

**CITY COMMISSION MEETING  
Winfield, Kansas**

DATE: Monday, November 07, 2022  
TIME: 5:30 p.m.  
PLACE: City Commission – Community Council Room – First Floor – City Building

***AGENDA***

CALL TO ORDER .....Mayor Ronald E. Hutto  
ROLL CALL.....City Clerk, Tania Richardson  
MINUTES OF PRECEDING MEETING.....Monday, October 17, 2022

**BUSINESS FROM THE FLOOR**

-Citizens to be heard

**NEW BUSINESS**

Ordinances & Resolutions

**Bill No. 22123 – A Resolution** – Authorizing the execution of the Project Programming Request and Commitment of City Funds for the 2024 CCLIP Surface Preservation Project.

**Bill No. 22124 – A Resolution** – Authorizing the granting and 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 Southwest quarter of Section 27, Township 32 South, Range 4 East of the 6th Principal Meridian, Cowley County, Kansas.

**OTHER BUSINESS**

-Consideration of approval for three sanitary sewer projects that will serve the new Southwestern dorm and replace certain portions of the sewer in the Southwestern College campus.

**ADJOURNMENT**

-Next Commission work session 4:00 p.m. Thursday November 17, 2022.  
-Next regular meeting 5:30 p.m. Monday, November 21, 2022.

**CITY COMMISSION MEETING MINUTES**  
**Winfield, Kansas**  
**October 17, 2022**

The Board of City Commissioners met in regular session, Monday, October 17, 2022 at 5:30 p.m. in the City Commission-Community Council Meeting Room, City Hall; Mayor Ronald E. Hutto presiding. Commissioners Brenda K. Butters and Gregory N. Thompson were also present. Also in attendance were Taggart Wall, City Manager; Tania Richardson, City Clerk; and William E. Muret, City Attorney. Other staff members present were Patrick Steward, Director of Public Improvements; and Robbie DeLong, Police Chief.

City Clerk Richardson called roll.

Commissioner Butters moved that the minutes of the September 29, 2022 meeting be approved. Commissioner Thompson seconded the motion. With all Commissioners voting aye, motion carried.

**PRESENTATIONS**

-Winfield Police Department

- City Clerk Richardson gave the Oath of Office to Officer Theodore (Ted) Shinneman

-Police Chief DeLong introduced Chad McGathy, promoted to Master Police Officer.

**BUSINESS FROM THE FLOOR**

David Chapman, 1503 E 10<sup>th</sup> Ave, spoke to the Commissioners about commercial traffic on Country Club Road.

**NEW BUSINESS**

**Bill No. 22120 – A Resolution** – Authorizing the Project Programming Request and Commitment of City Funds for a Pedestrian Access Expansion. Director of Public Improvements Steward explains the estimated project cost in \$263,338 with a Federal TA award of \$210,670 (80%) and local project share of \$52,668 (20%). Upon motion by Commissioner Thompson, seconded by Commissioner Butters all Commissioners voting aye, Bill No. 22120 was adopted and numbered Resolution No. 10022.

**Bill No. 22121 – A Resolution** – Approving set up of account with Pooled Money Investment Board of Kansas. City Manager Wall explains this will allow the City to set up an account with Pooled Money Investment Board of Kansas as an option to invest idle funds. Upon motion by Commissioner Butters, seconded by Commissioner Thompson all Commissioners voting aye, Bill No. 21115 was adopted and numbered Resolution No. 10122.

**-STRICKEN-**

~~**Bill No. 22122 – A Resolution** – Authorizing and directing the City Manager of the City of Winfield, Kansas to execute a lease agreement between the City of Winfield and Winfield Isle of Lights, Inc. regarding the lease of the Island Park Storage Facility. City Manager Wall asks that this Resolution be stricken to allow for changes to be made before proceeding. Commissioner Thompson moved to strike Bill No. 22122, seconded by Commissioner Butters, all Commissioners voting aye, Bill No. 22122 was stricken.~~

**ADJOURNMENT**

Upon motion by Commissioner Butters, seconded by Commissioner Thompson, all Commissioners voting aye, the meeting adjourned at 5:38 p.m.

Signed and sealed this 20<sup>th</sup> day of October 2022.

Signed and approved this 7<sup>th</sup> day of November 2022.

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Tania Richardson, City Clerk

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Ronald E. Hutto, Mayor

**A RESOLUTION**

**AUTHORIZING** the execution of the Project Programming Request and Commitment of City Funds for the 2024 CCLIP Surface Preservation Project.

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**WHEREAS**, the Kansas Department of Transportation selected the City to receive a 2024 CCLIP Surface Preservation Project; and,

**WHEREAS**, the project is for KDOT's 2024 fiscal year; and,

**WHEREAS**, prior to the project being placed on the construction schedule by the Secretary of Transportation of the State of Kansas the Project Programming Request must be executed; and,

**WHEREAS**, sufficient City Funds are hereby pledged to complete the project and KDOT will contribute 90% toward the project up to a maximum of \$400,000 of state funds.

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

**Section 1.** The Mayor, Commission and Clerk of the City of Winfield, Cowley County, Kansas, are hereby authorized and directed to execute DOT Form 1302, Project Programming Request and Commitment of City Funds for the project, a copy of which is attached hereto and made a part hereof.

**Section 2.** The City funds which are required for the matching of State funds are hereby pledged by the City to be available to make payments for construction work and engineering on the above designated project.

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

**ADOPTED** this 7th day of November, 2022.

(SEAL)

\_\_\_\_\_  
Ronald E. Hutto, Mayor

ATTEST:

\_\_\_\_\_  
Tania Richardson, City Clerk

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

Approved for Commission action: \_\_\_\_\_  
Taggart Wall, City Manager/ps

**PROJECT PROGRAMMING REQUEST**

<input checked="" type="checkbox"/> New Project		<input type="checkbox"/> Amend Existing Project		Date:	11/7/2022
Program Year: 2024		Funding Program:		CCLIP-SP (Surface Preservation)	
KDOT District		MPO		MPO TIP #	
5					
County	City	Route / Corridor		Functional Classification	
Cowley	Winfield	US160		3 = Other Principal Arterial	
Project Sponsor / Lead Agency					
City of Winfield					
Project Mgr / Contact		Phone		E-mail Address	
Patrick Steward, City Engineer		620-221-5520		<a href="mailto:psteward@winfieldks.org">psteward@winfieldks.org</a>	
Project Title					
Surface Preservation - US160 Wheat Rd to Industrial Road					
Project Length:		miles	Desired Letting Date:		February 2024
Letting Type:		<input type="checkbox"/> KDOT	<input checked="" type="checkbox"/> LPA	<input type="checkbox"/> Force Account	
Location, Project Limits, Description, Scope of Work					
US-160 (9th Ave.) from Wheat to Industrial Road 2" mill and asphalt overlay					
Purpose and Need					
Surface preservation including 2" mill and asphalt overlay, minor patching, and pavement markings.					
Project Benefits					
Maintain and preserve asphalt roadway.					
RR within 1/2 mile?	RR Company Name		No. of Tracks	Existing Crossing Protection	
No					

In accordance with the Bureau of Local Projects (BLP) Memo 99-11, dated December 16, 1999, we are required, under the Comprehensive Transportation Program (CTP), to collect and record total costs of all work phases of projects. This includes local agency federal-aid and state-aid projects that include any non-participating, pre-construction local agency costs for preliminary engineering (plan design), rights of way and utility adjustments. Please show your estimate of the cost for all work phases below:

Project Cost Estimate			
	Participating	Non-Participating	Total
PE (Design)	\$ -	\$ 55,000.00	\$ 55,000.00
Utilities	\$ -	\$ -	\$ -
ROW	\$ -	\$ -	\$ -
CE (Inspection)	\$ 35,000.00	\$ -	\$ 35,000.00
Construction Total	\$ 689,050.00	\$ -	\$ 689,050.00
Surfacing (Asphalt)	\$ 534,550.00	\$ -	\$ 534,550.00
Signing and Pavement Marking	\$ 64,000.00	\$ -	\$ 64,000.00
Other	\$ 90,500.00	\$ -	\$ 90,500.00
	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -
<b>Project Totals</b>	<b>\$ 724,050.00</b>	<b>\$ 55,000.00</b>	<b>\$ 779,050.00</b>

## PROJECT PROGRAMMING REQUEST

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BE IT RESOLVED: That sufficient funds from City of Winfield

are now, or will be available and are hereby pledged to the Secretary in the amount and at the time required for the supplementing of federal funds available for the completion of this project. Prior to Federal Authorization, any project expenditures made by the LPA are ineligible for federal funding and remain the responsibility of the LPA. Upon cancellation of the project by the LPA, the LPA shall reimburse the Secretary within thirty (30) days after receipt of statement of cost incurred by the Secretary prior to cancellation.

Please sign below in accordance with your local policy.

Recommended for Approval:

Appropriate Local Officials

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Patrick Steward, City Engineer

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Mayor

ATTEST:

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Title

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Tania Richardson, City Clerk

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Title



## Request for Commission Action

**Date:** November 3, 2022

**Requestor:** Taggart Wall

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**Action Requested:** Consideration of approval of an easement for the installation of fiber utilities across the south edge of Cherry Street Park.

**Analysis:** As part of the ongoing project to extend fiber to City facilities and other locations, Kansas Fiber Network has requested an easement to allow the installation of the utility along the south edge of Cherry Street Park.

While typically installed in right-of-way—and at times next to or amongst other utilities including those of the City of Winfield—the installation within/across City property is not a frequent occurrence and requires an easement.

Kansas Fiber Network is also under a Franchise Agreement which speaks to right-of-way and other real property of the City including improvements to a Network—at locations to be filed and identified through the City permit process. That agreement sets forth parameters related to the interference with current or future work proposed by the City and the need for the KFN improvements to be removed or relocated at such time—at their sole cost.

Staff recommends approval.

Fiscal Impact: None

**Attachments:** A map of the proposed prescriptive line is included.

**A RESOLUTION**

**AUTHORIZING** the granting and 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 Southwest quarter of Section 27, Township 32 South, Range 4 East of the 6th Principal Meridian, Cowley County, Kansas.

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**WHEREAS**, it was necessary to grant 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.

**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 grant a certain permanent easement in Cowley County, Kansas, 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 a point 300 feet East of the intersection of the North line of the right of way of the Missouri Pacific Railroad and the West line of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 27, Township 32 South, Range 4 East; thence East along the said railroad right of way to the East line of the Southwest Quarter of Section 27, Township 32 South, Range 4 East; Then north along the East line of the Southwest Quarter of Section 27, Township 32 South, Range 4 East to the South right of way line of E 15<sup>th</sup> Ave; thence West 10 feet parallel to the E 15<sup>th</sup> Ave right of way; thence South parallel to the East line of the Southwest Quarter of section 27, Township 32 South, Range 4 East to a point 10' North of the Missouri Pacific Railroad right of way; thence West parallel to the said railroad right of way to the East right of way line of Cherry St; thence South to the point of beginning.

**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 7th day of November 2022.

(SEAL)

\_\_\_\_\_  
Ronald E Hutto, Mayor

ATTEST:

\_\_\_\_\_  
Tania Richardson, City Clerk

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

Approved for Commission action: \_\_\_\_\_  
Taggart Wall, City Manager

## PERMANENT EASEMENT

We, the CITY OF WINFIELD, owner, in consideration of the benefits to be obtained from the access to utility lines which are the subject of this easement, payment of the sum of \$1.00 and other valuable consideration, receipt of which is hereby acknowledged, do hereby convey and assign to Kansas Fiber Network, LLC a permanent utility easement and right of way for the purpose of installation, construction, maintenance, repair, and removal of utilities and necessary appurtenances therefore, in, over, under, and across the real estate in the Southwest quarter of Section 27, Township 32 South, Range 4 East, described as follows:

Beginning at a point 300 feet East of the intersection of the North line of the right of way of the Missouri Pacific Railroad and the West line of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 27, Township 32 South, Range 4 East; thence East along the said railroad right of way to the East line of the Southwest Quarter of Section 27, Township 32 South, Range 4 East; Then north along the East line of the Southwest Quarter of Section 27, Township 32 South, Range 4 East to the South right of way line of E 15<sup>TH</sup> AVE; thence West 10 feet parallel to the E 15<sup>TH</sup> AVE right of way; thence South parallel to the East line of the Southwest Quarter of section 27, Township 32 South, Range 4 East to a point 10' North of the Missouri Pacific Railroad right of way; thence West parallel to the said railroad right of way to the East right of way line of Cherry ST; thence South to the point of beginning.

The amount of money as set forth herein is in full payment for the use of said property and the undersigned releases the grantee 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 grantee. 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 7<sup>th</sup> day of November 2022.

CITY OF WINFIELD, Owner

By: \_\_\_\_\_  
Name: Ronald E. Hutto  
Title: Mayor

ATTEST: \_\_\_\_\_  
Name: Tania Richardson  
Title: City Clerk

Kansas Fiber Network, LLC

By: \_\_\_\_\_  
Name: Brian Cornish  
Title: Director of OSP







City of Winfield  
Proposed Utility Easement  
Cherry Street Park Property  
October, 2022



**Legend**

-  Existing Sewer Easement
-  Proposed Utility Easement





## Request for Commission Action

**Date:** November 3, 2022

**Requestor:** Beau Bailey and Gus Collins

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**Action Requested:** Consideration of approval for three sanitary sewer project that will serve the new Southwestern dorm and replace certain portions of the sewer in the Southwestern College campus.

**Analysis:** During the early planning stages of the construction of a new dormitory, it was determined the existing sanitary sewer service serving the student center needed to be relocated in order to construct the new facility. A main line extension down Warren Street was found to be the most practical solution. SWC has agreed to pay %100 of the cost.

This relocation as well as the additional housing units in the area raised concerns as to the capability of the existing infrastructure handling the additional flow. Staff recommendation is to increase the size of the downstream main lines to accommodate. SWC has agreed to share in this cost.

**Project 1.** Is an 8" sanitary sewer extension of approximately 350' to allow for the relocation of the existing sanitary sewer service (paid for by SWC).

**Project 2.** Is the replacement of approximately 1060' of 6" VCP with 8" PVC to accommodate the increased flow due to project #1 (paid for by city).

**Project 3.** Is the replacement of approximately 500' of 6" VCP with 8" PVC to accommodate the increased flow resulting from construction of the new dormitory (cost shared between SWC and the city).

Proposals were solicited from four contractors with only two submitting bids.

Nowak Construction- \$449,616.00

Tri-Star Utilities- \$285,560.00

Recommendation is to proceed with Tri-Star Utilities.

**Fiscal Impact:** SWC has agreed to a total cost share of \$150,000.00. City of Winfield responsibility is \$135,460 to be paid for with Capital Improvements Infrastructure funds budgeted for 2022.

**Attachments:** A map of all three projects is attached.



