

**CITY COMMISSION MEETING  
Winfield, Kansas**

DATE: Monday, October 15, 2018  
TIME: 5:30 p.m.  
PLACE: City Commission – Community Council Room – First Floor – City Building

***AGENDA***

CALL TO ORDER .....Mayor Gregory N. Thompson

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

MINUTES OF PRECEDING MEETING.....Monday, October 01, 2018  
Monday, October 8, 2018

**BUSINESS FROM THE FLOOR**

-Citizens to be heard

**NEW BUSINESS**

Ordinances & Resolutions

**Bill No. 18100 - An Ordinance** – Amending Chapter 6 of the Municipal Code of the City of Winfield, Kansas, by the amendment of Section 6-63 and 6-183, relating to the location of establishments selling alcoholic beverages.

**Bill No. 18101 - 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. (1011 and 1013 Main St)

**Bill No. 18102 - 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.( 411 N. College St)

**Bill No. 18103 - A Resolution** – Authorizing and directing the Mayor and Clerk of the City of Winfield, Kansas to execute a contract for City Manager search between the City of Winfield, Kansas and Osenbaugh Consulting, Derby, Kansas.

**OTHER BUSINESS**

-Consider taser purchase

**ADJOURNMENT**

-Next Commission work session 4:00 Thursday, November 1, 2018.  
-Next regular meeting 5:30 p.m. Monday, November 05, 2018.

## CITY COMMISSION MEETING MINUTES

Winfield, Kansas

October 1, 2018

The Board of City Commissioners met in regular session, Monday, October 01, 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 Brenda Peters, City Clerk; and William E. Muret, City Attorney. Other staff members present were Gary Mangus, Assistant to the City Manager; Gus Collins, Director of Utilities; and Patrick Steward, Director of Public Improvements.

City Clerk Peters called roll.

Commissioner Hutto moved that the minutes of the September 17, 2018 meeting be approved. Commissioner Jarvis seconded the motion. With all Commissioners voting aye, motion carried.

### DEPARTMENT PRESENTATIONS & PROMOTIONS

-Electric Department – Director of Utilities Collins presented Kyle Bliss with his journeyman card. He has been promoted from an Apprentice to a Lineman.

### BUSINESS FROM THE FLOOR

#### NEW BUSINESS

**Bill No. 1892 – An Ordinance** – Amending Article 9 of the Zoning Regulations of the City of Winfield, Kansas, by amending language within this article and by the addition of certain allowable commercial uses. Director of Public Improvements Steward explains that this ordinance pertains to micro-breweries and drinking establishments, and the zoning regulations concerning the distance requirements from schools or churches. Steward explains this ordinance adds micro-breweries as an allowable use in “C-3” and a conditional use in “C-4”. Steward further explains that this ordinance also amends the classification of a drinking establishment to be a conditional use in the business district, and, includes a change to reduce the distance requirement from 300 feet to 200 feet (from churches and schools). The Planning Commission met on September 10, 2018 to consider these amendments and does recommend approval. Upon motion by Commissioner Jarvis, seconded by Commissioner Hutto all Commissioners voting aye, Bill No. 1892 was adopted and numbered Ordinance No. 4098.

**Bill No. 1893 – 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. Director of Public Improvements Steward explains that this resolution considers determining a nuisance at 802 E. 16th Avenue. Steward also explains that the property owner has ignored all notices sent to them about the nuisance items, so the next step would be for the Commission to make the determination, and allow the City to take action to remove the nuisance. Upon motion by Commissioner Hutto, seconded by Commissioner Jarvis all Commissioners voting aye, Bill No. 1893 was adopted and numbered Resolution No. 7618.

Director of Utilities Collins explains that the next three easement items (Bill No. 1894, Bill No. 1895, Bill No. 1896) all relate to the project of replacing electric utility poles at Bliss Street and 5<sup>th</sup> Avenue.

**Bill No. 1894 – 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 21, Township 32 South, Range 4 East of the 6th P.M., City of Winfield, Cowley County, Kansas. (Scott A. and Delisa L. Showalter) Upon motion by Commissioner Hutto, seconded by Commissioner Jarvis all Commissioners voting aye, Bill No. 1894 was adopted and numbered Resolution No. 7718.

**Bill No. 1895 – 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 21, Township 32 South, Range 4 East of the 6th P.M., City of Winfield, Cowley County, Kansas. (A. William Jr. and Elin A. Bloedel) Upon motion by Commissioner Jarvis, seconded by Commissioner Hutto all Commissioners voting aye, Bill No. 1895 was adopted and numbered Resolution No. 7818.

**Bill No. 1896 – 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 21, Township 32 South, Range 4 East of the 6th P.M., City of Winfield, Cowley County, Kansas. (Daniel J. and Jenny Bader) Upon motion by Commissioner Hutto, seconded by Commissioner Jarvis all Commissioners voting aye, Bill No. 1896 was adopted and numbered Resolution No. 7918.

Utility Director Collins explains that the next two easement items are for an irrigation project south of town.

**Bill No. 1897 – 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 in the East Half of Section 10, Township 33 South, Range 4 East of the 6th P.M., Cowley County, Kansas. (Michael E. Reynolds) Upon motion by Commissioner Jarvis, seconded by Commissioner Hutto all Commissioners voting aye, Bill No. 1897 was adopted and numbered Resolution No. 8018.

**Bill No. 1898 – 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 the East Half of Section 10, Township 33 South, Range 4 East of the 6th P.M., Cowley County, Kansas. (Doris Reynolds Living Trust) Upon motion by Commissioner Hutto, seconded by Commissioner Jarvis all Commissioners voting aye, Bill No. 1898 was adopted and numbered Resolution No. 8118.

Director of Utilities Collins asks the Commission to add a resolution to tonight's agenda for the final easement for the Bliss Street and 5<sup>th</sup> Avenue project that was just obtained today.

**Bill No. 1899 – 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 21, Township 32 South, Range 4 East of the 6th P.M., City of Winfield, Cowley County, Kansas. (Robinson) Upon motion by Commissioner Hutto, seconded by Commissioner Jarvis all Commissioners voting aye, Bill No. 1899 was adopted and numbered Resolution No. 8218.

#### **OTHER BUSINESS**

-Consider ambulance quotes - Brad Klein, Winfield Fire Department, explains that after consideration of quotes received for an ambulance for use in the Fire Department, staff recommends that the Commission accept the quote from Emergency Services Supply for a new Osage ambulance, through H-GAC for a total cost of \$198,900, which is under the 2018 budgeted amount of \$210,000. Klein also asks the Commission to allow the purchase of a Stryker cot with the \$12,000 (approximate) that is left in the budget after the ambulance purchase. Commissioner Jarvis moved to accept the bid from Emergency Services Supply for a new Osage ambulance, at a cost of \$198,900, and, also the purchase of a Stryker cot for the ambulance for the entire budgeted amount of \$210,000. Motion was seconded by Commissioner Hutto. With all Commissioners voting aye, motion carried.

-Executive Session to discuss non-elected personnel - Commissioner Jarvis made a motion that the Commission move into executive session to discuss an individual employee's performance pursuant to the non-elected personnel exception, K.S.A. 75-4319 (b)(1), and that the open meeting will reconvene in the Community Council Room at 5:53 p.m. Motion was seconded by Commissioner Hutto. With all Commissioners voting aye, motion carried.

Regular Session resumed at 5:53 p.m.

Commissioner Jarvis made a motion to approve a Separation Agreement for City Manager Jeremy Willmoth. Motion was seconded by Commissioner Hutto. With all Commissioners voting aye, motion carried.

-Mayor Thompson read aloud a Press Release announcing the departure of City Manager Jeremy Willmoth.

#### **ADJOURNMENT**

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

Signed and sealed this 10th day of October 2018.

Signed and approved this 15<sup>th</sup> day of October 2018.

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Brenda Peters, City Clerk

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Gregory N. Thompson, Mayor

**CITY COMMISSION MEETING MINUTES**  
**Winfield, Kansas**  
**October 8, 2018**

The Board of City Commissioners met in special session, Monday, October 08, 2018 at 4:00 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 was Brenda Peters, City Clerk.

**OTHER BUSINESS**

-Executive Session to discuss non-elected personnel. Commissioner Jarvis made a motion to move into executive session to discuss individual's performance pursuant to the non-elected personnel exception, K.S.A. 75-4319 (b)(1), and the open meeting will convene at 6:10 p.m. Motion was seconded by Commissioner Hutto. With all Commissioners voting aye, motion carried.

The special meeting re-convened at 6:10 p.m.

Commissioner Jarvis made a motion to appoint Finance Director/City Clerk Brenda Peters as Interim City Manager. Motion was seconded by Commissioner Hutto. With all Commissioners voting aye, motion carried.

**ADJOURNMENT**

Upon motion by Commissioner Hutto, seconded by Commissioner Jarvis, all Commissioners voting aye, the meeting adjourned at 6:25 p.m.

Signed and sealed this 9th day of October 2018.

Signed and approved this 15th day of October 2018.

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Brenda Peters, City Clerk

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Gregory N. Thompson, Mayor



## Request for Commission Action

**Date:** 10/9/18

**Requestor:** Patrick Steward, Director of Public Improvements

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**Action Requested:**

Consider an amendment to the municipal code as it pertains to the location of business selling alcoholic liquor.

**Analysis:**

As discussed at the last work session, this ordinance considers amending the municipal code to amend the distance requirement of 300 feet to 200 feet for drinking establishments in the Central Business District. In addition, it removes the distance requirement from residential districts for this type of business. A second portion of this amendment also amends the distance requirement for retail sales and waives the location requirements for microbreweries and microdistilleries in the Central Business District.

**Fiscal Impact:**

None

**Attachments:** Ordinance

*(First published in the Cowley Courier Traveler, Friday, October 19, 2018)*

**BILL NO. 18100**

**ORDINANCE NO. 4099**

**AN ORDINANCE**

**AMENDING** Chapter 6 of the Municipal Code of the City of Winfield, Kansas, by the amendment of Section 6-63 and 6-183, relating to the location of establishments selling alcoholic beverages.

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**WHEREAS**, the Governing Body of the City of Winfield, Kansas, considers said amendments to be necessary and appropriate;

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

**Section 1.** Chapter 6 of the Municipal Code of the City of Winfield, Kansas is hereby amended by the amendment of Section 6-63(c), which shall read as follows:

Sec. 6-63 – Issuance; term; eligibility; restrictions on location.

(c) Restrictions on location. No license shall be issued for a location that does not conform to the zoning ordinances of the city. No license shall be issued for the sale of cereal malt beverages for consumption on premises located within 200 feet of any church, public or parochial school, college, library, or hospital, the distance to be measured from the premise of said use to premise in which cereal malt beverages are sold. Renewal of licenses may be made for all taverns and places of business presently licensed within 200 feet of any such institutions, so long as the premises are used or held for use as a tavern or place of business; provided, however, that should a tavern or place of business located within 200 feet of the premise of any such institution cease to be used as a tavern for a period of 90 days or more, or the premises be used for another type of business, then no new license shall be issued for the sale of cereal malt beverages for consumption on such premises. Periods of time during which taverns are being remodeled or are being repaired because of damage caused by fire or natural disasters such as floods or windstorms shall not be included in computing the 90-day period; provided, however, that any remodeling or repair must be commenced within 90 days after closure of any given structure and completed within a reasonable time thereafter. Additionally, the city shall be notified within 30 days of closing whenever any tavern is closed for remodeling or repairs. Such notice shall state the date when remodeling will start and the date it will be completed. This subsection only applies to establishments in which at

least 50 percent of the gross revenue in a calendar year is derived from the sale of cereal malt beverages. The location requirements established within this section shall not apply to Microbreweries and Microdistilleries as defined by K.S.A. 2017 Supp. 12-17,122 and amendments thereto, which are located within the Central Business District as defined by the district boundary established by the official map designated as the “Zoning District Map of Winfield, Kansas” which is made part of Article 3 of the Zoning Regulations of the City of Winfield.

**Section 2.** Chapter 6 of the Municipal Code of the City of Winfield, Kansas is hereby amended by the amendment of Section 6-183, which shall read as follows:

Sec. 6-183. - Location of business.

- (a) The location of a drinking establishment shall conform to the zoning ordinances of the city. No license shall be issued for the sale of alcoholic liquors for consumption on premises located within 200 feet of any church, public or parochial school, college, library, or hospital. The distance is to be measured from the premise of said use to the premise of the specific building in which alcoholic liquors are sold. Renewal of licenses may be made for all establishments presently licensed within 200 feet of any residential zoning district or such institution, so long as the premises are used or held for use as a drinking establishment; provided, however, that should an establishment located within 200 feet of the premise of such institution cease to be used as a drinking establishment for a period of 90 days or more, or such premises be used for another type of business, then no new license shall be issued for the sale of alcoholic liquors for consumption on such premises. Periods of time during which drinking establishments are being remodeled or are being repaired because of damage caused by fire or natural disasters, such as floods or windstorms, shall not be included in computing the 90-day period; provided, however, that any remodeling or repair must be commenced within 90 days after closure of any given structure and completed within a reasonable time thereafter. Additionally, the city shall be notified within 30 days of closing whenever any drinking establishment is closed for remodeling or repairs. Such notice shall state the date when remodeling will start and the date it will be completed.
- (b) This section only applies to establishments in which at least 30 percent of the gross revenue in a calendar year is derived from the sale of alcoholic liquor.
- (c) This section shall not apply to drinking establishments located within the Central Business District as defined by the district boundary established by the official map designated as the “Zoning District Map of Winfield, Kansas” which is made part of Article 3 of the Zoning Regulations of the City of Winfield.



**Section 3.** This ordinance shall be in full force and effect from and after its passage and publication in the official city newspaper.

**ADOPTED** this 15th day of October, 2018.

(SEAL)

\_\_\_\_\_  
Gregory N. Thompson, Mayor

ATTEST:

\_\_\_\_\_  
Carina Anderson, Interim Deputy City Clerk

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

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



## Request for Commission Action

**Date:** October 11, 2018

**Requestor:** John Adams, Code Enforcement Inspector

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**Action Requested:** Seeking approval of 2 nuisance resolutions ordering the removal and abatement of a trash nuisance at 1011-1013 Main St. and 411 N. College St.

**Analysis:** Large amount of discarded items in the alley behind 1011-1013 Main St as well as numerous trash bags with unknown contents piled on the second-floor deck. This nuisance had occurred in the past but was remedied by the owner after much discussion. A large pile of tree limbs and high grass in the alley behind 411 N. College. Spoke with the occupant regarding removal with no action taken. Certified letter was sent to owner and occupant with no action taken.

**Fiscal Impact:** Unknown fiscal impact as of now. If no action is taken by either party a contractor will be assigned to complete the clean-up.

**Attachments:** Nuisance Resolution 1011-1013 Main St.  
Nuisance Resolution 411 N. College

**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.

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**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 20th day of September, 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: ANDES-CAMPBELL, TRUDY J  
2250 N ROCK RD STE 118-124  
WICHITA, KS. 67226

Occupant: NONE  
Property Address: 1011 and 1013 MAIN ST.

Legal Description: Lots six (6) and seven (7), Block 110, Original Town, Winfield, Kansas, commonly known as 1011 and 1013 Main, Winfield, Ks 67156.

Nature of Nuisance: A nuisance consisting of miscellaneous trash, and junk stored at the rear of the building at grade level and numerous trash bags with unknown contents stored on a second story exterior deck.

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 15th day of October, 2018.

(SEAL)

\_\_\_\_\_  
Gregory N. Thompson, Mayor

ATTEST:

\_\_\_\_\_  
Carina Anderson, Interim 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.

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**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 18th day of May, 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: PERRY, DELBERT J JR  
2020 W 14TH  
WINFIELD, KS. 67156

Occupant: ANTHONY M GARDNER  
Property Address: 411 N COLLEGE  
Legal Description: Tract 1, the North 64 feet of the South 84 feet of Lot 2, Block 45, Musgrove's Addition to the City of Winfield, Cowley County, Kansas. Commonly known as 411 N. College Street, Winfield, KS 67156.

Nature of Nuisance: A nuisance consisting of a large pile of tree limbs in alley behind house and tall grass.

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 15th day of October, 2018.

(SEAL)

\_\_\_\_\_  
Gregory N. Thompson, Mayor

ATTEST:

\_\_\_\_\_  
Carina Anderson, Interim Deputy City Clerk

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

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

**A RESOLUTION**

**AUTHORIZING** and directing the Mayor and Clerk of the City of Winfield, Kansas, to execute a contract for a City Manager Search between City of Winfield, Kansas and Osenbaugh Consulting, Derby, Kansas.

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**WHEREAS**, the City Commission desires assistance with the review of resumes and background work on candidates for City Manager; and

**WHEREAS**, the City Commission finds the proposal for services to be less than comparable proposals for other communities for similar work;

**NOW, THEREFORE, 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 execute a contract for the base amount of eight thousand dollars (\$8,000.00) for services related to the City Manager search between the City of Winfield and Osenbaugh Consulting, Derby, Kansas, a copy of which is attached hereto and made a part hereof the same as if fully set forth herein.

**Section 2.** This resolution shall be in full force and effect from and after its passage and approval.

**ADOPTED** this 15th day of October, 2017.

(SEAL)

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Gregory N. Thompson, Mayor

ATTEST:

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Carina Anderson, Interim Deputy City Clerk

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

Approved for Commission action: \_\_\_\_\_  
Brenda Peters, Interim City Manager



## Request for Commission Action

**Date:** October 8, 2018

**Requestor:** Robbie DeLong

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**Action Requested:** Consider the approval of the purchase of 16 Taser X26P Conducted Electrical Weapon's (CEW). Axon International the parent company of Taser offers a program to law enforcement organizations which allows the agency to pay for the purchase of the devices over a five-year period this program is called the Taser 60 Plan.

**Analysis:** Currently the Winfield Police Department only has 9 Taser devices that are still under warranty and within the recommended life cycle of the manufacturer. The Winfield Police Department also currently has approximately 10 devices that are up to twelve years old. These devices are old enough that the manufacturer no longer can fix any of these devices should they break or malfunction.

If the City opts to purchase the 16 new devices through Taser's 60 Plan, it would be able to pay for the devices over five years with a fixed cost paid annually. The City can also save one hundred dollars for every old device it takes "off line" this will be in the form of a credit towards the first year's payment.

The Police Department was allowed to purchase four new devices in 2017 and were funded to purchase the same amount in 2018, the department was also granted funding in the 2019 budget to purchase four more. This new program would allow us to purchase 16 devices this year and continue to pay nearly the same amount for the next four years that was budgeted for in 2018 and in 2019. It is also worth noting that our cost will not increase over the life of this program. These devices have been increasing in price nearly every year over the last three years. For example, last year we paid \$964.05 dollars per unit and a quote received in October of this year the same device was quoted at \$1,022.00 dollars this is an increase of just over five percent. In 2017 the department purchased four devices along with consumable items for the devices and paid \$4,655.11.

**Fiscal Impact:** By entering into this agreement with Axon International the City would be obligated to pay between \$2,880 and \$3,200 (depending on how many old units are taken out of service the first year. The City would then be obligated to pay \$4,480 for contract years three through five. The total amount of this agreement paid over five years would be \$20,800 dollars.

**Attachments:** 5 year financing plan





**Axon Enterprise, Inc.**  
17800 N 85th St.  
Scottsdale, Arizona 85255  
United States  
Phone: (800) 978-2737

**Q-182537-43362.610TC**

Issued: 09/19/2018

Quote Expiration: 10/18/2018

Account Number: 112418

Start Date: 09/18/2018

Payment Terms: Net 30

Delivery Method: Fedex - Ground

**SALES REPRESENTATIVE**

Travis Cole  
Phone: 480-463-2200  
Email: tcole@taser.com  
Fax: 480-478-1636

**PRIMARY CONTACT**

David Dougherty  
Phone: (620) 221-5556  
Email: ddougherty@winfieldks.org

**SHIP TO**

David Dougherty  
Winfield Police Department - KS  
812 MILLINGTON  
Winfield, KS 67156  
US

**BILL TO**

Winfield Police Department - KS  
812 MILLINGTON  
Winfield, KS 67156  
US

**Initial Taser 60 Payment - Year 1**

Item	Description	Quantity	List Unit Price	Net Unit Price	Total (USD)
<b>Axon Plans &amp; Packages</b>					
85181	TASER 60 YEAR 1 PAYMENT: X26P BASIC	16	280.00	180.00	2,880.00
<b>Hardware</b>					
11002	BLACK X26P CEW, HANDLE	16	0.00	0.00	0.00
11501	RIGHT-HAND HOLSTER, X26P, BLACKHAWK	12	0.00	0.00	0.00
11504	LEFT-HAND HOLSTER, X26P, BLACKHAWK	4	0.00	0.00	0.00
11010	XPPM, SPARE CARTRIDGE BATTERY PACK, X26P	16	0.00	0.00	0.00
44203	CARTRIDGE - 25' HYBRID	32	0.00	0.00	0.00
Subtotal					2,880.00
Estimated Shipping					0.00
Estimated Tax					0.00
Total					2,880.00

**Taser 60 Payment Year 2 - 2019**

Item	Description	Quantity	List Unit Price	Net Unit Price	Total (USD)
<b>Axon Plans &amp; Packages</b>					
85182	TASER 60 YEAR 2 PAYMENT: X26P BASIC	16	280.00	280.00	4,480.00
Subtotal					4,480.00
Estimated Tax					0.00
Total					4,480.00

### Taser 60 Payment Year 3 - 2020

Item	Description	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages					
85183	TASER 60 YEAR 3 PAYMENT: X26P BASIC	16	280.00	280.00	4,480.00
				Subtotal	4,480.00
				Estimated Tax	0.00
				Total	4,480.00

### Taser 60 Payment Year 4 - 2021

Item	Description	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages					
85184	TASER 60 YEAR 4 PAYMENT: X26P BASIC	16	280.00	280.00	4,480.00
				Subtotal	4,480.00
				Estimated Tax	0.00
				Total	4,480.00

### Taser 60 Payment Year 5 - 2022

Item	Description	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages					
85185	TASER 60 YEAR 5 PAYMENT: X26P BASIC	16	280.00	280.00	4,480.00
				Subtotal	4,480.00
				Estimated Tax	0.00
				Total	4,480.00

<b>Grand Total</b>	<b>20,800.00</b>
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## Discounts (USD)

Quote Expiration: 10/18/2018

List Amount	22,400.00
Discounts	1,600.00
<b>Total</b>	<b>20,800.00</b>

*\*Total excludes applicable taxes and shipping*

## Summary of Payments

Payment	Amount (USD)
Initial Taser 60 Payment - Year 1	2,880.00
Taser 60 Payment Year 2 - 2019	4,480.00
Taser 60 Payment Year 3 - 2020	4,480.00
Taser 60 Payment Year 4 - 2021	4,480.00
Taser 60 Payment Year 5 - 2022	4,480.00
<b>Grand Total</b>	<b>20,800.00</b>



TASER60 Terms and Conditions: This quote contains a purchase under the TASER 60 Plan. If your purchase only includes the TASER 60 Plan, CEWs, and CEW accessories, then this purchase is solely governed by the TASER 60 Terms and Conditions posted at: <https://www.axon.com/legal/sales-terms-and-conditions>, and the terms and conditions of Axon's Master Services and Purchasing Agreement do not apply to this order. You represent that you are lawfully able to enter into contracts and if you are entering into this agreement for an entity, such as the company, municipality, or government agency you work for, you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, do not sign this Quote.

## Axon's Sales Terms and Conditions

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at [www.axon.com/legal/sales-terms-and-conditions](http://www.axon.com/legal/sales-terms-and-conditions)), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

Signature:	_____	Date:	_____
Name (Print):	_____	Title:	_____
PO# (Or write N/A):	_____		

Please sign and email to Travis Cole at [tcole@taser.com](mailto:tcole@taser.com) or fax to 480-478-1636

Thank you for being a valued Axon customer. For your convenience on your next order, please check out our online store [buy.axon.com](http://buy.axon.com)

Quote: Q-182537-43362.610TC

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## Certificate of Destruction

### IMPORTANT

Customer certifies that all Products will be removed from service to be destroyed and/or rendered permanently nonfunctional. Products must not be resold or redistributed. Destruction of Products should be performed according to Customer's policy. Axon is not responsible for Product warranty or any liability related to Products certified as destroyed, and reserves the right to require verification that destruction has been performed.

The undersigned represents and warrants that he/she is duly authorized and has legal capacity to execute and deliver this Certificate of Destruction on behalf of the Agency.

### Winfield Police Department - KS

Product(s) to be Destroyed

Quantity

Signature

Date

Name (Print)

Title

Return this signed form, and your purchase order/quote (if applicable) to your sales representative and our returned materials authorization department at [rma@axon.com](mailto:rma@axon.com).

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