

CITY COMMISSION MEETING MINUTES
Winfield, Kansas
July 17, 2017

The Board of City Commissioners met in regular session, Tuesday, July 18, 2017 at 5:30 p.m. in the City Commission-Community Council Meeting Room, City Hall; Mayor Brenda K. Butters presiding. Commissioners Gregory N. Thompson and Ronald E. Hutto 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 Russ Tomevi, Director of Public Works/Engineering; Gus Collins, Director of Gas and Wastewater Utilities; and John Adams, Community Development Environmental Inspector.

City Clerk Peters called roll.

Commissioner Thompson moved that the minutes of the July 3, 2017 meeting be approved. Commissioner Hutto seconded the motion. With all Commissioners voting aye, motion carried.

PROCLAMATION

Mayor Butters presented a proclamation congratulating students Lexi Wilson, Ashley Jarvis, and Michael Endicott, lead by their director Carey D.E. Keller from the STEM Center for Innovation Engineering program for being named National Champions in Engineering Technology/Design.

PRESENTATION – Police Academy Coordinator Frank Owens presented a certificate of completion to City Manager Willmoth for participation in the 2017 Citizen’s Academy.

PUBLIC HEARING

Mayor Butters opened a public hearing to consider the condemnation of a house in the City of Winfield, Kansas, located at 420 Soward Street. Tracy Schumacher of 2012 E 12th Avenue (previous owner of 420 Soward) appeared to inform the Commission that this property had been in foreclosure, but was concerned that he still is listed as the owner of record, and asked for advice on how he should proceed as he did not wish to be responsible for the cost of demolition. Mayor Butters closed the public hearing.

Mayor Butters opened a public hearing to consider the condemnation of a house in the City of Winfield, Kansas, located at 1012 Lowry Street. With no one present to speak, Mayor Butters closed the public hearing.

BUSINESS FROM THE FLOOR

Greg Powers, 3207 152nd Rd, appeared to talk to the Commissioners about food trucks and updating Section 66 (Peddlers) of the City of Winfield Municipal Code.

NEW BUSINESS

Bill No. 1750 – An Ordinance – Amending Chapter 74, of the Revised Ordinances of the City of Winfield relating to Standard Traffic Ordinances by striking Section 74-82(k) and adding a new Section 74-82(k). Public Works Director Tomevi explains that this ordinance was prepared at the

request of USD #465 to amend the time of when the 20 m.p.h. limit is required at a school zone located on 8th Avenue adjacent to the Winfield Early Learning Center. The request is made based upon the change in times for the school day. The request is for the school zone 20 mile-per-hour speed limit begin at 2:45 p.m. instead of 3:00 p.m. Upon motion by Commissioner Hutto, seconded by Commissioner Thompson, all Commissioners voting aye, Bill No. 1750 was adopted and numbered Ordinance No. 4060.

Bill No. 1751 – An Ordinance – Amending Chapter 74, Section 74-226 of the Revised Ordinances of the City of Winfield relating to No Parking in the 2100 Block of Warren Avenue. Public Works Director Tomevi explains that this ordinance was also prepared at the request of USD #465 and the School Resource Officer. Tomevi explains that there has been no parking on Warren Avenue and Viking Boulevard for several years from 8:00 a.m. to 3:00 p.m. Monday through Friday except holidays. The school district has lengthened the times for the school day at the High School and Middle School (on Viking Boulevard) and this action would adjust the end time to 4:00 p.m. instead of 3:00 p.m. Upon motion by Commissioner Thompson, seconded by Commissioner Hutto, all Commissioners voting aye, Bill No. 1751 was adopted and numbered Ordinance No. 4061.

Bill No. 1752 – An Ordinance – Creating Section 78-175, of the Municipal Code of the City of Winfield, Kansas pertaining to back flow prevention devices providing non-compliance of annual testing. Director of Gas & Wastewater Utilities Collins explains that this ordinance is related to backflow prevention devices, and that the Winfield Code currently does require the installation of backflow devices in certain situations, however, licensing of certified installers is not currently included, as well as consequences related to required annual testing of the devices. This ordinance would add a section to address the licensing requirements and consequences of annual testing. Collins further explains that this revision was taken before the Building Trades Board and received unanimous approval to recommend the adoption of this new section. Upon motion by Commissioner Thompson, seconded by Commissioner Hutto, all Commissioners voting aye, Bill No. 1752 was adopted and numbered Ordinance No. 4062.

Bill No. 1753 – A Resolution – Setting forth findings that the structure, a house, located on a tract of land legally described as follows *Lot 7 and 8, Block 14, College Hill Addition, Winfield, Kansas*, commonly known as 420 Soward St. recorded in Book 578 Page 154, 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. Community Development Environmental Inspector Adams explains that this resolution provides the repair or removal of a structure at the address of 420 Soward Street. Adams also explains that the City has been mowing the property for several years. Adams further explains that the ownership of this property is in question per his research at the County. Previous owner Tracy Schumacher had spoken during the public hearing earlier about ownership of the property and the question of who owns it currently. Due to this information, the Commission discussed giving the Schumachers 30 days to resolve the ownership question. Commissioner Thompson moved to adopt Bill No. 1753 to get the bill on the floor. Commissioner Thompson then made a motion to table Bill No. 1753 until August 21, 2017. Commissioner Hutto seconded the motion. With all Commissioners voting aye, motion carried.

Bill No. 1754 – A Resolution – Setting forth findings that the structure, a house, located on a tract of land legally described as follows *Lot 9 and the South 10 feet of Lot 10, Block 30, Manning's Addition*

to the City of Winfield, Kansas, commonly known as 1012 Lowry St., recorded in Book 0893 Page 0679, Instrument No. 000954, 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. Community Development Environmental Inspector Adams explains that the structure on a property located at 1012 Lowry is in need of repair or removal. Adams states that notices have been sent by the City and signed for by owner of record, which is Lakeside Portfolio of Ft. Lauderdale, Florida, but no contact has been received by the City about the property. Upon motion by Commissioner Hutto, seconded by Commissioner Thompson, all Commissioners voting aye, Bill No. 1754 was adopted and numbered Resolution No. 4517.

Bill No. 1755 – 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 Environmental Inspector Adams explains that this resolution is for a nuisance and clean-up of property located at 218 N. Iowa. Adams states that a letter was sent by the City and signed for by the property owner, but no contact was made back to the City regarding the clean-up of the property. Upon motion by Commissioner Thompson, seconded by Commissioner Hutto, all Commissioners voting aye, Bill No. 1755 was adopted and numbered Resolution No. 4617.

City Clerk Peters introduced David Arteberry with George K. Baum and Company to talk to the Commission about some upcoming projects that will require financing. It was discovered that a resolution would need to be added to the agenda. (A resolution authorizing the re-finance of the outstanding lease for the Wastewater Treatment Plant.) This resolution was placed on the agenda as Bill No. 1759. Bill No. 1759 (A Resolution authorizing the sale of notes) was re-numbered Bill No. 1760. Arteberry explains that there is a total of six different projects that the City is seeking temporary note financing for, including, the 14th Avenue bridge replacement, sewer improvements to Country Club Estates and Country Club Villas, water improvements for Country Club Villas, Street Improvements to Country Club Villas, a Fire Pumper Truck for the Fire Department, and a re-finance for the outstanding lease for the Wastewater Treatment Plant. Arteberry also explains that the City has an outstanding temporary note issued in 2016 that will also be consolidated into the 2017 note. The total principal amount for all projects and re-financing for the 2017 note is \$6,305,000 (subject to change). Arteberry further explains that the first step is that the projects need to be authorized by the Commission; the second step is for the Commission to authorize the sale of the notes; and then the third step is the Commission will pass a note resolution which officially issues the notes. Arteberry informs the Commission that the first two steps for the financing will be covered at this meeting with the following Ordinance and four resolutions. (Bill No. 1756, Bill No. 1757, Bill No. 1758, Bill No. 1759, and Bill No. 1760)

Bill No. 1756 – An Ordinance – Authorizing and providing for the construction of sewer improvements in the City; and providing for the payment of the costs thereof. Upon motion by Commissioner Thompson, seconded by Commissioner Hutto, all Commissioners voting aye, Bill No. 1756 was adopted and numbered Ordinance No. 4063.

Bill No. 1757 – A Resolution – Determining the advisability of the making of certain internal improvements in the City of Winfield, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (street and drainage improvements\Country Club Villas); and repealing Resolution No. 0208. Upon

motion by Commissioner Hutto, seconded by Commissioner Thompson, all Commissioners voting aye, Bill No. 1757 was adopted and numbered Resolution No. 4717.

Bill No. 1758 – A Resolution – Determining the advisability of the making of certain internal improvements in the City of Winfield, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (water main improvements\Country Club Villas); and repealing Resolution No. 0108. Upon motion by Commissioner Thompson, seconded by Commissioner Hutto, all Commissioners voting aye, Bill No. 1758 was adopted and numbered Resolution No. 4817.

Bill No. 1759 – A Resolution – Authorizing and providing for improvements included in the multi-year Capital Improvement Plan for the City of Winfield, Kansas; and providing for the payment of the costs thereof. Upon motion by Commissioner Hutto, seconded by Commissioner Thompson, all Commissioners voting aye, Bill No. 1759 was adopted and numbered Resolution No. 4917.

Bill No. 1760 – A Resolution – Authorizing the offering for sale of General Obligation Temporary Notes, Series 2017-1, of the City of Winfield, Kansas. Upon motion by Commissioner Thompson, seconded by Commissioner Hutto, all Commissioners voting aye, Bill No. 1760 was adopted and numbered Resolution No. 5017.

OTHER BUSINESS

Commissioner Thompson made a motion to set a public hearing for the proposed 2018 Annual Budget on Monday, August 7, 2017 at 5:30 p.m. in the Community Council Room. Motion was seconded by Commissioner Hutto. With all Commissioners voting aye, motion carried.

Mayor Butters announced that the annual budget workshop to discuss the City's 2018 proposed budget will be held on Wednesday, July 19, 2017 at 1:00 pm at the Physician's Pavilion.

ADJOURNMENT

Upon motion by Commissioner Hutto, seconded by Commissioner Thompson, all Commissioners voting aye, the meeting adjourned at 6:30 p.m.

Signed and sealed this 3rd day of August 2017.

Signed and approved this 7th day of August 2017.

Brenda Peters, City Clerk

Brenda K. Butters, Mayor