

**CITY COMMISSION MEETING
Winfield, Kansas**

DATE: Monday, November 20, 2017
TIME: 5:30 p.m.
PLACE: City Commission – Community Council Room – First Floor – City Building

AGENDA

CALL TO ORDERMayor Gregory N. Thompson
ROLL CALL.....City Clerk, Brenda Peters
MINUTES OF PRECEDING MEETING.....Monday, November 06, 2017

PRESENTATION

-Recognition for Jim Neal, 45 years of service to the City of Winfield

BUSINESS FROM THE FLOOR

-Citizens to be heard

NEW BUSINESS

Ordinances & Resolutions

Bill No. 1782 – An Ordinance – Amending Article 3 of the Zoning Regulations of the City of Winfield, Kansas, by changing the boundaries of certain districts referred to on an official map designated as the “Zoning District Map of Winfield, Kansas,” which is made a part of Article 3 of the Zoning Regulations of the City of Winfield, Kansas.

Bill No. 1783 – An Ordinance – Amending Chapter 2 of Municipal Code of the City of Winfield by the repeal of Section 2-462 of said Chapter and the adoption in lieu thereof of a new Section 2-462.

Bill No. 1784 – A Resolution – Accepting and authorizing the filing of a certain permanent easement necessary to provide right-of-way for installation, construction, maintenance, repair, and removal of the utilities and the necessary appurtenances therefore, in, over, under, and across the real estate in a portion of the Northwest Quarter of Section 27, Township 32 South, Range 4 East of 6th P.M., in the City of Winfield, Cowley County, Kansas. (Miller)

Bill No. 1785 – A Resolution – Accepting and authorizing the filing of a certain permanent easement necessary to provide right-of-way for installation, construction, maintenance, repair, and removal of the utilities and the necessary appurtenances therefore, in, over, under, and across the real estate in a portion of the Northwest Quarter of Section 27, Township 32 South, Range 4 East of 6th P.M., in the City of Winfield, Cowley County, Kansas. (Frontier Investment Group, LLC)

OTHER BUSINESS

ADJOURNMENT

-Next regular meeting 5:30 p.m. Monday, December 04, 2017.

CITY COMMISSION MEETING MINUTES
Winfield, Kansas
November 6, 2017

The Board of City Commissioners met in regular session, Monday, November 06, 2017 at 5:30 p.m. in the City Commission-Community Council Meeting Room, City Hall; Mayor Gregory N. Thompson presiding. Commissioners Ronald E. Hutto and Brenda K. Butters were also present. Also in attendance were Jeremy Willmoth, City Manager; Brenda Peters, City Clerk and William E. Muret, City Attorney. Other staff members present were Gary Mangus, Assistant to the City Manager; and Patrick Steward, Director of Community Development.

Commissioner Butters moved that the minutes of the November 6, 2017 meeting be approved. Commissioner Hutto seconded the motion. With all Commissioners voting aye, motion carried.

NEW BUSINESS

Bill No. 1779 – An Ordinance – Amending Chapter 34 Fees, Section 78 Utilities (e) Water Service Rates, of the Revised Ordinance of the City of Winfield, Kansas. City Manager Willmoth explains that this action pertains to a review of water rates and this Ordinance provides for an water rate increase in 2018 and again in 2019. Willmoth states that the presentation with details of the rates is available on the City’s website. Upon motion by Commissioner Hutto, seconded by Commissioner Butters all Commissioners voting aye, Bill No. 1779 was adopted and numbered Ordinance No. 4074.

Bill No. 1780 – 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. Community Development Director Steward explains that this resolution and the following resolution both determine nuisance conditions at 1513 Manning Street and 808 E. 3rd Avenue respectively. Steward explains that the methods used by the City to encourage clean-up of the properties have been unsuccessful, and that passage of these two resolutions will allow the City to move forward to clean-up the properties should the owners choose not to do so. Upon motion by Commissioner Butters, seconded by Commissioner Hutto all Commissioners voting aye, Bill No. 1780 was adopted and numbered Resolution No. 5917.

Bill No. 1781 – 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. Upon motion by Commissioner Hutto, seconded by Commissioner Butters all Commissioners voting aye, Bill No. 1781 was adopted and numbered Resolution No. 6017.

OTHER BUSINESS

-Consider appointment to the Cowley County Council on Aging. City Clerk Peters presented a possible appointment of Scott Schoon to the Cowley County Council on Aging for Commission consideration. Commissioner Hutto made a motion to appoint Scott Schoon to the Cowley County Council on Aging through the next term expiration date of December 31, 2020. Commissioner Butters seconded the motion. With all Commissioners voting aye, motion carried.

ADJOURNMENT

Upon motion by Commissioner Butters, seconded by Commissioner Hutto, all Commissioners voting aye, the meeting adjourned at 5:35 p.m.

Signed and sealed this 9th day of November 2017. Signed and approved this 20th day of November 2017.

Brenda Peters, City Clerk

Gregory N. Thompson, Mayor



(Published in the Cowley Courier Traveler on Friday, November 24, 2017)

BILL NO. 1782

ORDINANCE NO. 4075

AN ORDINANCE

AMENDING Article 3 of the Zoning Regulations of the City of Winfield, Kansas, by changing the boundaries of certain districts referred to on an official map designated as the “Zoning District Map of Winfield, Kansas,” which is made a part of Article 3 of the Zoning Regulations of the City of Winfield, Kansas.

WHEREAS, the Winfield City Planning Commission conducted a public hearing on October 30th, 2017, at the time and location as set forth in a public notice published in the Winfield Daily Courier to consider Zoning Case Number 2017-04; and,

WHEREAS, said Planning Commission on October 30th, 2017, passed a motion recommending a change in zoning as set forth in said Zoning Case Number 2017-04; and,

WHEREAS, after due consideration of the recommendation submitted by the Winfield City Planning Commission;

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

Section 1. The boundaries of certain zoning districts as shown on the “Zoning District Map of Winfield, Kansas,” referred to in Article 3 of the Zoning Regulations of the City of Winfield, and also referred to in other sections of the Zoning Regulations of the City of Winfield, Kansas, shall be changed from “R-1,” Low Density Residential District to “R-3,” High Density Residential District for the following legally described property:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, Block 2 and Lots 7, 8, and 9, and the East Half of Lot 10, Block 1 and the West Half of Tilford Street (now vacated) adjacent to Lot 7, all in the Ritchie's Addition; City of Winfield, Cowley County, Kansas.

Section 2. The “Zoning District Map of Winfield, Kansas” referred to in Article 3 of the Zoning Regulations of the City of Winfield, Kansas shall be revised accordingly to reflect said change in the boundaries of certain zoning districts described in this ordinance.

Section 3. Article 3 of the Zoning Regulations of the City of Winfield, Kansas, effective June 1, 2017 are hereby amended to incorporate the revised “Zoning District Map of Winfield, Kansas” and said revised “Zoning District Map of Winfield, Kansas,” including all notations, dimensions, references and symbols shown thereon pertaining to such districts, is hereby

reincorporated and made a part of said Article 3, of the Zoning Regulations of the City of Winfield, Kansas as if fully described therein.

Section 4. All provisions of said Article 3, of the Zoning Regulations of the City of Winfield, Kansas shall remain in full force and effect except as they are in conflict or inconsistent herewith.

Section 5. 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 6. This ordinance shall be in full force and effect from and after its passage and publication in the official city newspaper.

ADOPTED this 20th day of November 2017.

(SEAL)

Gregory N. Thompson, Mayor

ATTEST:

Brenda Peters, City Clerk

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

Approved for Commission action: _____
Jeremy Willmoth, City Manager/tp

(Published in the Cowley Courier Traveler on Friday, November 24, 2017)

BILL NO. 1783

ORDINANCE NO. 4076

AN ORDINANCE

AMENDING Chapter 2 of Municipal Code of the City of Winfield by the repeal of Section 2-462 of said Chapter and the adoption in lieu thereof of a new Section 2-462.

WHEREAS, the Governing Body of the City of Winfield has received a request to consider adding membership to the Building Trades Board,

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

Section 1. Section 2-462 of the Municipal Code of the City of Winfield shall read as follows:

Sec. 2-462. - Membership; appointment and term of members.

- a) The board shall consist of nine members; two members shall be electricians and shall be comprised of two master electricians or one master electrician and one journeyman electrician; two members shall be plumbers and/or mechanical specialists and shall be comprised of one master plumber, and one master mechanical specialist; two members shall represent general building construction and be bonded and insured general contractors, one member shall represent the technical professions and shall be licensed by the state in his respective profession (architect, engineer or surveyor), and two members shall be members at large. The building official of the city shall also be an ex-officio board member having no privileges to vote and shall not be considered in determining a quorum. The building official shall be secretary for the board and shall keep a record of the meetings and proceedings of such board. Copies of all records shall be filed with the city clerk.
- b) The governing body shall appoint all board members, excluding the building official. They shall be appointed by and serve at the pleasure of the governing body.
- c) Appointments shall be for a period of two years except the initial appointment shall be staggered to sustain continuity upon the board so that one master electrician, one plumbing or mechanical specialist, one general contractor and one at large member shall be appointed for a one-year term. The remaining board members shall be appointed for a two-year term.
- d) The governing body shall annually make appointments to fill those seats expiring, with appointments to be made by June 1 of each year.

Section 2. This ordinance shall be in full force after its publication in the official city newspaper.

ADOPTED this 20th day of November, 2017.

(SEAL)

Gregory N. Thompson, Mayor

ATTEST:

Brenda Peters, City Clerk

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

Approved for Commission action: _____
Jeremy Willmoth, City Manager

A RESOLUTION

ACCEPTING and authorizing the filing of a certain permanent easement necessary to provide right-of-way for installation, construction, maintenance, repair, and removal of the utilities and the necessary appurtenances therefore, in, over, under, and across the real estate in a portion of the Northwest Quarter of Section 27, Township 32 South, Range 4 East of 6th P.M., in the City of Winfield, Cowley County, Kansas.

WHEREAS, it was necessary to acquire a certain permanent easement to provide right-of-way for installation, construction, maintenance, repair, and removal of the utilities and the necessary appurtenances in Cowley County, Kansas; and,

WHEREAS, said easement has been successfully negotiated.

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 accept a certain permanent easement in Cowley County, Kansas, granted by Wilbur D. Miller and Janet I. Miller, owners necessary to provide right-of-way for the purpose of installation, construction, maintenance, repair, and removal of the utilities and the necessary appurtenances therefore, in, over, under, and across the real estate described as follows:

The West 10 feet of Lot 11 and 12, of the Replat of Block 1, Grand View Addition, Winfield, Cowley County, Kansas.

Section 2. The Clerk of the City of Winfield, Kansas shall record said easement with the Register of Deeds of Cowley County, Kansas.

Section 3. This resolution shall be in full force and effect from and after its adoption.

ADOPTED this 20th day of November, 2017.

(SEAL)

Gregory N. Thompson, Mayor

ATTEST:

Brenda Peters, City Clerk

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

Approved for Commission action: _____
Jeremy Willmoth, City Manager/tp

Proposed Utility Easement
Miller
City of Winfield
October 2017

Lot 5

Lot 4

Lot 1

Lot 12

Lot 11

Lot 8

Lot 9

Proposed Easement

Lot 10

Lot 2

30 15 0 30 Feet



A RESOLUTION

ACCEPTING and authorizing the filing of a certain permanent easement necessary to provide right-of-way for installation, construction, maintenance, repair, and removal of the utilities and the necessary appurtenances therefore, in, over, under, and across the real estate in a portion of the Northwest Quarter of Section 27, Township 32 South, Range 4 East of 6th P.M., in the City of Winfield, Cowley County, Kansas.

WHEREAS, it was necessary to acquire a certain permanent easement to provide right-of-way for installation, construction, maintenance, repair, and removal of the utilities and the necessary appurtenances in Cowley County, Kansas; and,

WHEREAS, said easement has been successfully negotiated.

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 accept a certain permanent easement in Cowley County, Kansas, granted by Frontier Investment Group, LLC, owners necessary to provide right-of-way for the purpose of installation, construction, maintenance, repair, and removal of the utilities and the necessary appurtenances therefore, in, over, under, and across the real estate described as follows:

The North 100 feet of the East 6 feet of Lot 9, and the North 10 feet of the West 10 feet of Lot 10 of the Replat of Block 1 Grand View Addition, Winfield, Cowley County, Kansas.

Section 2. The Clerk of the City of Winfield, Kansas shall record said easement with the Register of Deeds of Cowley County, Kansas.

Section 3. This resolution shall be in full force and effect from and after its adoption.

ADOPTED this 20th day of November, 2017.

(SEAL)

Gregory N. Thompson, Mayor

ATTEST:

Brenda Peters, City Clerk

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

Approved for Commission action: _____
Jeremy Willmoth, City Manager/tp

Proposed Utility Easement
Frontier Investment Group, LLC
City of Winfield
October 2017

Lot 5

Lot 4

2

Lot 1

Lot 12

Lot 11

Lot 8

Lot 9

Proposed Easement

Lot 10

Lot 2

