

CITY COMMISSION MEETING
Winfield, Kansas

DATE: Monday, December 06, 2021
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 15, 2021

BUSINESS FROM THE FLOOR

-Citizens to be heard

NEW BUSINESS

Ordinances & Resolutions

Bill No. 21131 – An Ordinance – Amending Winfield Code Chapter 2, by adding a new Division 13 Section 2-511 titled "Land Bank."

OTHER BUSINESS

- Consider authorizing the City Manager to enter into agreements for the purchase of two police vehicles, not to exceed \$100,000.
- Consider authorizing the City Manager to enter into an agreement for the purchase of one fire command vehicle, not to exceed \$50,000.

ADJOURNMENT

- Next regular work session 4:00 p.m. Thursday, December 16, 2021.
- Next regular meeting 5:30 p.m. Monday, December 20, 2021.

CITY COMMISSION MEETING MINUTES
Winfield, Kansas
November 15, 2021

The Board of City Commissioners met in regular session, Monday, November 15, 2021 at 5:30 p.m. in the City Commission-Community Council Meeting Room, City Hall; Mayor Gregory N. Thompson presiding. Commissioners Phillip R. Jarvis and Ronald E. Hutto were also present. Also in attendance were Taggart Wall, City Manager; Brenda Peters, City Clerk; and William E. Muret, City Attorney. Other staff member present was Patrick Steward, Director of Public Improvements.

Mayor Gregory N. Thompson noted all Commissioners present.

Commissioner Hutto moved that the minutes of the November 1, 2021 meeting be approved. Commissioner Jarvis seconded the motion. With all Commissioners voting aye, motion carried.

BUSINESS FROM THE FLOOR

Mayor Thompson noted there were no citizens present to bring business to the Commission.

NEW BUSINESS

Bill No. 21129 – A Resolution – Authorizing the execution of an agreement for engineering services for improvements on US-77 from Walnut River Bridge to 19th Ave., Project No. 018 U-2417-01 between the City of Winfield, Kansas and Professional Engineering Consultants, P.A. Director of Public Improvements Steward explains this Resolution will authorize and agreement between the City of Winfield, Kansas and Professional Engineering Consultants, P.A. for engineering services for the South Main Preservation Project. Upon motion by Commissioner Jarvis, seconded by Commissioner Hutto all Commissioners voting aye, Bill No. 21129 was adopted and numbered Resolution No. 10921.

Bill No. 21130 – A Resolution – Pledging commitment to a Multimodal Transportation Project Policy for the City of Winfield, Kansas regarding the use of Pathways to a Healthy Kansas, a Blue Cross and Blue Shield of Kansas grant dollars. City Manager Wall explains this Resolution pledges a commitment and allows the City to move forward with an application to Blue Cross and Blue Shield for a grant project. Upon motion by Commissioner Hutto, seconded by Commissioner Jarvis all Commissioners voting aye, Bill No. 21130 was adopted and numbered Resolution No. 11021.

OTHER BUSINESS

-Consider Voting Delegates for the Kansas Power Pool Annual Meeting December 11, 2020. Commissioner Hutto moves to appoint Gus Collins as voting delegate and Taggart Wall as Alternate. Motion seconded by Commissioner Jarvis, all Commissioners voting aye, motion carried.

ADJOURNMENT

Upon motion by Commissioner Jarvis, seconded by Commissioner Hutto, all Commissioners voting aye, the meeting adjourned at 5:33 p.m.

Signed and sealed this 16th day of November 2021.

Signed and approved this 6th day of December 2021.

Brenda Peters, City Clerk

Gregory N. Thompson, Mayor

AN ORDINANCE

AMENDING Winfield Code Chapter 2, by adding a new Division 13 Section 2-511 titled "Land Bank."

WHEREAS, pursuant to K.S.A. 12-1509 *et seq.*, the Governing Body of the City of Winfield, Kansas (the "City") may establish a city land bank by the adoption of an ordinance, into which city land bank any property acquired by the City may be transferred; and

WHEREAS, Land Banks created under Kansas statute allows cities to manage distressed properties which can become a blight in the community by clearing up title issues to the property, setting aside land for future development, getting parcels back to the open market as quickly as possible, freezing special assessments, removing back taxes (including interest and penalties), and making the properties tax-exempt until sold; and

WHEREAS, pursuant to K.S.A. 12-5907, the Board of Trustees of such Land Bank may manage, maintain and protect or temporarily use for a public purpose such property in the manner the Board of Trustees deems appropriate, and plan for and use the Board of Trustees' best effort to consummate the sale or other disposition of such property at such times and upon such terms and conditions deemed appropriate.

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

Section 1. The following shall be adopted as Division 13, Section 2-511-517 of the Winfield Kansas Code.

Section 2-511. Establishment; Purpose.

There is hereby established a Land Bank of the City pursuant to K.S.A. 12-5901 *et seq.* (the "Act"). The Land Bank will be a quasi-governmental entity with all statutory authority, but with the primary responsibility and authority for maintaining and selling real property located within the City to help achieve the City's goal of returning municipally-owned property to private ownership, cost-effective maintaining said property, ensuring conformance with the purposes of the City's Comprehensive Plan, and the encouragement of economic development. The Land Bank is intended to assist in the elimination of barriers to return properties to private ownership and productive use and to help facilitate the strategic conveyance of property.

Section 2-512. Definitions.

As used in the Chapter:

- A. "Act" means K.S.A. 12-5901 *et seq.*, as amended from time to time.
- B. "Board of Trustees" means the Board of Trustees of the Land Bank.
- C. "City" means the City of Winfield, Kansas, unless otherwise specifically stated.
- D. "Land Bank" means the Land Bank of the City.
- E. "Governing Body" means the Governing Body of the City.

Section 2-513. Board of Trustees; Appointment, Terms, and Dissolution.

- A. There is hereby established a Land Bank Board of Trustees. The Board of Trustees shall be comprised of the entire membership of the Governing Body of the City, *ex officio*, who shall be the voting members, and one additional member appointed by the Governing Body who shall be a non-voting member and who shall be a City staff member.
- B. The term of office of each voting member of the Board of Trustees shall be coterminous with that member's term of office on the Governing Body of the City. The non-voting member of the Board of Trustees shall serve at the pleasure of the Governing Body.
- C. The Land Bank may be dissolved by ordinance of the Governing Body of the City. In such case, all property of the Land Bank shall be transferred to and held by the City and may be disposed of as otherwise provided by law.

Section 2-514. Board of Trustees; Organization.

- A. The Board of Trustees shall annually elect a chairperson, vice-chairperson, and treasurer. The treasurer shall be bonded in such amounts as the Governing Body may require.
- B. The Board of trustees may appoint such officers, agents, and employees as it may require for the performance of its duties and shall determine the qualifications and duties and fix such officers, agents, and employees' compensation.
- C. The Board of Trustees shall fix a time and place at which its meeting shall be held. Meetings shall be subject to the Kansas Open Meetings Act, Kan. Stat. Ann. 75-4317 *et seq.*
- D. The majority of the Board of Trustees shall constitute a quorum for the transaction of business. No action of the Board of Trustees shall be binding unless taken at a meeting with at least a quorum present.
- E. The Board of Trustees shall be subject to the provisions of the laws of the state of Kansas, which relate to conflicts of interest of city officers and employees, including but not limited to K.S.A. 75-4301 *et seq.*, and amendments thereto.

Section 2-515. Land Bank Board of Trustees; Powers and Duties.

The Land Bank Board of Trustees shall have the following powers and duties;

- A. To sue and be sued;
- B. To enter into contracts;
- C. To appoint and remove staff and provide compensation thereof;
- D. To acquire, by purchase, gift or devise, and to convey any real property, including easements and reversionary interest, and personal property, subject to the provisions of this Ordinance and state law;
 - 1. Any property acquired by the City, Cowley County, or any other city or taxing subdivision within Cowley County may be transferred to the bank.
 - 2. The Board of Trustees may accept or refuse to accept any property authorized to be transferred pursuant to the Ordinance or state law.

3. The transfer of any property pursuant to this subsection shall not be subject to any bidding requirements and shall be exempt from any provisions of law requiring a public sale.
 4. The fee simple title to any real estate which is sold to Cowley County in accordance with the provisions of K.S.A. 79-2803 and 79-2804, and amendments thereto, and upon acceptance by the Board of Trustees may be transferred to the Land Bank by a good and sufficient deed by the Cowley County Clerk upon written order from the Cowley County Board of County Commissioner.
- E. To rebate all, or any portion thereof, the taxes on any property sold or conveyed by the Land Bank.
- F. The Board of Trustees shall assume possession and control of any property acquired by it under this Ordinance or state law and shall hold and administer such property. In the administration of property, the Board of Trustees shall:
1. Manage, maintain and protect or temporarily use for public purpose such property in the manner the Board of Trustees deems appropriate;
 2. Compile and maintain a written inventory of all such property. The inventory shall be available for public inspection and distribution at all times;
 3. Study, analyze and evaluate potential, present and future uses for such property which would provide for the effective reutilization of such property;
 4. Plan for and use the Board of Trustee's best efforts to consummate the sale or other disposition of such property at such times and upon such terms and conditions deemed appropriate.
 5. Establish and maintain records and accounts reflecting all transactions, expenditures, and revenues in relation to the Land Bank's activities, including separate itemizations of all transactions, expenditures and revenues concerning each individual parcel of property acquired; and
 6. Thirty days prior to the sale of any property owned by the Land Bank, publish a notice in the official City newspaper announcing such sale.
- G. To exercise any other power delegated to the Land Bank by the Governing Body.
- H. To exercise any other incidental power which is necessary to carry out the purpose of the Land Bank, the Ordinance and state law.

Section 2-516. Land Bank Board of Trustees; Operational Requirements.

The Land Bank shall be subject to the following requirements:

- A. The Land Bank shall be subject to the provisions of the Cash Basis Law, K.S.A. 10-1101 *et seq.*, and amendments thereto.
- B. The budget of the Land Bank shall be prepared, adopted and published as provided by law for other political subdivisions of the State of Kansas. No budget shall be adopted by the Board of Trustees until it has been submitted to, reviewed and approved by the Governing Body. If the Governing Body elects not to ratify the budget, it must reject the plan in its entirety and remand it back to the Board of Trustees with specific recommendations for reconsideration.

- C. The Board of Trustees shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Board of Trustees shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become part of the annual report of the Board of Trustees. Such report may be prepared as a component unit of the City's audit report.
- D. All records and accounts shall be subject to public inspection pursuant to K.S.A. 45-216 *et seq.*, and amendments thereto.
- E. Any moneys of the Land Bank which are not immediately required for the purpose of the Land Bank shall be invested in the manner prescribed by K.S.A. 12-1675, and amendments thereto.
- F. The Land Bank shall make an annual report to the Governing Body on or before January 31 of each year (commencing January 31, 2020), showing receipts and disbursements from all funds under its control and showing all property transactions occurring in year. Such report shall include an inventory of all property held by the Land Bank. A copy of such inventory shall also be published by the secretary/treasurer in the official City newspaper on or before January 31 of each year.
- G. The Land Bank shall be subject to statutory requirements for the deposit of public money as provided in K.S.A. 9-1401 *et seq.*, and amendments thereto.
- H. The Board of Trustees, without competitive bidding, may sell any property acquired by the Board of Trustees at such times, to such persons, and upon such terms and conditions, and subject to such restrictions and covenants deemed necessary or appropriate to assure the property's effective utilization.
- I. The Board of Trustees shall not sell any property acquired by the Land Bank to persons owning properties know to be in violation of building regulations as outlined in chapter 18 of the Winfield City code.
- J. The sale of any real property by the Board of Trustees, under the provisions of this Chapter or the Act, on which there are delinquent special assessments to finance public improvements shall be conditioned upon the approval of the municipality which levied such special assessments.
- K. The Board of Trustees, for the purpose of land disposition, may consolidate, assemble, or subdivide individual parcels of property acquired by the Land Bank.
- L. The Board of Trustees may initiate the process to rezone, replat, or otherwise modify the design and proposed use of any property of the Land Bank if current development restrictions prevent the use deemed in the best interest of the City.
- M. Until sold or otherwise disposed of by the Land Bank, and except for special assessments levied by a municipality to finance public improvements, any property acquired by the Land Bank shall be exempt from the payment of ad valorem taxes levied by the State of Kansas and any other political or taxing subdivision of the state.
- N. Except for special assessments levied by a municipality to finance public improvements, when the Board of Trustees acquires property pursuant to this Chapter and the Act, the appropriate County Treasurer shall be notified by the Board of Trustees to remove from the tax rolls all taxes, assessments, charges, penalties and interest that are due and payable on the property at the time of acquisition by the Board of Trustees.

- O. Property held by the Land Bank shall remain liable for special assessments levied by a municipality for public improvements, but no payment thereof shall be required until such property is sold or otherwise conveyed by the Land Bank. The Land Bank and the City may enter into any such agreements regarding collection of special assessments which are lawful.
- P. The Governing Body may abate part or all of any special assessments which it has levied on property acquired by the Land Bank, and the Land Bank and the Governing Body may enter into agreements related thereto. Any special assessments that are abated shall be removed from the tax rolls by the County Treasurer as of the effective date of the abatement.
- Q. Any municipality which has levied special assessments on property acquired by the Land Bank may enter into an agreement with the Land Bank to defer or reamortize part or all of the special assessments. The governing body of such municipality shall provide for such deferral or reamortization by passage of an ordinance. Any special assessments that are deferred or reamortized shall be corrected on the tax rolls by the County Treasurer as of the effective date of the ordinance or resolution providing for such deferral or reamortization.
- R. Any moneys derived from the sale of property by the Land Bank shall be retained by the Land Bank for the purposes and operations thereof; provided, however, that the Board of Trustees may use all or part of the proceeds from such sale to reimburse the City for delinquent special assessments due on such property, or to pay off any debt associated with the acquisition of the property by either the City or the Land Bank.

Section 2. This Ordinance shall take effect on and be in full force after its adoption by the Governing Body of the City, and either (a) publication once in the official newspaper of the City, or (b) publication of a summary hereof certified as legally accurate and sufficient by the City Attorney.

PASSED, ADOPTED AND APPROVED, by the governing body of the City of Winfield, Kansas this 6th day of December 2021.

(SEAL)

Gregory N Thompson, 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: 12/031/2021

Requestor: Taggart Wall, City Manager

Action Requested:

Authorize the city manager to enter into agreements for the purchase of emergency service vehicles: two for police and one for fire/ems.

Analysis:

As we have discussed, in the last couple years vehicle manufacturers have changed the process in which they accept fleet orders. We expect this to continue to evolve as we move through the pandemic economic related issues.

Typically, each spring we would be able compile bids based on our specifications and needs and make recommendations to the governing body on what platform is the best for our agency. Starting in late 2020, we were suddenly notified by Dodge that they were only taking Fleet orders for a small window of time for vehicles to be produced in 2021.

With continued supply chain issues, this ambiguity in ordering processes continues. Throughout the year, we have stayed in contact with dealerships and asked them to notify us immediately when they believe fleet orders can be made. The City has reached out to Kline Ford, Winfield Motor Company and Superior Emergency Response Vehicles out of Andover. We were recently notified by Dodge that they have closed fleet ordering on 12 of 15 lines and have no timing window available for when fleet orders will close on emergency response vehicles. We have been advised to place orders immediately.

The City works together with dealers through the state purchasing contract to ensure the best pricing for emergency response fleet vehicles. to get availability and price quotes for police rated vehicles.

In 2019, the City was able to purchase sedan Dodge Chargers for the fleet at a price of \$25,463 per vehicle. At this time, that same vehicle has increased to \$35, 255 with the opposing Dodge Durango sport utility police vehicle at a price point of \$35,368.

Current Ford pricing is at \$39,978 for the sport utility police vehicles and no sedan option. The SUV option at FORD is a hybrid.

Given the current ordering circumstances, we are recommending moving ahead with the purchase of two police Dodge Durango vehicles for 2022 as well as a budgeted vehicle for 2022 for Fire/EMS.



Request for Commission Action

Fiscal Impact:

The 2021 budget has authority for the purchase of two additional police vehicles for 2022 and the expenditure for Fire/EMS was budgeted out of 2022. The Fire/EMS vehicle purchase will create an a shift in funds timing from 2022 to 2021 and an unplanned encumbrance for 2021.

Attachments: None