

**CITY COMMISSION MEETING  
Winfield, Kansas**

DATE: Monday, June 03, 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, May 20, 2019

**PUBLIC HEARING**

- Proposed assessments for Improvements at Country Club Estates and Country Club Villas.
- Consider Condemnation Proceedings for 1801 Manning St.
- Consider Condemnation Proceedings for 916 Bliss St.

**BUSINESS FROM THE FLOOR**

- Citizens to be heard

**NEW BUSINESS**

Ordinances & Resolutions

**Bill No. 1934 – An Ordinance** – An Ordinance levying Special Assessments on certain property to pay the costs of internal improvements in the City of Winfield, Kansas, as previously authorized by Resolution No. 0308 and Ordinance No. 4063 and Resolution Nos. 4717 and 4817 of the City; and providing for the collection of such Special Assessments.

**Bill No. 1935 – An Ordinance**– Annexing certain land into the corporate limits of the City of Winfield, Cowley County, Kansas, pursuant to K.S.A. 12-520 (a)(7).

**Bill No. 1936 – A Resolution** –Authorizing the Mayor and the City Clerk of the City of Winfield, Kansas to execute an agreement for professional services with Foster Design Associates, LLC for the purpose of updating the current Comprehensive Development Plan and preparing a Master Plan for Parks, Trails, and Recreation.

**Bill No. 1937 – A Resolution** –Setting forth findings that the structure, a house, located on a tract of land legally described as follows ***Lot Seven (7), Block 98, Mansfield Addition, to Winfield, Kansas.*** Commonly known as ***1801 Manning St.*** Recorded in ***Deed Record No. 190,*** 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.

**Bill No. 1938 – A Resolution** –Setting forth findings that the structure located on a tract of land legally described as follows: ***North 50 feet of Lot 7, and the North 50 feet of the West 30 feet of Lot 8 Block 229, Fuller’s Addition, to Winfield, Kansas. Commonly known as 916 Bliss St. Recorded in Book 310 page 387, in the Office of the Register of Deeds of Cowley County, Kansas.*** is unsafe and/or dangerous and ordering said structures to be repaired or removed in ninety (90) days.

**OTHER BUSINESS**

- Consider Board Appointments

**ADJOURNMENT**

- Next Commission work session 4:00 p.m. Thursday, June 13, 2019.
- Next regular meeting 5:30 p.m. Monday, June 17, 2019.

**CITY COMMISSION MEETING MINUTES**  
**Winfield, Kansas**  
**May 20, 2019**

The Board of City Commissioners met in regular session, Monday, May 20, 2019 at 5:30 p.m. in the City Commission-Community Council Meeting Room, City Hall; Mayor Ronald E. Hutto presiding. Commissioners Phillip R. Jarvis and Gregory N. Thompson were also present. Also in attendance were Taggart Wall, City Manager and Brenda Peters, City Clerk. William E. Muret, City Attorney was absent. Other staff members present were Gary Mangus, Assistant to the City Manager; Gus Collins, Director of Utilities; Patrick Steward, Director of Public Improvements; and Vincent Warren, Fire Chief.

City Clerk Peters called roll.

Commissioner Thompson moved that the minutes of the May 6, 2019 meeting be approved. Commissioner Jarvis seconded the motion. With all Commissioners voting aye, motion carried.

**PROCLAMATION**

-Mayor Hutto presented a proclamation proclaiming June 7, 2019 as National Gun Violence Awareness Day to Cindy Stevens.

Mayor Hutto and the Commission expressed their appreciation to Directors of the City of Winfield for their hard work in the interim period between City Managers.

**BUSINESS FROM THE FLOOR**

-Michael Rozell, 3616 Meadowlark Lane, appeared to the Commission to comment on fiscal responsibility by City leaders with taxpayer money.

**NEW BUSINESS**

**Bill No. 1932 – An Ordinance** – Granting to SQF, LLC, (SQF), its successors and assigns, a Telecommunications Franchise and prescribing the terms of said grant and relating thereto. Director of Public Improvements Steward explains this is an ordinance for consideration of a franchise agreement with SQF, LLC for two small cell sites to be located inside the City's right-of-way. Steward also explains that the City Attorney is still reviewing the document as asks for adoption of the ordinance subject to approval by the City Attorney. Commissioner Jarvis made a motion to adopt Bill No. 1932 subject to approval by the City Attorney. Motion was seconded by Commissioner Thompson. with all Commissioners voting aye, Bill No. 1932 was adopted and numbered Ordinance No. 4106.

**Bill No. 1933 – A Resolution** – Authorizing and directing the Mayor and Clerk of the City of Winfield, Kansas, to execute a contract for Project No. 18-SI874 for the construction of a sanitary sewer lift station between the City of Winfield, Kansas and Wildcat Construction Company Inc. Director of Utilities Collins explains that this resolution considers awarding a contract for a net amount of \$289,285.00 for replacement of an existing lift station located at 4<sup>th</sup> Avenue. Collins further

explains that bids were opened for the project, and all bids exceeded the original engineer's estimate, with the low bid from Wildcat Construction coming in at \$457,120. Collins states that subsequently, the City entered into negotiations with PEC (Professional Engineering Consultants) and the bidders to change the scope of the project. These discussions resulted in a change order to the scope of the project of a decrease of \$167,835 making the contract amount \$289,285 to be awarded to Wildcat Construction. Upon motion by Commissioner Thompson, seconded by Commissioner Jarvis, all Commissioners voting aye, Bill No. 1933 was adopted and numbered Resolution No. 2919.

**OTHER BUSINESS**

- Consider documents associated with special assessments for Country Club Estates and Country Club Villas.
  - Establish June 3, 2019 at 5:30 p.m. for the purpose of oral objections to respective assessments;
  - Authorize the City Clerk to publish the Notice of Public Hearing (Exhibit C) in the official city newspaper;
  - Authorize the City Clerk to mail the Statement of Cost Proposed to be Assessed (Exhibit D) to all owners of property affected by such assessments and provide a Notice of Mailing;
  - Direct the City Clerk to file each of the documents of record in the office of the City Clerk and make the same available for public inspection.

City Manager Wall explains that these documents are needed to proceed with the special assessments for County Club Estates and Country Club Villas. Commissioner Jarvis moved to approve the documents as outlined by City Manager Wall Commissioner Thompson seconded the motion. With all Commissioners voting aye, the motion carried.

**ADJOURNMENT**

Upon motion by Commissioner Thompson, seconded by Commissioner Jarvis, all Commissioners voting aye, the meeting adjourned at 6:05 p.m.

Signed and sealed this 23<sup>rd</sup> day of May 2019.

Signed and approved this 3<sup>rd</sup> day of June 2019.

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Brenda Peters, City Clerk

Ronald E. Hutto, Mayor

**ORDINANCE NO. 4107**

**AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF WINFIELD, KANSAS, AS PREVIOUSLY AUTHORIZED BY RESOLUTION NO. 0308 AND ORDINANCE NO. 4063, AND RESOLUTION NOS. 4717 AND 4817 OF THE CITY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.**

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**WHEREAS**, the governing body of the City of Winfield, Kansas (the “City”) has previously authorized certain internal improvements (the “Improvements”) to be constructed pursuant to K.S.A. 12-6a01 *et seq.* (the “Act”); and

**WHEREAS**, the governing body has conducted a public hearing in accordance with the Act and desires to levy assessments on certain property benefited by the construction of the Improvements.

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

**Section 1. Levy of Assessments.** For the purpose of paying the costs of the following described Improvements:

**Project No. 1 - Country Club Estates and Country Club Villas - Sanitary Sewer Improvements**

**Resolution No. 0308 and Ordinance No. 4063**

Installation of approx. 6,100 L.F. of 8” sanitary sewer main, manholes, wyes and risers;

**Project No. 2 - Country Club Villas - Street and Drainage Improvements**

**Resolution No. 4717**

Install street and drainage improvements to serve Lots 1 and 2, Block A; and Lots 1 through 9, Block B, Country Club Villas, an addition to the City of Winfield, Cowley County, Kansas, in accordance with the City of Winfield Standard Specifications; and

**Project No. 3 - Country Club Villas – Water Main Improvements**

**Resolution No. 4817**

Install water main improvements to serve Lots 1 and 2, Block A; and Lots 1 through 9, Block B, Country Club Villas, an addition to the City of Winfield, Cowley County, Kansas, in accordance with the City of Winfield Standard Specifications;

there are hereby levied and assessed the amounts (with such clerical or administrative amendments thereto as may be approved by the City Attorney) against the property described on **Exhibit A** attached hereto.

**Section 2. Payment of Assessments.** The amounts so levied and assessed in **Section 1** hereof shall be due and payable from and after the date of publication of this Ordinance. Such amounts may be paid in whole or in part by July 8, 2019.

**Section 3. Notification.** The City Clerk shall notify the owners of the properties described in *Exhibit A* attached hereto (insofar as known to the City Clerk) of the amounts of their respective assessments. The notice shall also state that unless such assessments are paid by July 8, 2019, bonds will be issued therefor, and the amount of such assessment will be collected in installments with interest.

**Section 4. Certification.** Any amount of special assessments not paid within the time prescribed in *Section 2* hereof shall be certified by the City Clerk to the Clerk of Cowley County, Kansas, in the same manner and at the same time as other taxes are certified and will be collected in 15 annual installments, together with interest on such amounts at a rate not exceeding the maximum rate therefor as prescribed by the Act. Interest on the assessed amount remaining unpaid between the effective date of this Ordinance and the date the first installment is payable, but not less than the amount of interest due during the coming year on any outstanding bonds issued to finance the Improvements, shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid.

**Section 5. Effective Date.** This Ordinance shall take effect and be in force from and after its passage, approval and publication of the Ordinance or a summary thereof once in the official City newspaper.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

**PASSED** by the governing body of the City on June 3, 2019 and signed by the Mayor.

(SEAL)

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Ronald E. Hutto, Mayor

ATTEST:

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Brenda Peters, City Clerk

APPROVED AS TO FORM ONLY.

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William E. Muret, City Attorney

**CERTIFICATE**

I hereby certify that the foregoing is a true and correct copy of the original Ordinance; that the Ordinance was passed on June 3, 2019; that the record of the final vote on its passage is found on page \_\_\_\_ of journal \_\_\_\_; and that the Ordinance or a summary thereof was published in the *Winfield Daily Courier* on June 6, 2019.

DATED: June 6, 2019.

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Brenda Peters, City Clerk

**EXHIBIT A-1**

**COUNTRY CLUB ESTATES AND COUNTRY CLUB VILLAS –  
SANITARY SEWER IMPROVEMENTS  
RESOLUTION NO. 0308 AND ORDINANCE NO. 4063**

<b>Description of Property</b>	<b>Amount of Assessment</b>
<b>Country Club Estates, Highland Village Addition Replat to the City of Winfield, Cowley County, Kansas:</b>	
Lot 1 and the south 47.5 feet of Lot 2, Block 1	\$11,670.12
Lot 2 and Lot 3, Block 1, except the south 47.5 feet of Lot 2, Block 1	11,670.12
Lots 4 and 5, except tract, Block 1	11,670.12
Lot 6 and part of Lot 5, Block 1	11,670.12
Lot 7, Block 1	11,670.12
Lots 1 through 4, Block 2	11,670.12
Lots 1 and 2 and tract adjoining, Block 3	11,670.12
Lot 3 and the W 50 feet of Lot 4, Block 3	11,670.12
Lot 4, except the W 50 feet and all of Lot 5, Block 3	11,670.12
Lot 1 and the north half of Lot 2, Block 4	11,670.12
South half of Lot 2 and all of Lot 3, Block 4	11,670.12
Lots 4 and 5, Block 4	11,670.12
Lot 6, Block 4	11,670.12
Lot 7, Block 4	11,670.12
Lot 8, Block 4	11,670.12
Lots 1 through 3, Block 5	23,340.24
Lot 4, Block 5	11,670.12
Lot 5, Block 5	11,670.12
Lots 1 and 2, Block 6	11,670.12
Lot 3, Block 6	11,670.12
Lot 4, Block 6	11,670.12
Lots 5 and 6, Block 6	23,340.24
Lots 7 and 8, Block 6	11,670.12
Lot 9, Block 6	11,670.12
Lots 10 and 11, Block 6	11,670.12
<b>Country Club Villas, an addition to the City of Winfield, Cowley County, Kansas:</b>	
Lot 1, Block A	11,073.46
Lot 2, Block A	11,073.46
Lot 1, Block B	11,073.46
Lot 2, Block B	11,073.46
Lot 3, Block B	11,073.46
Lot 4, Block B	11,073.46
Lot 5, Block B	11,073.46
Lot 6, Block B	11,073.46
Lot 7, Block B	11,073.46
Lot 8, Block B	11,073.47
Lot 9, Block B	11,073.47
<b>TOTAL</b>	<b>\$436,901.32</b>

**EXHIBIT A-2**

**COUNTRY CLUB VILLAS – STREET AND DRAINAGE IMPROVEMENTS  
RESOLUTION NO. 4717**

<b>Description of Property</b>	<b>Amount of Assessment</b>
<b>Country Club Villas, an addition to the City of Winfield, Cowley County, Kansas:</b>	
Lot 1, Block A	\$ 21,604.12
Lot 2, Block A	21,604.12
Lot 1, Block B	21,604.12
Lot 2, Block B	21,604.12
Lot 3, Block B	21,604.12
Lot 4, Block B	21,604.12
Lot 5, Block B	21,604.12
Lot 6, Block B	21,604.12
Lot 7, Block B	21,604.13
Lot 8, Block B	21,604.13
Lot 9, Block B	<u>21,604.13</u>
<b>TOTAL</b>	<b>\$237,645.35</b>



**EXHIBIT A-3**

**COUNTRY CLUB VILLAS – WATER MAIN IMPROVEMENTS  
RESOLUTION NO. 4817**

<b>Description of Property</b>	<b>Amount of Assessment</b>
<b>Country Club Villas, an addition to the City of Winfield, Cowley County, Kansas:</b>	
Lot 1, Block A	\$ 4,554.36
Lot 2, Block A	4,554.36
Lot 1, Block B	4,554.36
Lot 2, Block B	4,554.36
Lot 3, Block B	4,554.36
Lot 4, Block B	4,554.36
Lot 5, Block B	4,554.36
Lot 6, Block B	4,554.36
Lot 7, Block B	4,554.36
Lot 8, Block B	4,554.36
Lot 9, Block B	4,554.37
<b>TOTAL</b>	<b>\$50,097.97</b>

## NOTICE OF ASSESSMENT

June 6, 2019  
City of Winfield, Kansas

Property Owner:

You are hereby notified, as owner of record of the property described on ***Schedule I*** attached hereto, that pursuant to Ordinance No. [4107] (the “Ordinance”) of the City of Winfield, Kansas (the “City”) there has been assessed against the property the costs of certain internal improvements previously authorized by the governing body of the City (the “Improvements”). The description of the Improvements, the resolution number authorizing the same and the amount of assessment are set forth on ***Schedule I*** attached hereto.

You may pay this assessment in whole or in part to the City Treasurer of the City by July 8, 2019; and if the amount is not paid within the time period, bonds will be issued therefor, and the balance of such assessment will be collected in 15 annual installments, together with interest on such amounts remaining unpaid at a rate not exceeding the maximum rate therefor as prescribed by K.S.A. 12-6a01 *et seq.* Interest accruing between the date set forth above and the date the first installment is payable, but not less than the amount of interest due during the coming year on any outstanding bonds issued to finance the Improvements, shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid.

Brenda Peters, City Clerk

*SCHEDULE I-1*

**COUNTRY CLUB ESTATES AND COUNTRY CLUB VILLAS –  
SANITARY SEWER IMPROVEMENTS  
RESOLUTION NO. 0308 AND ORDINANCE NO. 4063**

Description of Property	Amount of Assessment
<b>Country Club Estates, Highland Village Addition Replat to the City of Winfield, Cowley County, Kansas:</b>	
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Lot 7, Block 1	11,670.12
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Lots 1 and 2 and tract adjoining, Block 3	11,670.12
Lot 3 and the W 50 feet of Lot 4, Block 3	11,670.12
Lot 4, except the W 50 feet and all of Lot 5, Block 3	11,670.12
Lot 1 and the north half of Lot 2, Block 4	11,670.12
South half of Lot 2 and all of Lot 3, Block 4	11,670.12
Lots 4 and 5, Block 4	11,670.12
Lot 6, Block 4	11,670.12
Lot 7, Block 4	11,670.12
Lot 8, Block 4	11,670.12
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Lot 9, Block 6	11,670.12
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<b>Country Club Villas, an addition to the City of Winfield, Cowley County, Kansas:</b>	
Lot 1, Block A	11,073.46
Lot 2, Block A	11,073.46
Lot 1, Block B	11,073.46
Lot 2, Block B	11,073.46
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Lot 4, Block B	11,073.46
Lot 5, Block B	11,073.46
Lot 6, Block B	11,073.46
Lot 7, Block B	11,073.46
Lot 8, Block B	11,073.47
Lot 9, Block B	11,073.47

*SCHEDULE I-2*

**COUNTRY CLUB VILLAS – STREET AND DRAINAGE IMPROVEMENTS  
RESOLUTION NO. 4717**

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Lot 3, Block B	21,604.12
Lot 4, Block B	21,604.12
Lot 5, Block B	21,604.12
Lot 6, Block B	21,604.12
Lot 7, Block B	21,604.13
Lot 8, Block B	21,604.13
Lot 9, Block B	21,604.13

**SCHEDULE I-3**

**COUNTRY CLUB VILLAS – WATER MAIN IMPROVEMENTS  
RESOLUTION NO. 4817**

<b>Description of Property</b>	<b>Amount of Assessment</b>
<b>Country Club Villas, an addition to the City of Winfield, Cowley County, Kansas:</b>	
Lot 1, Block A	\$ 4,554.36
Lot 2, Block A	4,554.36
Lot 1, Block B	4,554.36
Lot 2, Block B	4,554.36
Lot 3, Block B	4,554.36
Lot 4, Block B	4,554.36
Lot 5, Block B	4,554.36
Lot 6, Block B	4,554.36
Lot 7, Block B	4,554.36
Lot 8, Block B	4,554.36
Lot 9, Block B	4,554.37

**CERTIFICATE OF MAILING**

STATE OF KANSAS            )  
  ) ss:  
COUNTY OF COWLEY        )

The undersigned, City Clerk of the City of Winfield, Kansas, does hereby certify that on June 6, 2019, the date on which Ordinance No. [4107] (the “Ordinance”) of the City was published, I caused to be mailed to the owners of the properties liable for the assessments set out in the Ordinance, at their last known post office addresses, a Notice of Assessment showing the respective assessments levied against their properties and stating the manner in which the assessments will be collected.

A sample copy of the form of such Notice of Assessment is attached hereto.

WITNESS my hand and seal as of June 6, 2019.

(Seal)

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

[attach sample copy of form]

**CERTIFICATE OF CITY TREASURER**

STATE OF KANSAS            )  
  ) ss:  
COUNTY OF COWLEY        )

The undersigned, City Treasurer of the City of Winfield, Kansas (the “City”), does hereby certify that within the time allowed by Ordinance No. [4107] of the City for the payment of special assessments in cash, property owners specially assessed for the costs of certain internal improvements previously authorized by the governing body of the City, paid in cash the amounts set forth below:

<b>Resolution No.</b>	<b>Amount</b>
0308 and Ordinance No. 4063	
4717	
4817	
<b>TOTAL</b>	<b>\$ _____</b>

WITNESS my hand on July 8, 2019.

\_\_\_\_\_  
Kim Reynolds, City Treasurer

(Published in the *Winfield Daily Courier* on June 6, 2019)

**SUMMARY OF ORDINANCE NO. [4107]**

On June 3, 2019, the governing body of the City of Winfield, Kansas, passed an ordinance entitled:

**AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF WINFIELD, KANSAS, AS PREVIOUSLY AUTHORIZED BY RESOLUTION NO. 0308 AND ORDINANCE NO. 4063, AND RESOLUTION NOS. 4717 AND 4817 OF THE CITY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.**

The Ordinance levies special assessments on certain property located in Country Club Estates, Highland Village Addition Replat to the City of Winfield, Cowley County, Kansas and Country Club Villas, an addition to the City of Winfield, Cowley County, Kansas, which have been benefitted from certain internal improvements constructed pursuant to K.S.A. 12-6a01 *et seq.* and provides an opportunity for prepayment, in whole or in part, of the special assessments. A schedule of the amounts of the special assessments and the property benefitted are attached to the Ordinance. Any amount of special assessments not paid within the time prescribed in the Ordinance shall be certified by the City Clerk to the Clerk of Cowley County, Kansas, in the same manner and at the same time as other taxes are certified and will be collected in annual installments, together with interest on such amounts at a rate not exceeding the maximum rate therefor as prescribed by law. A complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, City Hall, 200 E. Ninth Avenue, Winfield, Kansas 67156. A reproduction of the Ordinance is available for not less than 7 days following the publication date of this Summary at [www.https://winfieldks.org](https://winfieldks.org).

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: June 3, 2019.

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City Attorney





## Request for Commission Action

**Date:** May 28, 2019

**Requestor:** Patrick Steward, Dir. Of Public Improvements / City Engineer

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**Action Requested:** Consideration of a petition for annexation.

**Analysis:** Tom McClurg contacted the City regarding the desire to have a parcel they owned annexed into the City. The parcel is adjacent to the existing city limit boundary and is located next to the Country Club Estates subdivision. Kansas Statutes allow consideration of an annexation without a public hearing and notification requirements providing the parcel is contiguous to the city limits and the owner petitions for said annexation.

**Fiscal Impact:** If annexed, the city would be responsible for providing utilities and services. The existing utilities are capable of supporting an additional single family dwelling on the parcel. The cost for extension of services would be at the owner's cost. What has been proposed to the owner for sanitary sewer service is the same assessment amount as all other parcels within the Country Club Estates subdivision in order for the City at large to recover a portion of the its costs associated with that project.

**Attachments:** Proposed Ordinance & Petition

(First published in the Cowley County Courier Traveler, June 7, 2019)

**BILL NO. 1935**

**ORDINANCE NO. 4108**

**AN ORDINANCE**

**ANNEXING** certain land into the corporate limits of the City of Winfield, Cowley County, Kansas, pursuant to K.S.A. 12-520 (a)(7).

**WHEREAS**, Thomas D. McClurg and Cathy A. McClurg, own a tract of land wholly within Cowley County, Kansas and adjacent to the city limits of the City of Winfield, Cowley County, Kansas; and,

**WHEREAS**, Thomas D. McClurg and Cathy A. McClurg, have filed a Petition for Annexation with the City of Winfield, Cowley County, Kansas.

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

**Section 1.** Pursuant to K.S.A. 12-520 (a)(7), the following legally described land is hereby annexed and incorporated into the City of Winfield, Cowley County, Kansas, to-wit:

A parcel of land situated In the Southeast Quarter of Section 32, Township 32 South, Range 4 East of the 6th P.M., Cowley County, Kansas, beginning at the Southwest corner of Lot 1, Block 1, Country Club Estates, Highland Village Additional Replat, thence North 82°13'50" West (assumed) along the North line of Braid Hills Drive, 245.00 feet, thence on a curve to the left, with a delta of 22°, a radius of 436.56 feet, an arc distance of 35.00 feet, thence North 26°10'03" West, 100.00 feet thence North 52°59'03" East, 190.00 feet, thence South 69°29'46" East, 206.00 feet to the West line of Lot 2, Block 1, Country Club Estates, Highland Village Addition Replat, thence South 7°46'10" West, along the West line of Lots 1 and 2, Block 2, Highland Village Addition Replat, 170.00 feet to the point of beginning.

**Section 2.** The Clerk of the City of Winfield, Cowley County, Kansas, is hereby authorized and directed to file a certified copy of this ordinance with the Register of Deeds for Cowley County, Kansas.

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

**ADOPTED** this 3rd day of June, 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 /ps

PETITION FOR ANNEXATION

TO: THE GOVERNING BODY  
CITY OF WINFIELD, KANSAS

GENTLEMEN:

Pursuant to the provision of K.S.A. 12-520a., the undersigned owners of the hereinafter described real estate do hereby formally petition for and consent to annexation of said land to the City of Winfield, KS.

LEGAL DESCRIPTION:

A parcel of land situated In the Southeast Quarter of Section 32, Township 32 South, Range 4 East of the 6th P.M., Cowley County, Kansas, beginning at the Southwest corner of Lot 1, Block 1, Country Club Estates, Highland Village Additional Replat, thence North 82°13'50" West (assumed) along the North line of Braid Hills Drive, 245.00 feet, thence on a curve to the left, with a delta of 22°, a radius of 436.56 feet, an arc distance of 35.00 feet, thence North 26°10'03" West, 100.00 feet thence North 52°59'03" East, 190.00 feet, thence South 69°29'46" East, 206.00 feet to the West line of Lot 2, Block 1, Country Club Estates, Highland Village Addition Replat, thence South 7°46'10" West, along the West line of Lots 1 and 2, Block 2, Highland Village Addition Replat, 170.00 feet to the point of beginning.

\_\_\_\_\_  
Thomas D. McClurg

\_\_\_\_\_  
Cathy A. McClurg

STATE OF KANSAS, COWLEY COUNTY, SS:

Subscribed in my presence and sworn to before me by Thomas D. McClurg and Cathy A. McClurg, known to me to be the same persons who executed the foregoing petition for annexation and such persons duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Notary Public

My appointment expires: \_\_\_\_\_



## Request for Commission Action

**Date:** May 28, 2019

**Requestor:** Patrick Steward, Dir. Of Public Improvements / City Engineer

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**Action Requested:** Consider entering into an agreement with Foster Design Associates, LLC for professional services for the updating of the City's comprehensive land use plan and for the creation of a Master Plan for Parks, Trails, and Recreation.

**Analysis:** Earlier this year, the City solicited proposals for professional services for the above referenced scope of work. As you may recall, the current comprehensive plan is dated 1993. The City was fortunate to receive 8 proposals which were narrowed to four firms to interview. After performing interviews, the recommendation of a committee made up of City staff and the Chamber of Commerce, the recommendation was to enter into an agreement with Foster for this scope of work.

**Fiscal Impact:** The City has been budgeting money within the CIP for several years for the update to the Comprehensive plan. The balance of the budgeted funds to date is \$40,000. The proposed agreement is for \$46,900 for that portion of the work. So, the balance of the funds will come from the Community Development 2019 budget or from the balance within CIP as to be determined by availability for the year. The portion of the work attributed to the Master Plan for parks is anticipated to be paid by grant funds.

**Attachments:** Proposed Resolution & Agreement

**A RESOLUTION**

**AUTHORIZING** the Mayor and the City Clerk of the City of Winfield, Kansas to execute an agreement for professional services with Foster Design Associates, LLC for the purpose of updating the current Comprehensive Development Plan and preparing a Master Plan for Parks, Trails, and Recreation.

\_\_\_\_\_

**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, attached to and made a part hereof as if fully set forth herein, between the City of Winfield, Kansas and Foster Design Associates, LLC for the purpose of updating the current Comprehensive Development Plan and preparing a Master Plan for Parks, Trails, and Recreation.

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

**ADOPTED** this 3rd day of June, 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/ps

# AGREEMENT

between **Foster Design Associates LLC** of Wichita, Kansas  
and the **City of Winfield, Kansas**

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The parties to this agreement are the **City of Winfield, Kansas (City)**, and **Foster Design Associates LLC (FDA)**, of Wichita, Kansas.

The City desires to engage FDA to update the current **Comprehensive Development Plan** for the City of Winfield and its Planning Area, with a Scope of Services as described in Appendix A.

In addition, the City wishes to engage FDA to concurrently prepare a **Master Plan for Parks, Trails & Recreation** for the City of Winfield with a Scope of Services as described in Appendix B.

FDA is ready and willing to provide the services described in this Agreement for the City. The City hereby agrees to engage FDA, and FDA agrees to perform the services described in the two Scopes of Services.

This Agreement includes the following Appendices:

- Appendix A: Scope of Services for Comprehensive Development Plan
- Appendix B: Scope of Services for Master Plan for Parks, Trails & Recreation
- Appendix C: Proposed Schedule

The City of Winfield and Foster Design Associates LLC mutually agree to the following:

1. **Scope of Service** – FDA shall perform and carry out in a satisfactory manner the tasks described in Scope of Services A and Scope of Services B, appended to this Agreement.
2. **Personnel** – Professional planning services will be provided by David W. Foster, acting for FDA, and by other qualified staff persons under his supervision. Debra J. Foster will provide coordination throughout the project to provide draft and final materials to the City.
3. **Time of Performance** – We suggest an allowance of up to 13 months for the completion of both the Comprehensive Plan and Master Plan for Parks, Trails, and Recreation projects. The Proposed Schedule is drafted to coordinate with the regular meeting schedules of involved groups. Special meetings, however, may be necessary due to conflicts with local events or other unknown scheduling factors.

FDA shall not be responsible or held liable for delays occasioned by the actions or inactions of the City or other agencies, or for other unavoidable delays beyond the control of FDA. An extension of time shall be granted FDA for delays recognized by the City as unavoidable, provided that such an extension of time is requested in writing by FDA, fully stating the reasons for such request.

4. **Compensation** – Consultant fees for services noted in Appendix A (Scope of Services for Comprehensive Development Plan) **will not exceed \$46,900**. Consultant fees for services noted in Appendix B (Scope of Services for Master Plan for Parks, Trails & Recreation) **will not exceed \$24,550**. Services will be billed at current hourly rates noted below.

# AGREEMENT

between **Foster Design Associates LLC** of Wichita, Kansas  
and the **City of Winfield, Kansas**

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**Reimbursable expenses** are billed in addition to Consultant fees for services. Reimbursable expenses for the Comprehensive Plan are estimated from \$850 to \$1200 and for the Master Plan for Parks, Trails & Recreation from \$650 to \$800. See original proposal of services for a breakdown of potential expenses.

## **Standard Hourly Rates**

David Foster, Chief Landscape Architect & Planner – \$75.00

Debra Foster, Graduate Architect / Planner – \$67.50

CAD Technician/Graphic Artist – \$57.50

5. **Method and Schedule of Payment** – FDA will provide the City periodically with a statement for services rendered during the Agreement period. The City agrees to pay FDA within thirty (30) days after receipt of the statement.
6. **Assignability** – FDA shall not assign or transfer any interest in this Agreement without the prior consent of the City.
7. **Termination of Agreement for Cause** – If FDA fails to fulfill in a timely and proper manner their obligations under this Agreement, or if FDA violates any of the provisions and stipulations of this Agreement, the City shall then have the right to terminate this Agreement by giving written notice to FDA, at least fifteen (15) days prior to the effective date of termination. In that event all finished or unfinished documents or data assembled or prepared by FDA under this Agreement shall become the City's property, and FDA shall be proportionately and reasonably compensated for services which were performed satisfactorily prior to the effective date of termination.
8. **Equal Employment Opportunity** – There shall be no discrimination against any personnel employed in the work covered by this Agreement, or against any applicant for such employment because of race, color, religion, age, sex, national origin, or ancestry.
9. **Conflict of Interest** – FDA covenants that the personnel engaged on this project have no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required under this Agreement. FDA further covenants that in the performance of this Agreement, no person having any such interest shall be employed.
10. **Findings Confidentiality** – Any reports, information, maps, etc., given to or prepared or assembled by FDA under this Agreement, which the City requests to be kept confidential, shall not be made available to any individual or organization by FDA without prior approval of the City.
11. **Copyright** – No reports, maps or other documents produced for the Winfield Comprehensive Development Plan and Master Plan for Parks, Trails, and Recreation in whole or in part under this Agreement shall be copyrighted by or on behalf of FDA.

# AGREEMENT

between **Foster Design Associates LLC** of Wichita, Kansas  
and the **City of Winfield, Kansas**


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12. **Supplemental Services** – If the City requires changes in the Scope of Services for this Agreement, FDA will be given written notice by the City, along with a request for an estimate of the fee increase necessary for performance of the additional work. No additional work shall be performed nor shall additional compensation be paid, except on the basis of a Supplemental Agreement duly entered into by both parties.
13. **Effective Date** – This Agreement becomes effective on the date this Agreement is executed by signature below.

The individuals executing this contract represent and warrant that they have the legal capacity and authority to do so on behalf of their respective legal entities.

IN WITNESS THEREOF the City of Winfield and Foster Design Associates LLC have executed this Agreement as of May \_\_\_\_\_, 2019.

**FOSTER DESIGN ASSOCIATES LLC**  
**Landscape Architecture & Planning**

By:  \_\_\_\_\_  
David W. Foster, PLA, ASLA, APA  
President

**CITY OF Winfield, KANSAS**

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

ATTEST: \_\_\_\_\_  
Brenda Peters, City Clerk



# AGREEMENT

*between Foster Design Associates LLC  
and the City of Winfield, Kansas*

# APPENDIX A SCOPE OF SERVICES for Comprehensive Development Plan

This Scope of Services is appended to an Agreement between the City of Winfield, Kansas and Foster Design Associates LLC of Wichita, Kansas.

## SECTION A – General Objectives of the Scope of Services

1. FDA will develop a twenty-year Comprehensive Plan for the City of Winfield and its Planning Area, utilizing information from the City's existing Comprehensive Plan. The Plan will be clearly written and compliant with State statutes. During the preparation of the Plan, services shall include the six items noted in the Request for Proposals.
2. Areas for potential City growth will be identified.

## SECTION B – Planning Area and Planning Period

1. The extent of the City's **Planning Area** will be reviewed. It is likely that the existing Planning Area will remain the same. Delineating a Planning Area does not create a regulatory boundary, but any extraterritorial jurisdiction for Subdivision Regulations or Zoning Regulations around a city cannot exceed the Planning Area. The extraterritorial jurisdiction for Subdivision Regulations or Zoning Regulations may extend no farther than three miles from the Winfield city limits nor more than halfway to any other City, and must be entirely within Cowley County.
2. The **Planning Period** for the Winfield Comprehensive Development Plan shall be for a twenty-year period, from 2019 through 2039.

## SECTION C – Comprehensive Plan Work Tasks by FDA

1. **Existing Land Use Update** Existing land use information from the existing Comprehensive Plan(1993) will be used as a basis to initiate land use surveying and analysis. Current data is needed to properly analyze future land use needs and provide data for grants. Revised maps will be used to generate updated land use category percentages. As much as possible, knowledge from City staff to update the maps is “marked up” on the maps in advance of the survey. We understand the City has up to date base mapping information including annexations and vacations.
2. **Data Collection & Analysis** Review the City's existing Comprehensive Plan, and other relevant planning documents. These other documents shall be reviewed for compatibility with the Winfield City Comprehensive Plan. Provide a set of specialized Data Collection Forms for City staff and other knowledgeable individuals to complete, to assemble information on community facilities; incorporate information from the Data Forms into the Plan report. Provide sample questions, produce the master copy of the Community Questionnaire form, and provide technical assistance in conducting a survey; entabulate the Questionnaire results tallied by City staff or local volunteers, and incorporate those tables into the Plan report. Analyze the most recently available information on Winfield from a wide variety of other federal, state, and local sources.

# AGREEMENT

between Foster Design Associates LLC  
and the City of Winfield, Kansas

# APPENDIX A SCOPE OF SERVICES for Comprehensive Development Plan

3. **Community Engagement / Planning Goals** Work with City staff and Planning Commission members to establish an appropriate public engagement process, to include two public meetings, and develop a locally conducted community questionnaire.

Involve City staff, Planning Commission members, the Governing Body, and the community in the planning process, through a Steering Committee and Public Meetings, to determine the planning goals that guide preparation of the Comprehensive Plan, select strategic plan objectives, and assess methods to implement the Plan.

- The extent to which public involvement is desired will be reviewed with guidance from City staff on best methods for engagement.

4. **Meetings** The consultants will be available to attend a total of **10** meetings in Winfield. Consultant firm personnel attending each meeting will be appropriate to the meeting tasks. A summary of the project meetings are provided in the Proposed Schedule (in **Appendix C**).
5. **Plan Document Design & Production** Write and illustrate the Comprehensive Plan report, and create the necessary associated graphics. As Chapters reach an appropriate level of completion, drafts will be distributed for initial review by email.
6. **Plan Maps/Graphics - Design & Production** Prepare Existing Land Use and Future Land Use Maps, and other maps similar to the existing Comprehensive Plan to reflect new information since 1993. Update land use category percentages.
7. **Final Comprehensive Development Plan Document** Provide a print-ready master file in PDF format for the Comprehensive Development Plan, for posting on the City's website.
8. **Public Review & Adoption** Provide necessary documents and technical assistance to guide the Comprehensive Development Plan through the formal adoption and approval process, including Public Meeting Procedures, Notice of Hearing, Adoption Resolution, Adoption Certification, Ordinance Approval, and Approval Attestation documents. Assist the City in meeting statutory scheduling requirements. Attend the Planning Commission public adoption hearing.

## SECTION D – Information and Services to be Provided by the CITY of Winfield

1. Designated City staff shall **review the City's Comprehensive Plan and identify information that needs to be updated**. This could be accomplished at the project initiation meeting. Other resource documents are recommended to be reviewed locally in addition to Consultant review. Methodologies for those reviews will be discussed at the project initiation meeting.
2. A **local coordinator** will be designated to assist FDA. This will involve arranging meetings; having agendas and materials distributed; coordinating the collection of certain data; and keeping the Planning Commission, Governing Body, City employees, community stakeholders, Recreation Commission, and the news media informed of the project. The

# AGREEMENT

*between Foster Design Associates LLC  
and the City of Winfield, Kansas*

# APPENDIX A SCOPE OF SERVICES for Comprehensive Development Plan

coordinator will distribute draft documents provided via email by FDA for review to appropriate parties; the extent of distribution will be determined by the City.

3. **City officials and employees, including the City Attorney**, will be available for discussions during the planning process, to provide input and ideas. City representatives will examine all documents presented by FDA for review in a timely fashion.
4. During the planning process, the **Planning Commission** will provide input, will keep the Governing Body informed, and will encourage input from private organizations and interested individuals in the community.
5. City staff will mark up copies of Winfield's most recent **Existing Land Use Maps** to show changes in existing land use since the 1993 Land Use Survey, and provide them to FDA. Current existing land use in the Planning Area outside the City will be generated from a review of aerial photographs, and staff will also assist in that analysis. A City staff person or other representative familiar with the Winfield area will be available to assist the Consultant to conduct the land use field survey. The City will provide a vehicle and driver for the surveys.
6. Copies (hard copies or pdf digital files) of existing **documents pertinent to the project** will be made available to FDA for study, including relevant reports, plans, maps, ordinances, codes, agendas, minutes, and administrative forms and procedures.
7. The City will provide copies of plat maps to FDA, as well as annexation, parcel, and lot descriptions, if needed, to prepare Plan maps.
8. City staff, Planning Commission and Steering Committee members will assist with preparation of a **Community Questionnaire**. This involves deciding on the final questions, printing and mailing or otherwise distributing the Questionnaire to community households, coordinating the return of responses, and providing FDA with a summarized tally of responses to the questions.
9. City staff and Planning Commission members will assist in collecting local data using **Data Collection Forms** provided by FDA. **Photos** of existing community facilities and City utilities facilities, if available, will be provided to FDA for inclusion in the Plan.
10. The City will provide FDA with information on **Winfield's historical development**, including historical **photos** if available, as necessary to update the history information. Similarly, the City will provide FDA with updated drafts of the **utility and community facilities** chapters or the data collection forms with pertinent information.
11. The City will be responsible for **printing and cost** of the desired number of copies of the final Comprehensive Plan document, from pdf files provided by FDA. One copy of the printed Plan will be provided to FDA.

# AGREEMENT

*between Foster Design Associates LLC  
and the City of Winfield, Kansas*

# APPENDIX B

## SCOPE OF SERVICES

### Master Plan for Parks, Trails & Recreation

This Scope of Services is appended to an Agreement between the **City of Winfield, Kansas** and **Foster Design Associates LLC** of Wichita, Kansas.

### Approach to Master Plan for Parks, Trails & Recreation

Our approach to developing a Master Plan for Parks, Trails & Recreation will be geared toward establishing policies and priorities to encourage the long-term development of a balanced system of parks and recreation assets – a system that will be sustainable, will reflect local needs and wishes, and will improve Winfield's quality of life.

The process used to develop the Park Plan will be fundamentally the same as that used to develop the Comprehensive Plan. Developing both Plans simultaneously will allow a number of efficiencies that can reduce the total cost of both documents, without compromising quality in any way. During the preparation of the Plan, services shall include the five items noted in the Request for Proposals.

### SCOPE OF SERVICES

**Data Collection & Analysis:** Demographic information collected for the Comprehensive Plan will be analyzed with an eye toward its impact on parks and recreation issues. Maps developed for the Comprehensive Plan will serve as a base for the creation of specialized maps of Winfield's individual parks, its pathways network, and the parks and pathways system as a whole.

**Community Engagement:** The public engagement process for the Comprehensive Plan will be adapted, and if necessary expanded, to provide focused community input on the parks system. Part of the Questionnaire could be dedicated to parks planning issues. Input from City staff will also be vitally important, to ensure that the Parks Plan responds effectively and realistically to operational and maintenance needs.

We would also recommend the ongoing participation of a **Master Plan for Parks, Trails & Recreation Steering Committee**, composed of relevant City staff, representatives from the City Commission, Planning Commission, and Recreation Commission, and selected community stakeholders.

**Meetings:** The consultants will be available to attend a total of 5 meetings in Winfield dedicated to the Park Plan. Consultant firm personnel attending each meeting will be appropriate to the meeting tasks. A summary of the project meetings are provided in the Proposed Schedule (in Appendix C).

**Document / Maps – Design & Production:** The Master Plan for Parks, Trails & Recreation report will be designed to provide data on existing facilities, as well as goals and priorities for each park, the pathway network, and the park system as a whole. It will have tables, maps, and graphics that effectively illustrate parks and recreation issues.

**Public Review & Adoption:** Whether to adopt the **Master Plan for Parks, Trails & Recreation** as an Element of the updated Winfield Comprehensive Development Plan will be reviewed with City staff. We can provide the necessary expertise and documents to guide the City through the adoption while meeting all Kansas statutory requirements.

# AGREEMENT

between Foster Design Associates LLC  
and the City of Winfield, Kansas

# APPENDIX C PROPOSED SCHEDULE

The following proposed Project Schedule is provided as a starting point for discussion. It may be revised depending on the City's requirements for the planning process. Detailed meeting calendars will be developed after project initiation.

<b>KEY</b>	Meeting	*	Site Visit	▲
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Proposed Schedule – 1 of 3												
Comprehensive Plan	Months after Notice to Proceed											
Master Plan for Parks, Trails & Recreation	1	2	3	4	5	6	7	8	9	10	11	12
<b>Project Initiation</b>												
<ul style="list-style-type: none"> <li>• <b>Project Initiation Meeting with City staff</b> <ul style="list-style-type: none"> <li>– Preliminary assessment of resource documents</li> <li>– Identify potential members for <b>Comprehensive Plan Steering Committee &amp; Master Plan for Parks, Trails &amp; Recreation Steering Committee</b> (elected &amp; appointed officials, public, staff)</li> <li>– Determine methods for <b>Community Input</b></li> <li>– Discuss <b>Community Questionnaire</b> questions &amp; distribution/collection options</li> <li>– Distribute <b>Data Collection Forms</b> (for community facilities &amp; utilities analysis)</li> <li>– Review Planning Area &amp; growth areas</li> <li>– Discuss regional planning organizations / influences</li> <li>– Discuss resources to update local history</li> </ul> </li> </ul>	*											
• Contact & Establish <b>Comp Plan Steering Committee</b>												
• Contact & Establish <b>Parks Steering Committee</b>												
<b>Field Survey – of City &amp; Planning Area</b>												
• Conduct Existing Land Use Survey			▲									
• Conduct Park System Survey			▲									
<b>Planning Commission &amp; Public Input</b>												
<ul style="list-style-type: none"> <li>• <b>Planning Commission Meeting 1</b> <ul style="list-style-type: none"> <li>– Overview of planning process</li> <li>– Input on Issues, Land Use &amp; Goals</li> <li>– Input on Master Plan for Parks, Trails &amp; Recreation</li> </ul> </li> </ul>	*											
<ul style="list-style-type: none"> <li>• <b>Community Questionnaire</b> <ul style="list-style-type: none"> <li>– Define Issues &amp; Write Questions</li> <li>– Produce &amp; Distribute Questionnaire (by City)</li> <li>– Collect Questionnaire &amp; Tally Responses (by City)</li> </ul> </li> </ul>												

# AGREEMENT

between Foster Design Associates LLC  
and the City of Winfield, Kansas

# APPENDIX C PROPOSED SCHEDULE

Proposed Schedule – 2 of 3												
Comprehensive Plan	Months after Notice to Proceed											
	1	2	3	4	5	6	7	8	9	10	11	12
Master Plan for Parks, Trails & Recreation												
<b>Planning Commission &amp; Public Input (continued)</b>												
<ul style="list-style-type: none"> <li>• <b>CP Steering Committee Meeting 1</b> <ul style="list-style-type: none"> <li>– Review Maps &amp; Demographic Data</li> <li>– Discuss Existing Conditions, Issues &amp; Priorities</li> </ul> </li> <li>• <b>Parks Steering Committee Meeting 1</b> <ul style="list-style-type: none"> <li>– Review Aerials &amp; Demographic Data</li> <li>– Discuss Existing Conditions, Issues &amp; Priorities</li> </ul> </li> </ul>				*								
<ul style="list-style-type: none"> <li>• <b>Public Workshop 1</b> <ul style="list-style-type: none"> <li>– Review Key Planning Concepts</li> <li>– Input on Planning Issues, Goals &amp; Priorities</li> <li>– Input on Parks Planning Issues, Goals &amp; Priorities</li> </ul> </li> </ul>				*								
<ul style="list-style-type: none"> <li>• <b>CP Steering Committee Meeting 2</b> <ul style="list-style-type: none"> <li>– Review Public Input &amp; Questionnaire Results</li> <li>– Discuss Future Population Projections</li> <li>– Review Future Land Use patterns</li> </ul> </li> <li>• <b>Parks Steering Committee Meeting 2</b> <ul style="list-style-type: none"> <li>– Review Public Input &amp; Questionnaire Results</li> <li>– Refine goals &amp; priorities for each park, the pathway network, recreation programs &amp; the parks system as a whole</li> </ul> </li> </ul>					*							
<ul style="list-style-type: none"> <li>• <b>Planning Commission Meeting 2</b> <ul style="list-style-type: none"> <li>– Project status update</li> <li>– Review Public Input &amp; Questionnaire Results</li> <li>– Refine Goals &amp; Priorities</li> </ul> </li> </ul>							*					
<ul style="list-style-type: none"> <li>• <b>CP Steering Committee Meeting 3</b> <ul style="list-style-type: none"> <li>– Review draft Comprehensive Plan</li> </ul> </li> <li>• <b>Parks Steering Committee Meeting 3</b> <ul style="list-style-type: none"> <li>– Review draft Master Plan for Parks, Trails &amp; Recreation</li> </ul> </li> </ul>								*				
<ul style="list-style-type: none"> <li>• <b>Planning Commission Meeting 3</b> <ul style="list-style-type: none"> <li>– Review draft Comprehensive Plan &amp; Parks Plan</li> </ul> </li> </ul>									*			
<ul style="list-style-type: none"> <li>• <b>CP Steering Committee Meeting 4</b> <ul style="list-style-type: none"> <li>– Review draft Comprehensive Plan</li> </ul> </li> <li>• <b>Parks Steering Committee Meeting 4</b> <ul style="list-style-type: none"> <li>– Review draft Master Plan for Parks, Trails &amp; Recreation</li> </ul> </li> </ul>									*			
<ul style="list-style-type: none"> <li>• <b>Public Workshop 2</b> <ul style="list-style-type: none"> <li>– Present final drafts of Comprehensive Plan &amp; Master Plan for Parks, Trails &amp; Recreation</li> </ul> </li> </ul>										*		

# AGREEMENT

between Foster Design Associates LLC  
and the City of Winfield, Kansas

# APPENDIX C PROPOSED SCHEDULE

Proposed Schedule – 3 of 3												
Comprehensive Plan	Months after Notice to Proceed											
	1	2	3	4	5	6	7	8	9	10	11	12
Master Plan for Parks, Trails & Recreation												
<b>Data Collection &amp; Analysis</b>												
• Review Existing Planning & Parks Documents	■											
• Download, Entabulate & Analyze <b>Census Data</b> – Economics, Population, Housing	■	■										
• Review & incorporate community facilities & services information from <b>Data Collection Forms</b>			■	■	■							
• Entabulate & analyze <b>Community Questionnaire</b> data						■	■					
• Gather & incorporate additional data – Local history – Physical development influences (water resources, soils, floodplains, etc.) – Taxes / comparisons – Street functional classifications (federal & local)		■	■	■	■	■	■	■				
<b>Maps</b>												
• Acquire base map CAD file from City or County	■	■										
• Produce Comp Plan & Park Master Plan base maps – Review with City staff for accuracy		■	■									
• Print Comp Plan & Park Plan maps for field surveys			■									
• Produce Urban Area/Planning Area Existing Land Use Maps – Calculate & analyze land use percentages			■	■								
• Produce other maps/graphics for Comprehensive Plan				■	■	■						
• Produce Future Land Use Map						■	■					
<b>Document Production</b>												
• Write & illustrate Comprehensive Plan		■	■	■	■	■	■	■	■			
• Write & illustrate Master Plan for Parks, Trails & Recreation			■	■	■	■	■	■	■			
<b>Plans Adoption &amp; Approval</b>												
• Provide final draft of Master Plan for Parks, Trails & Recreation to Planning Commission for review									■			
• Provide final draft of Comprehensive Plan to Planning Commission for review									■			
• Provide Adoption & Approval process documents										■	■	
• <b>Planning Commission Meeting 4</b> – <b>Public Hearing</b> for Adoption of final Comprehensive Plan and Master Plan for Parks, Trails & Recreation											■	■*
• Provide final Plans & Maps to City in pdf format												■



## Request for Commission Action

**Date:** June 3, 2019

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

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**Action Requested:** Seeking approval of 2 Setting Resolutions ordering the repair or removal of two structures one located at 1801 Manning St. and the second at 916 Bliss St. within 90 days.

**Analysis:** In preparation of the public hearing scheduled for Monday, June 3<sup>rd</sup>, 2019. Submitted for your consideration are the above Setting Resolutions.

**Fiscal Impact:** No fiscal impact.

**Attachments:** Setting Resolution 1801 Manning St.  
Setting Resolution 916 Bliss St.



(First published in the Cowley County Courier Traveler, June 7, 2019)

**BILL NO. 1937**

**RESOLUTION NO. 3119**

**A RESOLUTION**

**SETTING** forth findings that the structure, a house, located on a tract of land legally described as follows *Lot Seven (7), Block 98, Mansfield Addition, to Winfield, Kansas*. Commonly known as **1801 Manning St.** Recorded in **Deed Record No. 190,** 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.

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**WHEREAS,** the Governing Body, by **Resolution No. 0719,** scheduled a hearing for June 3rd, 2019 at 5:30 p.m. to hear evidence to determine if the structure hereinafter described is unsafe and/or dangerous; and,

**WHEREAS,** on the 3<sup>rd</sup> of June, 2019 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: *Lot Seven (7), Block 98, Mansfield Addition, to Winfield, Kansas*. Commonly known as **1801 Manning St.** Recorded in **Deed Record No. 190,** in the Office of the Register of Deeds in 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 ninety (90) 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 structure is 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 3rd day of June, 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

(First published in the Cowley County Courier Traveler, June 7, 2019)

**BILL NO. 1938**

**RESOLUTION NO. 3219**

**A RESOLUTION**

**SETTING** forth findings that the structure located on a tract of land legally described as follows: *North 50 feet of Lot 7, and the North 50 feet of the West 30 feet of Lot 8 Block 229, Fuller's Addition, to Winfield, Kansas. Commonly known as 916 Bliss St. Recorded in Book 310 page 387, in the Office of the Register of Deeds of Cowley County, Kansas.* is unsafe and/or dangerous and ordering said structures to be repaired or removed in ninety (90) days.

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**WHEREAS**, the Governing Body, by **Resolution No. 2319**, scheduled a hearing for June 3<sup>rd</sup>, 2019 at 5:30 p.m. to hear evidence to determine if the structure hereinafter described is unsafe and/or dangerous; and,

**WHEREAS**, on the 3<sup>rd</sup> of June 2019 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: *North 50 feet of Lot 7, and the North 50 feet of the West 30 feet of Lot 8 Block 229, Fuller's Addition, to Winfield, Kansas. Recorded in Book 310 page 387, in the Office of the Register of Deeds of Cowley County, Kansas.* Commonly known as **916 Bliss St.**, in the Office of the Register of Deeds in Cowley County, Kansas, is unsafe and dangerous and hereby directs the owner to remove or repair said structures and make the premises safe and secure. The owner has ninety (90) days from the date of publication of this resolution or building permit date, whichever comes first, to complete repair work, bring the structures into code compliance and make said structures safe and habitable. Compliance must meet city standards and expectations. The owner must have the structures inspected by the city inspector and obtain a Certificate of Occupancy from the Inspection Department before said structures are deemed safe, habitable and ready for occupancy. Regardless of the expenditures and/or progress on the structures, 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 structures 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 structures 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 3<sup>rd</sup> day of June, 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



## Request for Commission Action

**Date:** May 28, 2019

**Requestor:** Brenda Peters

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**Action Requested:** Consider 2019 Board Appointments

**Analysis:** It is time for the annual board appointments. We sent out letters to those whose terms are expiring to see their interest in future service. We did give them until Wednesday May 29<sup>th</sup> to respond. I am also taking names of those who are interested in serving, also with a deadline of tomorrow. I will be providing information at work session on Thursday.

**Fiscal Impact:** None

**Attachments:** None