

**CITY COMMISSION MEETING
Winfield, Kansas**

DATE: Monday, May 04, 2020
TIME: 5:30 p.m.
PLACE: City Commission – Community Council Room – First Floor – City Building

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Due to restrictions on size of gatherings, per the Kansas Governor’s Office, the public will be unable to physically attend the meeting. As per instruction by the Kansas Attorney General, you may listen to the meeting from your computer, tablet or smartphone by using the link or phone number and access code below.

<https://www.gotomeet.me/WinfieldKansas>
You can also dial in using your phone.
United States (Toll Free): 1 866 899 4679
United States: +1 (786) 535-3119
Access Code: 969-810-229

Phones Muted: In order to enable all parties to hear, phones will be muted. Phones will be unmuted for public comment at the beginning of the meeting and at the end of each topic as described below.

Public Comment: All commenters shall state their name and address before commenting. Public comment at the meeting on any item not on the agenda will be received at the beginning of the meeting. The phones will be unmuted at the end of each topic to receive any additional comment.

Presenters: Presenters must state their name and title each time as they begin speaking.

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AGENDA

CALL TO ORDERMayor Phillip R. Jarvis
ROLL CALL.....City Clerk, Brenda Peters
MINUTES OF PRECEDING MEETING.....Monday, April 20, 2020

PUBLIC HEARING

-Consider Condemnation Proceedings for 520 E 10th Ave (from 3/16/20 Agenda)

BUSINESS FROM THE FLOOR

-Citizens to be heard

NEW BUSINESS

Ordinances & Resolutions

Bill No. 2031 – A Resolution – Setting forth findings that the structure located on a tract of land legally described as follows: Lot 12 and the East Half (E1/2) of Lot 11, Block 209 Fullers Edition, to the City of Winfield, Cowley County, Kansas. Commonly known as 520 E. 10th Ave. Recorded in Book 0857 Page 0848, 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.

Bill No. 2032 – A Resolution – Authorizing and granting a Conditional Use Permit to New Century Property Management, owner and Chris Tyler, agent, at 705 E. 9th Ave., Winfield, Kansas, to allow the construction of a two-family dwelling in a “R-1” Low Density Residential Zoned District.

OTHER BUSINESS

- Consider certain CDBG Walnut River water line project approvals
- Consider Transmission Project Materials Procurement Letter with GridLiance, LLC

ADJOURNMENT

- Next Commission work session 4:00 p.m. Thursday, May 14, 2020.
- Next regular meeting 5:30 p.m. Monday, May 18, 2020.

CITY COMMISSION MEETING MINUTES
Winfield, Kansas
April 20, 2020

The Board of City Commissioners met in regular session, Monday, April 20, 2020 at 5:30 p.m. in the City Commission-Community Council Meeting Room, City Hall; Mayor Phillip R. Jarvis presiding. Commissioners Ronald E. Hutto and Gregory N. Thompson were also present. 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; Jerred Schmidt, Director of Information Systems; and Robbie Delong, Police Chief.

Mayor Jarvis noted all Commissioners present.

Commissioner Hutto moved that the minutes of the April 6, 2020 meeting be approved. Commissioner Thompson seconded the motion. With all Commissioners voting aye, motion carried.

BUSINESS FROM THE FLOOR

NEW BUSINESS

Bill No. 2030 – A Resolution – Authorizing an Outdoor Community Event and Temporary Entertainment District Application (Island Park Productions). Assistant to the City Manager Mangus explains this Resolution would approve an application for outdoor events on May 28; June 25; and July 2 and 16, and August 6, 2020 in conjunction with their Concert Series. This action would also authorize the possession and consumption of alcohol or cereal malt beverage if adopted as presented. If any of the dates need to be changed, the IPP will contact the City Manager’s office, but no further action will need to be taken by the Commission. Upon motion by Commissioner Thompson, seconded by Commissioner Hutto, all Commissioners voting aye, Bill No. 2030 was adopted and numbered Resolution No. 2720.

OTHER BUSINESS

- Consider appointment to the Winfield Housing Authority. City Clerk Peters explained she received an email from Bradley Gamber that Sara Hallinan turned in her resignation from the Winfield Housing Authority. Peters presented a possible appointment of Barbara Jacques to the Winfield Housing Authority for Commission consideration, to fill the unexpired term. Commissioner Jarvis made a motion to appoint Barbara Jacques to the Winfield Housing Authority. Commissioner Thompson seconded the motion. With all Commissioners voting aye, motion carried.

- Consider a quote from Vision Communications for fiber repair from City Hall to the Operations Center. Director of Information Systems Schmidt explains to the Commission that the total cost of the project is \$46,801.00 with a 50/50 split between USD 465 and the City of Winfield. Commissioner Hutto asked for a correction under Bid Item 1 of the quote from “Mount” to “Mound”.

Upon motion by Commissioner Hutto, seconded by Commissioner Jarvis, all Commissioners voting aye, the quote from Vision Communications in the amount of \$46,801.00 with a 50/50 split between USD 465 and the City of Winfield was approved, with the stated correction.

-Consider Police Pursuit Sedan Quote. Police Chief DeLong recommended to the Commission to accept the quote from Superior SERV for two Dodge Charger Pursuit Sedans at \$39,689.90 per vehicle (fully equipped)

Commissioner Thompson made a motion to approve the quote from Superior SERV at \$39,689.90 per vehicle for two Dodge Charger Pursuit Sedans. Commissioner Hutto seconded the motion. With all Commissioners voting aye, motion carried.

City Manager Wall gave an update on Coronavirus situation.

ADJOURNMENT

Upon motion by Commissioner Thompson, seconded by Commissioner Hutto, all Commissioners voting aye, the meeting adjourned at 5:46 p.m.

Signed and sealed this 1st day of May 2020.

Signed and approved this 4th day of May 2020.

Brenda Peters, City Clerk

Phillip R. Jarvis, Mayor



Request for Commission Action

Date: April 27, 2020

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

Action Requested: Public Hearing and consideration of condemnation of the house at 520 E 10th Ave.

Analysis:

As established at the March 16th meeting of the governing body, a public hearing is scheduled for Monday's meeting to hear evidence on the structure at the above referenced location. We will provide pictures of the structures current condition at the work session. Attached to the RFCA is a documented timeline of the actions taken to date on this property.

Fiscal Impact: If the commission chooses to condemn the property after hearing all of the testimony; and, the owner fails to comply with orders of the resolution, the City would take bids for the removal of the structure. Those bids would come to the governing body at that time.

Attachments: Proposed Resolution

(First published in the ~~Winfield Daily Courier~~ Cowley County Courier Traveler on Friday, May 8, 2020)

BILL NO. 2031

RESOLUTION NO. 2820

A RESOLUTION

SETTING forth findings that the structure located on a tract of land legally described as follows: *Lot 12 and the East Half (E1/2) of Lot 11, Block 209 Fullers Edition, to the City of Winfield, Cowley County, Kansas. Commonly known as 520 E. 10th Ave. Recorded in Book 0857 Page 0848, 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.

WHEREAS, the Governing Body, by **Resolution No. 1620**, scheduled a hearing for May 4, 2020 at 5:30 p.m. to hear evidence to determine if the structure hereinafter described is unsafe and/or dangerous; and,

WHEREAS, on the 4th of May 2020, 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 12 and the East Half (E1/2) of Lot 11, Block 209 Fullers Edition, to the City of Winfield, Cowley County, Kansas. Commonly known as 520 E. 10th Ave. Recorded in Book 0857 Page 0848, in the Office of the Register of Deeds of Cowley County, Kansas,

is unsafe and dangerous and hereby directs the owner to remove or repair said 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 4th day of May 2020.

(SEAL)

Phillip R. Jarvis, Mayor

ATTEST:

Brenda Peters, City Clerk

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

Approved for Commission action: _____
Taggart Wall, City Manager / ps



Request for Commission Action

Date: April 27, 2020

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

Action Requested: Consideration of a conditional use permit (CUP) for a two-family dwelling in an R-1, Low Density residential district.

Analysis:

The current zoning regulations allow a two-family dwelling within a R-1, Low density residentially zoned district as a conditional use. The provides for a case by case analysis of the appropriateness of a two-family dwelling and allows for any conditions be applied in order to insure it is an appropriate use for the area.

This case considers a CUP to allow a two-family dwelling at 704 E. 9th Ave. The planning commission held a public hearing on April 13th and, after consideration of all of the factors required by the zoning regulations and the state statutes, voted to recommend approval of the conditional use.

Fiscal Impact: None.

Attachments: Proposed Resolution

A RESOLUTION

AUTHORIZING and granting a Conditional Use Permit to New Century Property Management, owner and Chris Tyler, agent, at 705 E. 9th Ave., Winfield, Kansas, to allow the construction of a two-family dwelling in a “R-1” Low Density Residential Zoned District.

WHEREAS, the Planning Commission of the City of Winfield, Kansas, on April 13, 2020 conducted a Public Hearing to consider a request for a Conditional Use Permit for a two-family dwelling in a “R-1” Low Density Residential Zoned District; and,

WHEREAS, at said hearing the Planning Commission recommended approval of said Conditional Use Permit, Case Number PC 2020-02.

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

Section 1. A Conditional Use Permit is hereby granted to New Century Property Management, owner and Chris Tyler, agent, to allow the construction of a two-family dwelling in a “R-1” Low Density Residential Zoned District, on the following legally described property:

Lot 5, Block 249, Fuller’s First Addition to the City of Winfield, Cowley County, Kansas, commonly known as 705 E. 9th Ave., Winfield, Kansas.

Upon the following conditions:

- 1) All construction to meet the International Building Code including providing a code footprint per state statute.

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

Section 3. The Clerk of the City of Winfield is hereby authorized and directed to file said Conditional Use with the Register of Deeds of Cowley County, Kansas.

ADOPTED this 4th day of May 2020.

(SEAL)

Phillip R. Jarvis, Mayor

ATTEST:

Brenda Peters, City Clerk

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

Approved for Commission action: _____
Taggart Wall, City Manager/tp