

**CITY COMMISSION MEETING
Winfield, Kansas**

DATE: Monday, October 02, 2017
TIME: 5:30 p.m.
PLACE: City Commission – Community Council Room – First Floor – City Building

AGENDA

CALL TO ORDERMayor Brenda K. Butters
ROLL CALL.....City Clerk, Brenda Peters
MINUTES OF PRECEDING MEETING.....Monday, September 18, 2017

OATH OF OFFICE

-Commissioner Thompson as Mayor
-Incoming Fire Chief, Vincent Warren

PROCLAMATIONS

-Proclaiming October 8-14, 2017 as Fire Prevention Week
-Proclaiming October 1 - 7, 2017 as Public Energy Awareness Week

BUSINESS FROM THE FLOOR

-Citizens to be heard

OLD BUSINESS

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. (Tabled on July 17, 2017 to August 21, 2017; then to September 5, 2017; then to September 18, 2017; then to October 2, 2017)

NEW BUSINESS

Ordinances & Resolutions

Bill No. 1777 – A Resolution – Adopting a Debt Policy for the purpose of managing financing activities for the City of Winfield.

OTHER BUSINESS

-Consider Code of Conduct (CDBG)
-Consider Rotary Project Design Authorization

ADJOURNMENT

-Next regular meeting 5:30 p.m. Monday, October 16, 2017.

CITY COMMISSION MEETING MINUTES
Winfield, Kansas
September 18, 2017

The Board of City Commissioners met in regular session, Monday, September 18, 2017 at 5:30 p.m. in the City Commission-Community Council Meeting Room, City Hall; Mayor Brenda K. Butters presiding. Commissioners Ronald E. Hutto and Gregory N. Thompson were also present. Also in attendance were Jeremy Willmoth, City Manager; Brenda Peters, City Clerk and William E. Muret, City Attorney. Other staff member present was Patrick Steward, Director of Community Development.

City Clerk Peters called roll.

Commissioner Thompson moved that the minutes of the September 5, 2017 meeting be approved. Commissioner Hutto seconded the motion. With all Commissioners voting aye, motion carried.

BUSINESS FROM THE FLOOR

OLD BUSINESS

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. (Tabled on July 17, 2017 to August 21, 2017; then to September 5, 2017; then to September 18, 2017). Winfield Attorney Mark Krusor was present to speak on behalf of owners of record Tracy and Teressa Schumacher, who were also present. Krusor states that he has filed for a title policy on this property and should have it back in about a week. He also states that if the title is received in good shape, he and the Schumachers would like to come back before the Commission on October 2nd with a plan for remedial action for the property, and if the title has too many issues, the owners would then just walk away and the Commission could proceed with condemnation. Commissioner Hutto moved to table Bill No. 1753 until October 2, 2017. Commissioner Thompson seconded the motion. With all Commissioners voting aye, Bill No. 1753 was tabled until October 2, 2017.

NEW BUSINESS

Bill No. 1773 – An Ordinance – Vacating a portion of an easement reserved upon the vacation of a portion of Park Street, adjacent to Lots 1 and 2, Block 5, Highland Addition to the City of Winfield, Cowley County, Kansas, recorded as Page 519, Book 535 at the Cowley County Register of Deeds. Community Development Director Steward explains that Bill No. 1773 and Bill No. 1774 to vacate portions of easements that were established when a portion of Park Street was vacated for the expansion of William Newton Hospital. The Hospital is now asking to clear up some of the easements that are no longer in use for another proposed project. This resolution vacates a portion of a portion of Park Street. Upon motion by Commissioner Hutto, seconded by Commissioner Thompson all Commissioners voting aye, Bill No. 1773 was adopted and numbered Ordinance No. 4072.

Bill No. 1774 – An Ordinance – Vacating an easement reserved upon the vacation of Plum Street, between Sixth Street north to the alley, recorded as Page 362, Book 671 at the Cowley County

Register of Deeds. Community Development Director Steward explains that this resolution considers vacating an easement in its entirety that was held as part of a vacation of Plum Street in an area where a portion of the Physician's Pavilion building now resides. Upon motion by Commissioner Thompson, seconded by Commissioner Hutto all Commissioners voting aye, Bill No. 1774 was adopted and numbered Ordinance No. 4073.

Bill No. 1775 – A Resolution – Authorizing an Outdoor Community Event and Temporary Entertainment District Application. City Manager Willmoth explains that an application request has been received from Old Skool Productions, LLC to hold an event on October 21, 2017 at the Fairgrounds and would like permission to sell alcohol as well, which requires Commission approval. Upon motion by Commissioner Hutto, seconded by Commissioner Thompson all Commissioners voting aye, Bill No. 1775 was adopted and numbered Resolution No. 5517.

Bill No. 1776 – A Resolution – Authorizing an Outdoor Community Event and Temporary Entertainment District Application. City Manager Willmoth explains that we have an application request from Winfield Arts and Humanities for the Art In the Park event at Island Park on October 7, 2017. There will be no sales of unopened containers, but samples from vendors would be allowed. Upon motion by Commissioner Thompson, seconded by Commissioner Hutto all Commissioners voting aye, Bill No. 1776 was adopted and numbered Resolution No. 5617.

OTHER BUSINESS

-Executive Session for discussion of acquisition of real property. Commissioner Thompson made a motion that the Commission move into executive session for a period not to exceed fifteen minutes for the purpose of discussing acquisition of real property. Motion was seconded by Commissioner Hutto. With all Commissioners voting aye, motion carried.

Regular Session resumed at 6:02 p.m. No action was taken.

City Manager Willmoth advised the Commission of a change order for \$38,300 for the 5th Avenue Project.

The Commission had a discussion about trees on East 9th Avenue and a brief discussion on sidewalks in general.

ADJOURNMENT

Upon motion by Commissioner Thompson, seconded by Commissioner Hutto, all Commissioners voting aye, the meeting adjourned at 6:22 p.m.

Signed and sealed this 28th day of September 2017. Signed and approved this 18th day of October 2017.

Brenda Peters, City Clerk

Brenda K. Butters, Mayor

(Published in the *Cowley Courier Traveler* on _____)

BILL NO. 1753

RESOLUTION NO. 4417

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.

WHEREAS, the Governing Body, by **Resolution No. 3117**, scheduled a hearing for July 17th 2017 at 5:30 p.m. to hear evidence to determine if the structure hereinafter described is unsafe and/or dangerous; and,

WHEREAS, on the 17th of July, 2017 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 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 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 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 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 5th day of September, 2017.

(SEAL)

Brenda K. Butters, Mayor

ATTEST:

Brenda Peters, City Clerk

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

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

PROCLAMATION

WHEREAS, the City of Winfield is committed to ensuring the safety and security of all those living in and visiting our community; and,

WHEREAS, according to the National Fire Protection Association (NFPA), U.S. fire departments responded to 365,500 home fires in 2015, resulting in 2,560 civilian deaths. This represents the majority (78 percent) of all U.S. fire deaths; and,

WHEREAS, a home fire escape plan includes two exits from every room in the home; a path to the outside from each exit; smoke alarms in all required locations; and a meeting place outside where everyone in the home will meet upon exiting; and,

WHEREAS, home fire escape plans should be developed by all members of the household and practiced twice a year to ensure everyone knows what to do in a real fire situation; and,

WHEREAS, Winfield's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and,

WHEREAS, Winfield's residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and,

WHEREAS, the 2017 Fire Prevention Week theme, "Every Second Counts: Plan 2 Ways Out!" effectively serves to educate the public about the vital importance of developing a home fire escape plan with all members of the household and practicing it twice a year.

NOW, THEREFORE, I, Brenda K. Butters, Mayor of the City of Winfield, Kansas do hereby proclaim October 8 through October 14, 2017 as:

FIRE PREVENTION WEEK

In Winfield and urge all citizens to develop a home fire escape plan and practice it twice a year, and to participate in the public safety activities and efforts of Winfield's fire and emergency services during Fire Prevention Week 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Winfield, Kansas, to be affixed this 2nd day of October 2017.

Brenda K. Butters, Mayor

ATTEST:

Brenda Peters, City Clerk

PROCLAMATION

WHEREAS, we, the citizens of Winfield, have the good fortune of owning an electric and a natural gas distribution system; and,

WHEREAS; these electric and natural gas systems are deemed valuable community assets that contribute substantially to the well-being of local citizens through energy efficiency, customer service, environmental protection, economic development, and safety awareness; and,

WHEREAS, the Winfield electric and natural gas systems provide our homes, businesses, farms, social services, and local government agencies with reliable, efficient, and cost-effective electricity and natural gas employing sound business practices designed to ensure the best possible service at not-for-profit rates; and,

WHEREAS, celebrations are being initiated across the nation by municipalities to promote Public Power and Public Natural Gas,

NOW, THEREFORE, I, Brenda K. Butters, Mayor of the City of Winfield, Kansas, do hereby proclaim the week of October 1 - 7, 2017, as:

PUBLIC ENERGY AWARENESS WEEK

in order to honor the City of Winfield Electric and Gas Utilities, its consumer-owners, employees and community leaders who continue to work together to provide the best possible service in a safe, reliable manner to our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Winfield, Kansas, to be affixed this 28th day of September 2017.

Brenda K. Butters, Mayor

ATTEST:

Brenda Peters, City Clerk

A RESOLUTION

ADOPTING a Debt Policy for the purpose of managing financing activities for the City of Winfield.

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

Section 1. The Debt Policy for the purpose of managing financing activities for the City of Winfield is hereby adopted. A copy of said policy is attached hereto and made a part of this resolution.

Section 2. The effective date of the policy hereby adopted shall be immediate upon passage and adoption.

ADOPTED this 3rd day of October, 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



CITY OF WINFIELD, KANSAS DEBT MANAGEMENT POLICY

INTRODUCTION

The management of governmental debt requires good legal advice and sound principles in public finance. A formal debt policy is beneficial to good financial management. The policy provides justification for the issuance, identifies goals for the City, establishes a commitment to long-term financial planning, and improves the decision making process.

Over-indebtedness puts an undue burden on the taxpayers, and places significant financial constraints on them for years to come.

PURPOSE

This policy establishes the framework from which the City Manager, the City Commission, and all city departments may work to effectively utilize public financing options available to provide quality services to the Citizens and customers of Winfield, while maintaining our financial integrity to do so.

The City will seek to achieve and maintain the highest bond rating practical, by providing full disclosure to all concerned parties.

The City will have a specific set of debt issuance standards consistent with applicable Federal and State laws, and local Ordinances. The debt guidelines will recognize how much debt the citizens and customers can support.

For the purposes of this policy, debt is defined as long-term financing instruments - even those that future payments are only guaranteed by continuing annual appropriations through the budget process - including leases and lease-purchase agreements.

RESPONSIBILITY FOR POLICY

The primary responsibility for administering this policy rests with the City Manager and the City Clerk/ Finance Director, who shall be assisted by the City Treasurer. Together these three shall comprise the members of the Debt Management Committee. The City Manager shall include other staff members to the committee as they see fit.

The responsibilities of the committee shall be:

- Meet at least annually to consider the need for debt financing and assess the progress of the current Capital Improvement Plan (CIP) and other programs deemed necessary by the City Manager;
- Meet at least semi-annually to test compliance to this policy and review applicable debt ratios serving as benchmarks outlined in this policy;

- Review changes to federal or state legislation that may affect the City's ability to issue debt and report such findings to the City Commission as appropriate;
- Review annually the provisions of Ordinances authorizing the issuance of bonds;
- Review at least semi-annually the opportunities for refinancing current debt;
- Review at least annually the services provided by the City's Financial Advisor, Bond Counsel, Paying Agents, and other debt-financing service providers;
- In developing financing recommendations, the committee shall consider:
 - Options for interim financing - including short-term borrowing and intra-fund loans, where allowable;
 - Effects of proposed actions on the mill levy;
 - Availability of alternative methods of financing and revenue sources;
 - Trends in the bond market;
 - Other factors deemed appropriate as needed

USE OF DEBT FINANCING

Long-term debt shall only be used for capital projects, special assessment districts, and equipment that cannot be financed from current revenue sources.

The project or equipment for which debt issuance is being considered shall be on the City's CIP, and cannot be acquired without causing an unacceptable spike in revenue sources or an unacceptable reduction in reserves.

Debt will not be issued for longer than the useful life of the improvement or asset it is funding.

There must be significant revenues to repay the debt, whether from future property taxes, special assessments, user fees, project revenues, cost sharing revenues, or other specified sources or reserves.

Long-term financing must be able to be marketed with an appropriate credit rating, which can be maintained. Market conditions must present favorable interest rates and demand for City debt obligations.

The City will not issue general obligation debt or provide the full faith and credit backing or other credit enhancement to any Community Improvement Development (CID), or Tax Increment Financing (TIF) project, or other private purpose conduit debt issuances that in any way put the general revenues of the City at risk to finance such projects or reimburse eligible expenses.

STRUCTURE AND TERMS OF DEBT FINANCING

Debt will be structured to match cash flows, and minimize the impact on future property tax levies. Debt will be structured to achieve the lowest possible net interest cost to the City within the current market conditions, the urgency of the proposed project, and the nature and type of security provided.

Public funds, property and resources will not be used directly or indirectly to influence the outcome of ballot questions; however, public funds and resources may be expended to educate the public provided that such public funds and resources are not used to advocate for a particular outcome. No financial advisor, bond counsel, underwriter, broker/dealer, or other entities involved or potentially involved with the outcome of the issuance of the debt shall provide contributions to influence the outcome of any applicable ballot questions.

The instruments of investment of debt proceeds for construction projects will be limited to those identified in the City's investment policy or specifically permitted under K.S.A. 10-131.

Selection of consultants for the providing of professional services for any bond issue will be based upon qualifications, through a formal Request for Qualifications Proposal (RFQ) process in accordance with the City's Purchasing Policy. Any Financial Advisor to the City also capable of providing underwriting services shall be barred from doing so while acting as the City's Financial Advisor on the same or related project.

The Financial Advisor and Bond Counsel shall certify in writing their compliance with this policy.

MAXIMUM AMOUNTS OF DEBT FINANCING

There are several key ratios that investors and financial analysts use to determine credit worthiness and the soundness of the City's financial position. The City shall establish a set of guidelines to be used when reviewing the debt ratios. These numbers are indicators of financial stability and are listed below. For general obligation debt (or other types of debt issued by the general government) the ratios net of exemptions provided for in K.S.A. 10-309 to be used are:

STATUTORY

Net Direct General Obligation Debt as a Percentage of Equalized Tangible Assessed Value	30%
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INTERNAL BENCHMARKS

Net Direct General Obligation Debt per Capita	\$2,000
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Net Direct General Obligation Debt as a Percentage of Equalized Tangible Assessed Value	20%
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REVENUE FUNDED DEBT

Debt Service Coverage	125%
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The City shall integrate the CIP and debt funding activities so that the City works to effectively maximize available financing options.

Any capital funding proposal of a City department, involving the pledge or other extension of the City's credit through the sale of bonds, execution of loans or leases, or otherwise involving directly or indirectly the lending or pledging of the City's credit, shall be referred to the Debt Management Committee before consideration by the City Commission.

BOND AND INTEREST FUND

Payment of general obligation bonds and special assessment bonds shall be made from the City's Bond and Interest Fund. All proceeds from bonds issued shall be distributed to the Capital Improvement Project Fund designated for that specific project. No bonds proceeds shall be recorded in the Bond and Interest Fund. The minimum fund balance in the Bond and Interest Fund shall be what is necessary to equal the total principal and interest payable for the upcoming fiscal year.

RESERVE FUNDS

Adequate operating reserves are important to insure the functions of the City during economic downturns. The City's goal is to maintain a contingency reserve in the General Fund of no less than sixteen percent (16%) of annual General Fund expenses. The City's goal for working capital in the Enterprise Funds is sixty (60) days. In addition, all reserves specified in a bond indenture shall be maintained.

POST ISSUANCE MANAGEMENT

Federal Arbitrage legislation is intended to discourage governmental entities from issuing tax exempt obligations unnecessarily - or in excess of what is needed for a project for the purposes of earning interest. The City will only issue obligations when it appears the proceeds will be utilized in a timely fashion. Great care should be exercised to ensure that obligations are not issued prematurely. The City shall engage outside consultants to calculate arbitrage as necessary during the life of any outstanding obligation as required by law. The City will also comply with the provisions of its Tax-Exempt Financing Compliance Procedure relating to the rules and regulations applicable to the City's tax-exempt debt obligations.

The City is fully committed to meeting any and all continuing disclosure requirements on a timely and comprehensive basis. The City is committed to full and complete primary and continuing financial disclosure and to cooperating fully with rating agencies, institutional and individual investors, City departments, other levels of government, and the general public to share clear, transparent, comprehensible and accurate financial information.

Official Statements accompanying debt issues, Comprehensive Annual Financial Reports, and continuing disclosure statements shall meet (at a minimum) the standards articulated by the Government Accounting Standards Board (GASB), the Municipal Securities Rulemaking Board (MSRB), the Securities and Exchange Commission (SEC), and Generally Accepted Accounting Principles (GAAP).

The City shall take care to maintain compliance with all continuing disclosure agreements entered into in connection with issuance of debt. The City shall thoroughly understand its obligations to gather and keep current the information required before any debt is issued. The City will post year-end financial reports along with any other required information to the Electronic Municipal Market Access (EMMA) website, or any other repository as designated in accordance with the City's disclosure agreements. If a material event occurs as defined by the continuing disclosure agreements, the City will file a notice within ten (10) business days as required by the continuing disclosure agreements.

CREDIT RATINGS

The City Manager shall be responsible for determining whether a rating shall be requested on a particular financing and which of the major rating agencies shall be asked to provide such a rating.

Once a rating has been requested, the City Manager shall be responsible for maintaining relationships with the rating agencies that currently assign ratings to the City's debt. This effort shall include periodic updates on the City's general financial condition along with coordinating meetings and presentations in conjunction with debt issuance.

Full disclosure of operations and open lines of communication shall be provided to rating agencies used by the City. The staff, with the assistance of the City's Financial Advisor, shall prepare the necessary materials and presentations to the rating agencies.