

**CITY COMMISSION MEETING MINUTES**  
**February 5, 2018**

The Board of City Commissioners met in regular session, Monday, February 05, 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 Gus Collins, Director of Gas & Wastewater Utilities; Gary Mangus, Assistant to the City Manager; and Patrick Steward, Director of Public Improvements.

City Clerk Peters called roll.

Commissioner Hutto moved that the minutes of the January 17, 2017 meeting be approved. Commissioner Jarvis seconded the motion. With all Commissioners voting aye, motion carried.

**PUBLIC HEARING**

-Consider condemnation proceedings for 2104 W 6<sup>th</sup> Avenue. Mayor Thompson opened the public hearing. Director of Public Improvements Steward introduced Dan Rutherford, who is the contractor for the rehabilitation of the property and Jessica and Shawn Henning, owners of the property who would like to speak when the resolution is brought to the table regarding their plan and timeframe. With no one else present to speak, Mayor Thompson closed the public hearing.

**BUSINESS FROM THE FLOOR**

**NEW BUSINESS**

**Bill No. 1811 – An Ordinance** – Amending Section 74-114 of the Revised Ordinances of the City of Winfield, Kansas, relating to the operation of vehicles on city property. Assistant to the City Manager Mangus explains that this ordinance will allow for the use of golf cars in certain areas of the city, primarily the fairgrounds, the two golf courses, Broadway Sports Complex, and the Winfield City Lake. Upon motion by Commissioner Hutto, seconded by Commissioner Jarvis all Commissioners voting aye, Bill No. 1811 was adopted and numbered Ordinance No. 4083.

**Bill No. 1812 – An Ordinance** – Approving the petition for the exclusion of certain land from the incorporated city limits of the City of Winfield, Cowley County, Kansas. Director of Public Improvements Steward explains that this ordinance considers a petition for exclusion of land from the corporate boundaries of the City of Winfield. Steward explains that the owners of the property (Brian T. and Treva J. Harrod) filed a petition with the Planning Commission who held a public hearing to consider the exclusion After consideration of all of the factors required by statute, the Planning Commission did vote to recommend allowing the exclusion of the property as submitted on the petition. Steward also stated that there was no one present in opposition to the exclusion. Upon motion by Commissioner Jarvis, seconded by Commissioner Hutto all Commissioners voting aye, Bill No. 1812 was adopted and numbered Ordinance No. 4084.

**Bill No. 1813 – 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 the change in zoning classification for a property located at 14<sup>th</sup> Avenue and Stewart Street. The request is to change the designation from a “R-3” High Density Residential District to “C-2” Restricted Commercial. Steward also explains that the Planning Commission held a public hearing on January 8, 2018 and after considering all factors required by statute and the zoning regulations, does recommend allowing the change. Upon motion by Commissioner Hutto, seconded by Commissioner Jarvis all Commissioners voting aye, Bill No. 1813 was adopted and numbered Ordinance No. 4085.

**Bill No. 1814 – A Resolution** – Accepting and granting a Conditional Use Permit to BBPJM, LLC at 502 W. 14<sup>th</sup> Ave., Winfield, KS for construction of mini/self-storage units within a “C-2” Restricted Commercial District. Director of Public Improvements Steward explains that this resolution is also for the property located at 14<sup>th</sup> Avenue and Stewart Street and considers the granting of a conditional use permit to allow for mini-storage units to be constructed on this parcel. The request for conditional use is made by BBPJM, LLC. Steward further explains that the Planning Commission did hold a public hearing on January 8, 2018. After considering all factors, the Planning Commission does recommend approval of the conditional use permit. Upon motion by Commissioner Jarvis, seconded by Commissioner Hutto all Commissioners voting aye, Bill No. 1814 was adopted and numbered Resolution No. 1018.

**Bill No. 1815 – A Resolution** – Authorizing and directing the Mayor and Clerk of the City of Winfield, Kansas, to execute Supplemental Agreement No. 1 to Agreement No. 108-16 between the City and the Secretary of the Kansas Department of Transportation, relating to the federal fund exchange program. Director of Public Improvements Steward explains that this resolution considers a supplemental agreement to the agreement for Federal Funds Exchange with the Kansas Department of Transportation (KDOT). Steward explains that KDOT is the conduit for federal funds that would come to the City and the supplemental agreement changes the rate in which the funds are exchanged. Upon motion by Commissioner Hutto, seconded by Commissioner Jarvis all Commissioners voting aye, Bill No. 1815 was adopted and numbered Resolution No. 1118.

**Bill No. 1816 – A Resolution** – Setting forth findings that the structure, Lot 4, 5 and 6, Block 6, West Side Addition to Winfield, Kansas together with the West Half of Summit Street (now vacated), adjoining said lots. Commonly known as 2104 W. 6<sup>th</sup> Ave, recorded in Book 0581 Page 312, in the Office of the Register of Deeds in Cowley County, Kansas, is unsafe and/or dangerous and ordering said structure to be repaired or removed in ninety (90) days. Director of Public Improvements Steward explains that this resolution considers condemnation of a structure located at 2104 W. 6<sup>th</sup> Avenue. Steward explains that staff has been in discussions with the property owner and the contractor and a permit has been issued, and that the owners have expressed intent to repair the structure. The purpose of this resolution is to allow the City to retain insurance funds that have been received for the fire damage at the property to ensure that the work is completed. Once a certificate of occupancy is issued for the structure, the insurance proceeds being held by the City will be returned to the property owners. If the project fails to be done, the insurance proceeds would then be used in order for the City to take the necessary steps to remove the structure. Contractor Dan Rutherford residing at 15420 W. Hyview Drive, Goddard, Kansas told the Commission that work has already begun to re-build the property and that he believed that the project could easily be complete within the stated ninety-day period. Upon motion by Commissioner Jarvis, seconded by

Commissioner Hutto all Commissioners voting aye, Bill No. 1816 was adopted and numbered Resolution No. 1218.

**Bill No. 1817 – A Resolution** – Authorizing and directing the Mayor and Clerk of the City of Winfield, Kansas, to execute an agreement with Swindoll, Janzen Hawk & Loyd, LLC, to perform an annual audit for the year ending December 31, 2017; and subject to the provisions hereof, for the years December 31, 2018, 2019, 2020, and 2021. City Manager Willmoth explains that this resolution secures the CPA firm Swindoll, Janzen Hawk & Loyd, LLC to perform the annual audit for the City for the five year period beginning with 2017. The cost for the 2017 audit is a not-to-exceed price of \$50,000. Willmoth further explains that the price will increase by five percent annually. Upon motion by Commissioner Hutto, seconded by Commissioner Jarvis all Commissioners voting aye, Bill No. 1817 was adopted and numbered Resolution No. 1318.

**Bill No. 1818 – A Resolution** – Encouraging an additional Transmission Project and Interconnection with Westar Energy to provide improved performance and redundancy to our system. City Manager Willmoth explains that this Bill is a request to Westar in support of a project for redundancy to our electric system from the north. Willmoth explains that partners of the project, KPP and Gridliance believe that legislative support from the City would help this project happen. Upon motion by Commissioner Jarvis, seconded by Commissioner Hutto all Commissioners voting aye, Bill No. 1818 was adopted and numbered Resolution No. 1418.

#### **OTHER BUSINESS**

Consider lease of Mini-Excavator for the Cemetery Department. Assistant to the City Manager Mangus explains that staff recommends the Commission authorize the City Manager to enter into a five-year (60 month) lease with Whitestar Machinery for a mini-excavator for an amount of \$8,000 annually for use in the Cemetery Department. Commissioner Hutto moved to approve the sixty-month lease of an Mini-Excavator from Whitestar Machinery for a cost of \$8,000 annually. Motion was seconded by Commissioner Jarvis. With all Commissioners voting aye, motion carried.

City Manager Willmoth shared with the Commission that the City received the GFOA (Government Finance Officers Association) Financial Reporting Award for Excellence in Financial Reporting.

#### **ADJOURNMENT**

Upon motion by Commissioner Jarvis, seconded by Commissioner Hutto, all Commissioners voting aye, the meeting adjourned at 5:47 p.m.

Signed and sealed this 12th day of February 2018. Signed and approved this 20<sup>th</sup> day of February 2018.

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Brenda Peters, City Clerk

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Gregory N. Thompson, Mayor