

**CITY COMMISSION MEETING  
Winfield, Kansas**

DATE: Monday, August 05, 2019  
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, Brenda Peters  
MINUTES OF PRECEDING MEETING.....Monday, July 15, 2019

**PUBLIC HEARING**

-Consider proposed 2020 Annual Budget

**BUSINESS FROM THE FLOOR**

-Citizens to be heard

**NEW BUSINESS**

Ordinances & Resolutions

**Bill No. 1963 – 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. (417 W. 11<sup>th</sup>)

**Bill No. 1964 - 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. (608 E 16<sup>th</sup>)

**Bill No. 1965 - 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 structure, a House on a tract of land legally described as; Lot 26, Block 143, Northfield Addition to the City of Winfield, Kansas. Commonly known as *303 Loomis St.* Recorded in Book 0540 Page 442, in the Office of the Register of Deeds of Cowley County, Kansas.

**Bill No. 1966 - 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 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.** and Recorded in Book 0703 Page 885, in the Office of the Register of Deeds of Cowley County, Kansas.

**Bill No. 1967 - 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 structure, 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. 9<sup>th</sup> Ave.* and Recorded in Book 0703 Page 885, in the Office of the Register of Deeds of Cowley County, Kansas.

**OTHER BUSINESS**

-Consider authorizing the City Manager to enter into an agreement with Tyler Technologies of Dallas TX, for the procurement of software.

**ADJOURNMENT**

-Next regular work session 4:00 p.m. Thursday August 15, 2019.  
-Next regular meeting 5:30 p.m. Monday, August 19, 2019.

**CITY COMMISSION MEETING MINUTES**  
**Winfield, Kansas**  
**July 15, 2019**

The Board of City Commissioners met in regular session, Monday, July 15, 2019 at 5:30 p.m. in the City Commission-Community Council Meeting Room, City Hall; Mayor Ronald E. Hutto presiding. Commissioners Gregory N. Thompson was also present and Phillip R. Jarvis was present by Zoom. Also in attendance were Taggart Wall, City Manager; 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; Patrick Steward, Director of Public Improvements; and Dan Defore, Water Superintendent.

City Clerk Peters called Roll.

Commissioner Thompson moved that the minutes of the June 17, 2019 meeting be approved as presented. Commissioner Jarvis seconded the motion. With all Commissioners voting aye, motion carried.

**BUSINESS FROM THE FLOOR**

**NEW BUSINESS**

**Bill No. 1959 – An Ordinance** – Authorizing and providing for the issuance of General Obligation Bonds, Series 2019-A of the City of Winfield, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; authorizing certain other documents and actions in connection therewith; and making certain covenants with respect thereto. City Manager Wall explains to the Commissioners that this Ordinance authorizes the issuance of General Obligation Bonds. Wall introduced Dave Arteberry representing George K. Baum & Co., to present results on the Bond sale. The final total of bond principal is \$9,450,000. Country Club Bank had the best interest rate of 2.47 percent. Upon motion by Commissioner Jarvis, seconded by Commissioner Thompson, all Commissioners voting aye, Bill No. 1959 was adopted and numbered Ordinance No. 4113.

**Bill No. 1960 – A Resolution** – Prescribing the form and details of and authorizing and directing the sale and delivery of General Obligation Bonds, Series 2019-A, of the City of Winfield, Kansas, previously authorized by Ordinance No. 4097 of the Issuer; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith. Upon motion by Commissioner Thompson, seconded by Commissioner Jarvis, all Commissioners voting aye, Bill No. 1960 was adopted and numbered Resolution No. 4919.

**Bill No. 1961 – A Resolution** – Authorizing and directing the Mayor of the City of Winfield, Kansas, to execute a Request to Exchange Federal Funds, between the City and the Secretary of the Kansas Department of Transportation, relating to making state funds available to the City in exchange for the City's allotment of federal funds. Director of Public Improvements Steward explains that this Resolution will allow for repayment from the state for the micro-seal project completed earlier this year. Our local Federal Funds available this year was \$140,024.45. The exchange rate with the State of Kansas is 90/10, so, in exchanging the City's portion at 90%, the final amount due to the City is \$126,022.91. Upon motion by Commissioner Jarvis, seconded by Commissioner Thompson, all Commissioners voting aye, Bill No. 1961 was adopted and numbered Resolution No. 5019.

**Bill No. 1962 – A Resolution** – Authorizing adopting a facility lease agreement between the City of Winfield, USD 465, Southwestern College, and Winfield Recreation Commission regarding access to the five primary baseball and softball diamonds located at the Broadway Recreation Complex. Assistant to the City Manager Mangus explains that this Resolution is to adopt an agreement for access and maintenance between the partners. The agreement is a ten-year agreement with two (2) automatic renewals of ten years. Each of the three users will pay two thousand dollars (\$2,000) for their game day preparation and an additional four thousand (\$4,000) for maintenance which will be placed in a capital reserve to be held by the City for future use. Upon motion by Commissioner Thompson, seconded by Commissioner Jarvis, all Commissioners voting aye, Bill No. 1962 was adopted and numbered Resolution No. 5119.

**OTHER BUSINESS**

- Executive Session for Attorney Client Privilege as related to a KCC Docket No. 19 GLPE 338 ACQ. Commissioner Jarvis made a motion that the Commission recess into Executive Session for consultation with the City Attorney and the City Manager, and also Director of Utilities Collins, and Larry Holloway, KPP staff, 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), not to exceed ten (10) minutes. Motion was seconded by Commissioner Thompson. With all Commissioners voting aye, motion carried. Regular Session reconvened at 5:56 p.m.

-Commissioner Thompson moved that the Commission authorize and direct the City Attorney and the City Manager to execute a Settlement Agreement between the City of Winfield, Kansas, Gridliance High Plains LLC, Kansas State Corporation Commission and Westar Energy, Inc., contingent upon final review and approval by the City Attorney. Motion was seconded by Commissioner Jarvis. With all Commissioners voting aye, motion carried.

**ADJOURNMENT**

Upon motion by Commissioner Hutto, seconded by Commissioner Thompson, all Commissioners voting aye, the meeting adjourned at 5:58 p.m.

Signed and sealed this 29th day of July 2019. Signed and approved this 5<sup>th</sup> day of August 2019.

---

Brenda Peters, City Clerk

Ronald E. Hutto, Mayor



## Request for Commission Action

**Date:** July 29, 2019

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

---

**Action Requested:** Seeking approval of three Authorizing Resolutions entering into agreements with contactors for the demolition and the removal of two structures located at 1421 E. 9<sup>th</sup> Ave., 909 High Street., and one at 303 Loomis Street. Also, two Nuisance Resolutions for trash clean-up at 417 W. 11<sup>th</sup> and 608 E. 16<sup>th</sup>.

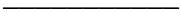
**Analysis:** Lawrence Crushed Stone submitted lowest quote of \$7450.00 for 1421 E. 9<sup>th</sup> Ave.  
Lawrence Crushed Stone submitted lowest quote of \$6450.00 for 303 Loomis St.  
Dennett Tree Service submitted lowest quote of \$5700.00 for 909 High St.

**Fiscal Impact:** Unknown fiscal impact as of now.

**Attachments:** Authorizing Resolution 1421 E. 9<sup>th</sup> Ave.  
Authorizing Resolution 303 Loomis St.  
Authorizing Resolution 909 High St.  
Nuisance Resolution 417 W. 11<sup>th</sup> Ave.  
Nuisance Resolution 608 E. 16<sup>th</sup> Ave.

**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 13th day of June, 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: 2H PROPERTIES, LLC C/O BRIAN S. HOPKINS  
12115 131<sup>st</sup> Rd.  
WINFIELD, KS. 67156
- Occupant: DAVINA J DEMORET
- Property Address: 417 W. 11<sup>th</sup>
- Legal Description: Lot 11, Block 51, Manning's Addition to the City of Winfield, Cowley County, Kansas.
- Nature of Nuisance: A nuisance consisting of miscellaneous discarded furniture, debris, trash, and junk on the east side yard area.
- 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 5th day of August, 2019.

(SEAL)

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

ATTEST:

\_\_\_\_\_  
Brenda Peters, City Clerk

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

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

**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 6<sup>th</sup> day of June, 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: MINTON, THOMAS H  
706 QUAIL NEST  
WINFIELD, KS. 67156

Occupant: JESSICA M MCFARLAND  
Property Address: 608 E. 16<sup>th</sup>  
Legal Description: Lot 9, Block 235, Loomis Second Addition, Winfield, Cowley County, Kansas.

Nature of Nuisance: A nuisance consisting of miscellaneous discarded furniture, debris, trash, and junk on the alley at the garage door.

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 5th day of August, 2019.

(SEAL)

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

ATTEST:

\_\_\_\_\_  
Brenda Peters, City Clerk

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

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



**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 structure, a *House on a tract of land legally described as; Lot 26, Block 143, Northfield Addition to the City of Winfield, Kansas. Commonly known as 303 Loomis St. Recorded in Book 0540 Page 442,* in the Office of the Register of Deeds of Cowley County, Kansas.

**WHEREAS**, on the 2<sup>nd</sup> day of April, 2018, after proper notification of the owner and publication in the official city newspaper, a public hearing was held before the Governing Body of the City of Winfield, Kansas, Bill No. 1832, Resolution No. 2618 and,

**WHEREAS**, said structure and improvements were found unfit for human habitation, a blight on the neighborhood; and,

**WHEREAS**, **National Builders Inc.**, gave the most prudent quote for demolition and removal and provided the required insurance documentation listing the City of Winfield, Kansas, as an additional insured.

**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 an agreement with **Lawrence Crushed Stone** for the demolition and removal of the structure located on *Lot 26, Block 143, Northfield Addition to the City of Winfield, Kansas. Commonly known as 303 Loomis St. Recorded in Book 0540 Page 442,* in the Office of the Register of Deeds of Cowley County, Kansas, a copy of which is attached hereto and made a part thereof the same as if fully set forth herein.

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

**ADOPTED** this 5th day of August, 2019.

(SEAL)

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

ATTEST:

\_\_\_\_\_  
Brenda Peters, City Clerk

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

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

**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 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. and Recorded in Book 0703 Page 885*, in the Office of the Register of Deeds of Cowley County, Kansas.

**WHEREAS**, on the 1st day of April, 2019, after proper notification of the owner and publication in the official city newspaper, a public hearing was held before the Governing Body of the City of Winfield, Kansas, Bill No. 1922, Resolution No.1919 and,

**WHEREAS**, said structure and improvements were found unfit for human habitation, a blight on the neighborhood; and,

**WHEREAS**, **Dennett Tree Service** gave the most prudent quote for demolition and removal and provided the required insurance documentation listing the City of Winfield, Kansas, as an additional insured.

**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 an agreement with **Dennett Tree Service** for the demolition and removal of the structure located on *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, a copy of which is attached hereto and made a part thereof the same as if fully set forth herein.

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

**ADOPTED** this 5th day of August, 2019.

(SEAL)

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

ATTEST:

\_\_\_\_\_  
Brenda Peters, City Clerk

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

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

**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 structure, 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. 9<sup>th</sup> Ave. and Recorded in Book 0703 Page 885*, in the Office of the Register of Deeds of Cowley County, Kansas.

**WHEREAS**, on the 1st day of April, 2019, after proper notification of the owner and publication in the official city newspaper, a public hearing was held before the Governing Body of the City of Winfield, Kansas, Bill No. 1922, Resolution No.1919 and,

**WHEREAS**, said structure and improvements were found unfit for human habitation, a blight on the neighborhood; and,

**WHEREAS**, **Lawrence Crushed Stone** gave the most prudent quote for demolition and removal and provided the required insurance documentation listing the City of Winfield, Kansas, as an additional insured.

**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 an agreement with **Lawrence Crushed Stone**, for the demolition and removal of the structure located on *Lot 1, and the East Half of Lot 2, Block 26, Grand View Addition, to Winfield, Kansas. Commonly known as 1421 E. 9<sup>th</sup>. Recorded in Book 0703 Page 885*, in the Office of the Register of Deeds of Cowley County, Kansas, a copy of which is attached hereto and made a part thereof the same as if fully set forth herein.

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

**ADOPTED** this 5th day of August, 2019.

(SEAL)

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

ATTEST:

\_\_\_\_\_  
Brenda Peters, City Clerk

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

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