twice in the official city newspaper once each week for two consecutive weeks on the same day of each week and shall give notice to said person or persons in the manner provided by K.S.A. 12-1750 Supp. et. seq.

Section 3. This resolution shall be in full force and effect from and after its adoption and publication in the official city newspaper.

ADOPTED this 19th day of February, 2019.

(SEAL)

ATTEST:

Ronald E. Hutto, Mayor

Carina Anderson, Deputy City Clerk

Approved as to form: _____
William E. Muret, City Attorney

Approved for Commission action: _____
Brenda Peters, Interim City Manager / ja



Request for Commission Action

Date: February 1, 2019

Requestor: Brenda Peters

Action Requested: Consideration of approval authorizing the calling of a special question election for imposing a one-percent sales tax with a sunset date after a period of 25 years.

Analysis: Adequate funding is now required for projects, both current and future, that the City will be participating in. The purpose for this tax would be to continue to work on certain street projects, provide for future facilities maintenance, and most importantly, the construction of the proposed Public Safety Facility.

Fiscal Impact: Needs will be assessed as they arise, this number is unknown

Attachments: Resolution

BILL NO. 1908

RESOLUTION NO. 0819

A RESOLUTION AUTHORIZING AND PROVIDING FOR THE CALLING OF A SPECIAL QUESTION ELECTION IN THE CITY OF WINFIELD, KANSAS, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF THE CITY THE QUESTION OF IMPOSING A ONE PERCENT (1%) CITY-WIDE RETAILERS' SALES TAX; AND PROVIDING FOR THE GIVING OF NOTICE OF SAID ELECTION.

WHEREAS, K.S.A. 12-187 *et seq.*, as amended, (the "Act") authorizes the governing body (the "Governing Body") of the City of Winfield, Kansas (the "City") to submit to the electors of the City the question of imposing City-wide retailers' sales taxes, which may be in an amount not to exceed two-percent (2%) for general purposes or in an additional amount not to exceed one percent (1%) for special purposes, provided sales taxes for special purposes shall expire not later than ten (10) years from the initial date of collection thereof; and

WHEREAS, pursuant to the Act, as amended by Charter Ordinance No. 23, the electors of the City have heretofore approved propositions to authorize the levy of City-wide retailers' sales taxes as follows:

- (a) one-half percent (0.50%) for general purposes, authorized in 1981; and
- (b) one-half percent (0.50%) for flood control improvements, authorized in 1984 and re-authorized in 1990; and
- (c) four-tenths of one percent (0.40%) for library, street and other capital improvements, authorized in 2014 (the "2014 Sales Tax"); and

WHEREAS, the Governing Body deems it advisable that additional funds, other than from ad valorem property taxation, be derived to finance the costs of police, fire, and public safety buildings and facilities, streets, and other capital improvements throughout the City, including the payment of financing costs related thereto; and

WHEREAS, the Governing Body deems it advisable that funds to finance such purposes be derived by the imposition of a one percent (1%) City-wide retailers' sales tax (the "2019 Capital Improvements Sales Tax") and the termination of the 2014 Sales Tax; and

WHEREAS, in order to authorize the 2019 Capital Improvements Sales Tax and terminate the 2014 Sales Tax, it is deemed advisable to call a special question election in the City on June 4, 2019; and

WHEREAS, it is deemed advisable to hold such election in accordance with the mail ballot election law (K.S.A. 25-431 *et seq.*); and

WHEREAS, if approved, the 2019 Capital Improvements Sales Tax will constitute a sales tax imposed for general purposes, as said term is described in K.S.A. 12-189, as amended.

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

SECTION 1. 2019 Capital Improvements Sales Tax. It is hereby deemed necessary and advisable and in the best interests of the citizens of the City to finance the costs of police, fire, and public safety buildings and facilities, streets, and other capital improvements throughout the City, including the payment of financing costs related thereto by the imposition of the 2019 Capital Improvements Sales Tax. Collection of the 2019 Capital Improvements Sales Tax, if approved by the electors of the City, shall commence on October 1, 2019, or as soon thereafter as permitted by the Act, and to terminate 25 years after its commencement; and upon the effective date of collection of the 2019 Capital Improvements Sales Tax, the collection of the 2014 Sales Tax shall terminate.

SECTION 2. Special Question Election. It is hereby authorized, ordered and directed that a special question election shall be and is hereby called to be held in the City on June 4, 2019, at which time there shall be submitted to the qualified electors of the City the following proposition:

Shall the following be adopted?

Shall the City of Winfield, Kansas be authorized to impose a one percent (1%) City-wide retailers' sales tax (the "2019 Capital Improvements Sales Tax"), the proceeds of which shall be used to finance the costs of police, fire, and public safety buildings and facilities, streets, and other capital improvements throughout the City, including the payment of financing costs related thereto; the collection of the 2019 Capital Improvements Sales Tax to commence on October 1, 2019, or as soon thereafter as permitted by law, and to terminate 25 years after its commencement; and upon the effective date of collection of the 2019 Capital Improvements Sales Tax, the collection of the existing four-tenths of one percent (0.40%) City-wide retailers' sales tax imposed to finance the costs of library, street and other capital improvements throughout the City shall be terminated; all pursuant to the provisions of K.S.A. 12-187 *et seq.* and K.S.A. 25-431 *et seq.*, as amended?

SECTION 3. Special Question Election Procedures. The vote at said special question election shall be by mail ballot, and the proposition stated above shall be printed on the ballot, together with voting instructions as provided by law. The City Clerk shall transmit a copy of this Resolution to the Cowley County Clerk to give notice of the special question election as provided by law by publishing a Notice of Special Question Election in substantially the form attached hereto as ***Exhibit A*** once each week for two (2) consecutive weeks in a newspaper of general circulation in the City, with the first publication to be not less than twenty-one (21) days prior to the date of the special question election, and the last publication shall be not more than forty-five (45) days prior to the date of the special question election.

SECTION 4. Effective Date. This Resolution shall be effective from and after adoption by the Governing Body.

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ADOPTED AND APPROVED by the Governing Body of the City of Winfield, Kansas, on February 4, 2019.

(Seal)

Ronald E. Hutto, Mayor

ATTEST:

Carina Anderson, Deputy City Clerk

APPROVED AS TO FORM:

William E. Muret, City Attorney

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution No. ____ of the City of Winfield, Kansas adopted by the Governing Body on February 4, 2019, as the same appears of record in my office.

DATED: February 4, 2019.

Brenda Peters, City Clerk

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Request for Commission Action

Date: 1/30/19

Requestor: Patrick Steward, Director of Public Improvements

Action Requested:

Approval of proposal from Bryant & Bryant for ADA ramps associated 2019 Street projects.

Analysis:

Bryant & Bryant has performed ADA ramp work associated with the City's street improvement projects for several years. We requested prices from both Bryant and Bryant and APAC, the other contractor that has performed this type of work for the city in recent years. However, APAC did not submit a proposal. The prices from Bryant and Bryant were only slightly higher than the unit prices they've performed the work for in past years.

Therefore, we are requesting approval of the unit price proposal from Bryant and Bryant for performing this work for a total estimated cost of \$144,648.00

Fiscal Impact: This work is included with in the budget for this years street maintenance work.

Attachments: Proposal from Bryant and Bryant



Bryant & Bryant Const. Inc.
703 McNair
Halstead, KS 67056
Telephone: 316-835-3322 Fax: 316-835-2497

Project: Winfield
Project #: Wheel Chair Ramp Project

Date: December 13, 2018

Sales Tax: EXEMPT

Item	Description	Unit	Quantity	Unit Price	Amount
1	Mobilization	LS	1.00	\$5,000.00	\$5,000.00
2	Wheel Chair Ramps	EA	43.00	\$775.00	\$33,325.00
3	6" Concrete Pavement (Remove and Replace)	SF	12,020.00	\$6.50	\$78,130.00
4	4" Sidewalk (Remove and Replace)	SF	2,062.00	\$5.50	\$11,341.00
5	Curb & Gutter	LF	552.00	\$26.00	\$14,352.00
6	Traffic Control	LS	1.00	\$2,500.00	\$2,500.00
				Total Bid:	\$144,648.00

Price includes : material, labor, equipment, traffic control

Price excludes : testing, asphalt patching, pavement marking, seeding

Quantities are approximate, final pay will be based on actual quantities complete.



Request for Commission Action

Date: January 29, 2019

Requestor: Jerred Schmidt, Director of Information Systems

Action Requested: Discuss 2019 Computer proposals and award the bid to the best qualified vendor.

Analysis: Windows 7 End of Life is January 14th, 2020 and we need to upgrade all Windows 7 computers to Windows 10. This includes 120 Desktop PC's and 50 Laptops. This needs to be done to make sure we stay in compliance with PCI DSS, CJIS and HIPAA standards. This also needs done to keep our network secure. After January 14th, 2020 Microsoft will not release any security updates for Windows 7 and any new vulnerabilities found will pose a significant security risk.

Fiscal Impact: The City has budgeted \$130,000 for the replacement of all windows 7 devices from account number 508.800.551200. This should cover the awarded bid and any additional accessories we might need to finalize the project.

Staff Recommendation: Award the bid to the best qualified vendor

Attachments: Proposals from miscellaneous Computer Vendors (I will bring copies to Work Session, bids are due by 2:00 pm on Thursday)



Request for Commission Action

Date: January 29, 2019

Requestor: Gus Collins, Director of Utilities
Beau Bailey, Underground Utility Supervisor

Action Requested: Consider acquisition of a 1 ½ ton truck that was approved in the 2019 budget. This piece of equipment would then replace two trucks as identified in the attached memo.

Analysis: Staff did a thorough job of soliciting sources, potential options, that could provide such replacement. Again, as noted in the attached memo, only one vendor has expressed interest - Kansas Truck Equipment. With the additional options, the total cost is under the budget that was approved for 2019.

Fiscal Impact: Total cost for the new truck is \$122,234.95, with an approved budget of \$133,000.

Again, to reiterate, we are replacing two trucks (1 ton and a 2 ton) with this new equipment acquisition.

Attachments: The memorandum from Underground Supervisor, Beau Bailey is attached, which provided additional detail.

memo

City of Winfield

To: Director of Utilities Gus Collins
From: Water/Wastewater Supervisor, Beau Bailey
CC: Interim City Manager Brenda Peters
Date: January 29, 2019
Re: Utility Truck

Comments: The City of Winfield Underground Utilities department currently has two utility trucks in its fleet. One is a 1999 Ford 1-ton truck equipped with a utility bed and power inverter. The second is a 1989 Ford F800 (two ton) truck equipped with utility bed, crane and air compressor. Both have served us very well for twenty years or more.

In 2015, we began exploring options for replacement of these trucks, with the goal being a single truck equipped with options necessary to complete the various tasks we encounter. Staff has made visits to distributors, visited with sales reps at conferences, and had a demo brought to the op center for a hands-on demonstration.

Through this, we have determined a 1 ½ ton truck equipped with utility bed, 7500 lb. crane, PTO driven air compressor and 3000-watt power inverter would be the best truck overall. The 1 ½ ton truck is large enough to adequately tow our mini-excavator, and the added options will meet the needs of the crew in most situations.

Knowing this would be a large purchase, we began planning in 2017, requesting for the 2018 budget, a transfer of \$50,000.00 to equipment reserve fund, which was approved. We then requested an additional \$83,000.00 for the 2019 budget for a total of \$133,000.00 which was approved.

There are two distributors of large utility trucks in the Wichita area, Midwest Truck Equipment, and Kansas Truck Equipment. We requested a proposal from both companies, for a truck equipped as described in the paragraph above. Midwest Truck Equipment declined the opportunity, stating they didn't believe they would be able to fill the order in a timely manner (as determined by them). Kansas Truck Equipment provided pricing for two options, one with an aluminum bed, one with a steel bed.

Please see the attached price quote. Recommendation is to purchase the truck with a steel bed and the highlighted option upgrades.

Total: \$122,234.95



Request for Commission Action

Date: February 1, 2019

Requestor: Brenda Peters

Action Requested: Consideration appointment to the Senior Citizen's Advisory Committee

Analysis: A call was received from Linda Chase – Council on Aging. She is recommending the appointment of Hannah Peroo to the Committee, and is willing to accept.

Fiscal Impact: None

Attachments: None