

**CITY COMMISSION MEETING
Winfield, Kansas**

DATE: Monday, May 21, 2018
TIME: 5:30 p.m.
PLACE: City Commission – Community Council Room – First Floor – City Building

AGENDA

CALL TO ORDERMayor Gregory N. Thompson

ROLL CALL.....City Clerk, Brenda Peters

MINUTES OF PRECEDING MEETING.....Monday, May 07, 2018

MINUTES OF SPECIAL MEETINGThursday, May 17, 2018

BUSINESS FROM THE FLOOR

-Citizens to be heard

NEW BUSINESS

Ordinances & Resolutions

Bill No. 1850 – A Resolution – Setting forth findings that the structure, a house, located on a tract of land legally described as follows: *A house and detached garage on a tract of land in the West 10 feet of Lot 5, and all of Lot 6, Parsonage Addition, to Winfield, Kansas. Commonly known as 915 E. 14th Ave. Recorded in Book 0484 Page 649,* in the Office of the Register of Deeds of Cowley County, Kansas, is unsafe and/or dangerous and ordering said structure to be repaired or removed in sixty (60) days.

Bill No. 1851 – 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 34, Township 32 South, Range 4 East of the 6th P.M., City of Winfield, Cowley County, Kansas.

OTHER BUSINESS

-Consider appointment to the Winfield Housing Authority

ADJOURNMENT

-Next Commission work session 4:00 p.m. Thursday, May 31, 2018.

-Next regular meeting 5:30 p.m. Monday, June 04, 2018.

CITY COMMISSION MEETING MINUTES
Winfield, Kansas
May 7, 2018

The Board of City Commissioners met in regular session, Monday, May 07, 2018 at 5:30 p.m. in the City Commission-Community Council Meeting Room, City Hall; Mayor Gregory N. Thompson presiding. Commissioners Ronald E. Hutto and Phillip R. Jarvis were also present. Also in attendance were Jeremy Willmoth, City Manager; Brenda Peters, City Clerk and William E. Muret, City Attorney. Other staff members present were Gary Mangus, Assistant to the City Manager; Patrick Steward, Director of Public Improvements and Gus Collins, Director of Utilities.

Commissioner Hutto Thompson moved that the minutes of the April 16, 2018 meeting be approved. Commissioner Jarvis seconded the motion. With all Commissioners voting aye, motion carried.

PROCLAMATION

Mayor Gregory N. Thompson presented a proclamation recognizing Rod Haney as the 2018 Kansas Building Official of the Year.

Mayor Gregory N. Thompson presented a proclamation to City Manager Willmoth proclaiming May 6 - 12, 2018 as National Public Service Recognition Week.

Mayor Gregory N. Thompson presented a proclamation to Mary Wyatt and Randy Miller, both representing the group "Mind Matters", proclaiming the month of May as Mental Health Month.

BUSINESS FROM THE FLOOR

NEW BUSINESS

Bill No. 1844 – An Ordinance – Amending Section 18-1(10) of Chapter 18 of the Municipal Code of the City of Winfield by of the subdivision regulations for the City of Winfield, Kansas to include Backflow Device Tester/Installer and Fire Suppression Installation Contractor. Director of Public Improvements Steward explains that this is an ordinance that considers amending Chapter 18 of the Municipal Code to add Backflow Device Tester/Installer and Fire Suppression Installation Contractor, as two licensure types for contracting work within the City. Steward also explains that the reason to consider this change is the State requirements for backflow prevention for protection of municipal water supplies. Upon motion by Commissioner Jarvis, seconded by Commissioner Hutto all Commissioners voting aye, Bill No. 1844 was adopted and numbered Ordinance No. 4089.

Bill No. 1845 – An Ordinance – Amending Article 3 of the Zoning Regulations of the City of Winfield, Kansas, by changing the boundaries of certain districts referred to on an official map designated as the "Zoning District Map of Winfield, Kansas," which is made a part of Article 3 of the Zoning Regulations of the City of Winfield, Kansas. Director of Public Improvements Steward explains that this ordinance changes the zoning classification for property located at 812 Mansfield, and also a lot adjacent to it. Steward explains that the Planning Commission held a public hearing on April 9, 2018 as required by State Statute to receive public input and consider all of the potential uses of the property under the proposed classification, changing from an "R-3" High Density Residential

to “C-2” Restricted Commercial . The Planning Commission did vote to recommend approval of the zoning change. Upon motion by Commissioner Hutto, seconded by Commissioner Jarvis all Commissioners voting aye, Bill No. 1845 was adopted and numbered Ordinance No. 4090.

Bill No. 1846 – An Ordinance – Amending Article 3 of the Zoning Regulations of the City of Winfield, Kansas, by changing the boundaries of certain districts referred to on an official map designated as the “Zoning District Map of Winfield, Kansas,” which is made a part of Article 3 of the Zoning Regulations of the City of Winfield, Kansas. Director of Public Improvements Steward explains that this ordinance considers a zoning change in the property located at 501 Harter Street from an “R-1” Low Density Residential to “R-3” High Density Residential. The Planning Commission held a public hearing on April 9, 2018 as required by State Statute to receive public input, and consider all of the factors required by Statute and the City’s Zoning Regulations, and does recommend approval of the change. Upon motion by Commissioner Jarvis, seconded by Commissioner Hutto all Commissioners voting aye, Bill No. 1846 was adopted and numbered Ordinance No. 4091.

Bill No. 1847 – A Resolution – Accepting and granting a Conditional Use Permit to Kongpheng & Somechan Kora at 501 Harter Street, Winfield, KS to allow the use of a nonprofit institution of educational, philanthropic or eleemosynary nature within a “R-3” High Density Residential District. Director of Public Improvements Steward explains that considers a conditional use for 501 Harter Street to consider allowing the property to be used for non-profit, educational, or philanthropic purposes. The Planning Commission held a public hearing on April 9, 2018 as required by State Statute to receive public input, and consider all of the factors required by Statute and the City’s Zoning Regulations, and does recommend approval of the conditional use. Upon motion by Commissioner Hutto, seconded by Commissioner Jarvis all Commissioners voting aye, Bill No. 1847 was adopted and numbered Resolution No. 3718.

Bill No. 1848 – A Resolution – Authorizing and directing the Mayor and Clerk of the City of Winfield, Kansas, to enter into an agreement with Dennett Tree Service for the demolition and removal of the structure, A house on a tract of land in the West Half of the Northwest Quarter of Section 28, Township 32 South, Range 4 East, described by metes and bounds, as follows: Commencing at a point on East side of Right-of-way of Kansas City and Southwestern Railroad at intersection of the South side of Ninth Avenue of the City of Winfield with said right-of-way; thence East on the South line of Ninth Avenue, 50 feet; thence South 140 feet; thence West to East line of Right-of way to point of beginning. Commonly known as 623 W. 9th Ave. Recorded in Book 0861 Page 0058, in the Office of the Register of Deeds of Cowley County, Kansas. Director of Public Improvements Steward explains that this resolution considers a contract with Dennett Tree Service for demolition of structures located at 923 W. 9th Avenue. Contract amount is \$7,400. Upon motion by Commissioner Jarvis, seconded by Commissioner Hutto all Commissioners voting aye, Bill No. 1848 was adopted and numbered Resolution No. 3818.

Bill No. 1849 – A Resolution – Authorizing and directing the Mayor and Clerk of the City of Winfield, Kansas, to enter into an agreement with Lawrence Crushed Stone for the demolition and removal of the structures, a House and detached garage on a tract of land legally described as; East Half of Lot 7, and all of Lot 8, block 202, Andrews Addition, Winfield, Kansas. Commonly known as 515 E. 3rd Ave. Recorded in Book 0931 Page 0833, in the Office of the Register of Deeds of Cowley County, Kansas. Director of Public Improvements Steward explains that this resolution

considers awarding a contract to Lawrence Crushed Stone for removal of a structure located at 515 E. 3rd Avenue. Contract amount is \$6,950. Upon motion by Commissioner Hutto, seconded by Commissioner Jarvis all Commissioners voting aye, Bill No. 1849 was adopted and numbered Resolution No. 3918.

OTHER BUSINESS

-Consider bids for Rotary Project – Director of Public Improvements Steward explains that at the request of the Winfield Rotary Club, the City did solicit bids for construction of a performance venue at Island Park. Steward explains that only one bid was received for the project from Compton Construction for an amount of \$208,084. Steward explains that the bid is well above the original estimate, and above the Rotary Club's budget. Rotary is requesting that the City reject all bids for the project and allow Rotary to negotiate a contract for the project with an independent contractor. Commissioner Jarvis made a motion to reject the bid from Compton Construction for the Rotary Project. Motion was seconded by Commissioner Hutto. With all Commissioners voting aye, the motion carried.

-Consider Health Insurance Renewal – City Manager Willmoth explains that a favorable renewal was received from Blue Cross and Blue Shield of Kansas and recommends accepting the renewal. Commissioner Hutto made a motion to accept the health insurance renewal from Blue Cross and Blue Shield as presented at work session. Motion was seconded by Commissioner Jarvis. With all Commissioners voting aye, the motion carried.

-Consider Sewer Manhole Project – Director of Utilities Collins explains that he is asking for consideration of a project for the rehabilitation of six manholes within the sewer system. Cost for the project is \$25,460. Collins explains that Mayer Specialty Services will be performing the work, and is the only company in the Midwest that performs this type of work. Commissioner Jarvis made a motion to accept the contract with Mayer Specialty Services in an amount of \$25,460 for the repair of six manholes located at W 33rd Avenue and Meadowlark Lane. Motion was seconded by Commissioner Hutto. With all Commissioners voting aye, the motion carried.

-Consider GovPayNet for Credit Card Processing – City Clerk Peters explains that staff has done some research on credit card vendors who offer fee-based processing. Staff recommends the approval of GovPayNet to provide future credit card processing services for the City. Peters explains that the costs that the City is now absorbing for the use of credit cards for payment of City fees and services is approaching \$120,000 annually. The new vendor would charge the fee to the customer at the time of the transaction at no cost to the City. Commissioner Hutto moved to accept GovPayNet for Credit Card Processing. Motion was seconded by Commissioner Jarvis. With all Commissioners voting aye, the motion carried.

-Consider Adoption of Governing Body Manual – City Manager Willmoth presented a new Governing Body Manual to the Commission for their approval. Commissioner Jarvis made a motion to approve the Governing Body Manual. Motion was seconded by Commissioner Hutto. With all Commissioners voting aye, the motion carried.

-Consider the adoption of the following as the City of Winfield Mission Statement: "To provide and maintain services necessary to sustain a safe, welcoming, and prosperous community for the residents of Winfield."

Commissioner Hutto made a motion to adopt the Mission Statement as presented: “To provide and maintain services necessary to sustain a safe, welcoming, and prosperous community for the residents of Winfield.” Motion was seconded by Commissioner Jarvis. With all Commissioners voting aye, the motion carried.

Mayor Thompson states that the Commission will hold a Special Meeting at the regular work session on Thursday May 17, 2018 at 5:30 p.m.

City Manager Willmoth acknowledged Jeff Graham and Dale South, employees of the Wastewater Treatment Plant for receiving the Water Environmental Federation Laboratory Excellence Award.

ADJOURNMENT

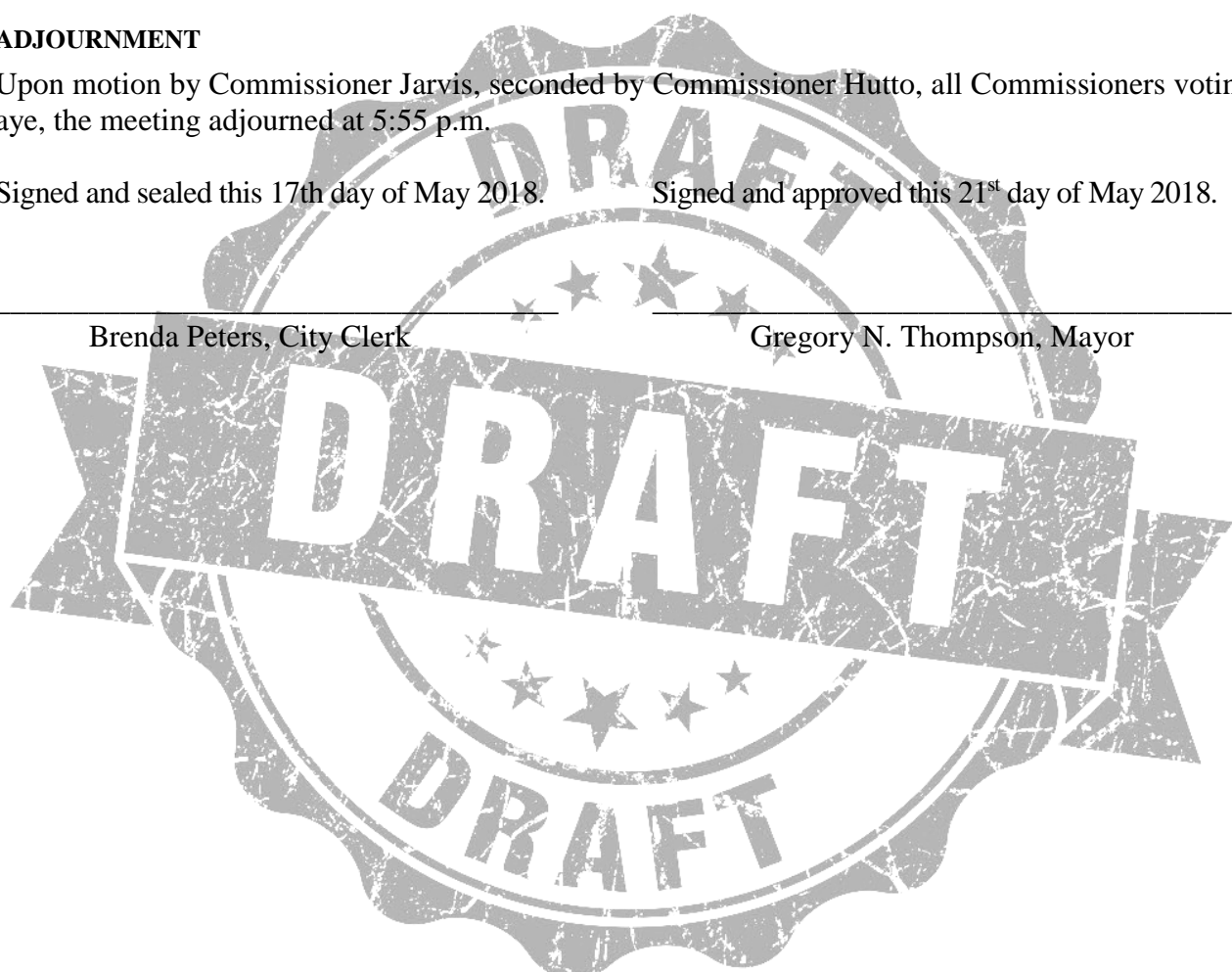
Upon motion by Commissioner Jarvis, seconded by Commissioner Hutto, all Commissioners voting aye, the meeting adjourned at 5:55 p.m.

Signed and sealed this 17th day of May 2018.

Signed and approved this 21st day of May 2018.

Brenda Peters, City Clerk

Gregory N. Thompson, Mayor



CITY COMMISSION MEETING MINUTES
Winfield, Kansas
May 17, 2018

The Board of City Commissioners met in special session, Thursday, May 17, 2018 at 5:30 p.m. in the City Commission-Community Council Meeting Room, City Hall; Mayor Gregory N. Thompson presiding. Commissioners Phillip R. Jarvis and Ronald E. Hutto were also present. Also in attendance were Jeremy Willmoth, City Manager, and Brenda Peters, City Clerk.

City Clerk Peters called Roll.

PUBLIC HEARING

-Consider condemnation of 915 E. 14th Avenue – Mayor Thompson opened the public hearing. Marvin Shiever, 22498 Mayerick Road, Morrison Oklahoma owns the property located at 915 E. 14th Ave. Mr. Shiever had questions about the timeline of the condemnation, and asks for enough time to remove salvageable items from the property. City Staff will work with Mr. Shiever on the process. Mayor Thompson closed the public hearing.

ADJOURNMENT

Upon motion by Commissioner Hutto, seconded by Commissioner Jarvis, all Commissioners voting aye, the meeting adjourned at 5:35 p.m.

Signed and sealed this 18th day of August 2018.

Signed and approved this 21st day of August 2018.

Brenda Peters, City Clerk

Gregory N. Thompson, Mayor

A RESOLUTION

SETTING forth findings that the structure, a house, located on a tract of land legally described as follows: *A house and detached garage on a tract of land in the West 10 feet of Lot 5, and all of Lot 6, Parsonage Addition, to Winfield, Kansas. Commonly known as 915 E. 14th Ave. Recorded in Book 0484 Page 649, in the Office of the Register of Deeds of Cowley County, Kansas*, is unsafe and/or dangerous and ordering said structure to be repaired or removed in sixty (60) days.

WHEREAS, the Governing Body, by **Resolution No. 2518**, scheduled a hearing for May 17th, 2018 at 5:30 p.m. to hear evidence to determine if the structure hereinafter described is unsafe and/or dangerous; and,

WHEREAS, on the 17th of May, 2018 the Governing Body heard all the evidence submitted.

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

Section 1. The Governing Body hereby finds that the structure located on a tract of land legally described as: *A house and detached garage on a tract of land in the West 10 feet of Lot 5, and all of Lot 6, Parsonage Addition, to Winfield, Kansas. Commonly known as 915 E. 14th Ave. Recorded in Book 0484 Page 649, in the Office of the Register of Deeds of Cowley County Kansas*, is unsafe and dangerous and hereby directs the owner to remove or repair said structure and make the premises safe and secure. The owner has sixty (60) days from the date of publication of this resolution or building permit date, whichever comes first, to complete repair work, bring the structure into code compliance and make said structure safe and habitable. Compliance must meet city standards and expectations. The owner must have the structure inspected by the city inspector and obtain a Certificate of Occupancy from the Inspection Department before said structure is deemed safe, habitable and ready for occupancy. Regardless of the expenditures and/or progress on the structure, if the owner fails to complete the repair within the time frame specified or fails to diligently prosecute the same until the work is completed, then at its discretion said Governing body will cause the structure to be razed and removed or extend the time period. The cost of razing and removal, less salvage, if any, shall be assessed as a special assessment against the parcel of land upon which the structures are located.

Section 2. Within thirty (30) days of publication, the owner shall provide to the Building Official a detailed written plan for rehabilitation or removal of the structure complete with estimated costs and completion date. Failure to provide said plan within the designated time shall constitute waiving of the established time for repair established in Section 1.

Section 3. The City Clerk shall cause said findings to be filed with the Register of Deeds of Cowley County, Kansas.

Section 4. This resolution shall be in full force and effect from and after its adoption and publication in the official city newspaper.

ADOPTED this 21st day of May, 2018.

(SEAL)

Gregory N. Thompson, Mayor

ATTEST:

Brenda Peters, City Clerk

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

Approved for Commission action: _____
Jeremy Willmoth, City Manager / ja

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 34, 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 Davis & Dennett, LLC, owners in Cowley County, Kansas, Gregory N. Thompson, Mayor, 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:

The East 10 feet of a tract of land described as beginning at a point 1074.32 feet West and 30feet South of the Northeast corner of the northwest Quarter of Section 34, Township 32 South, Range 4 East of the 6th P.M., said point being on the South right of way line of 19th Avenue, Winfield, Kansas, thence South 88 deg. 02 min. 34 sec. West, along said right of way, 300 feet, thence South 00 deg. 39 min. 18 sec. East. 680 feet, thence North 88 deg. 02 min. 34 sec. East 128.3 feet to the West right of way of the Winfield City Dike, thence North 5 deg. 59 min. 03 sec. East along said right of way. 259.01 feet, thence North 17 deg. 42 min. 32 sec. East, along said right of way, 449.52 feet 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 21th day of May 2018.

(SEAL)

Gregory N. Thompson, Mayor

ATTEST:

Brenda Peters, City Clerk

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

Approved for Commission action: _____
Jeremy Willmoth, City Manager /ps

PERMANENT EASEMENT

We, Davis & Dennett, LLC, 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 Northeast Corner of the Northeast Quarter of Section 34, Township 32 South, Range 4 East of the 6th P.M., City of Winfield, Cowley County, Kansas, described as follows:

The East 10 feet of a tract of land described as beginning at a point 1074.32 feet West and 30feet South of the Northeast corner of the northwest Quarter of Section 34, Township 32 South, Range 4 East of the 6th P.M., said point being on the South right of way line of 19th Avenue, Winfield, Kansas, thence South 88 deg. 02 min. 34 sec. West, along said right of way, 300 feet, thence South 00 deg. 39 min. 18 sec. East. 680 feet, thence North 88 deg. 02 min. 34 sec. East 128.3 feet to the West right of way of the Winfield City Dike, thence North 5 deg. 59 min. 03 sec. East along said right of way. 259.01 feet, thence North 17 deg. 42 min. 32 sec. East, along said right of way, 449.52 feet 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 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_____day of_____, 2018.

Bryan Davis

STATE OF KANSAS
COUNTY of COWLEY, SS.

On this_____day of_____, 2018, before me a notary public in and for said county and state, personally appeared Bryan Davis, 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:

Accepted and authorized for filing in the Office of Register of Deeds, Cowley County, Kansas, this_____day of_____2018, by Resolution No._____ of the Governing Body of the City of Winfield, Kansas.

Gregory N. Thompson, Mayor

ATTEST:

Brenda Peters, City Clerk



Request for Commission Action

Date: May 1, 2018

Requestor: Brenda Peters

Action Requested: Appointment of Linda Chase to the Winfield Housing Authority

Analysis: Executive Director for the Winfield Housing Authority, Bradley Gamber is asking the Commission to appoint Linda Chase to the WHA. Mr. Gamber states that it is difficult to have a quorum present as the Board has 2 vacancies at present. Another candidate to fill the second vacancy will come at a later date.

Fiscal Impact: None

Attachments: None

City of Winfield
Proposed Utility Easement
Davis & Dennett, LLC Property
1305 E 19TH
May, 2018

