



MINUTES
CITY COUNCIL MEETING
COUNCIL CHAMBERS – HUTCHINSON, KANSAS
SEPTEMBER 6, 2016
9:00 A.M.

1. The Governing Body of the City of Hutchinson, Kansas met in regular session at 9:00 a.m. on Tuesday, September 6, 2016 in the City Council Chambers with Mayor Daveline presiding. Councilmembers Dechant, Soldner, Inskeep and Piros de Carvalho were present.

2. The Pledge of Allegiance to the flag was recited.

3. The prayer was given by Pastor Darryl Peterson of Grace Christian Church.

4. Proclamations

a. The Proclamation for the College Grove Neighborhood was accepted by Josie Thompson on behalf of the neighborhood.

A Proclamation for John Scott Day was accepted by John Scott. Mr. Scott thanked everyone for the honor; and said it has been a joy working in Hutchinson. He said there is still a lot of work to do; and housing will continue to be a passion of his.

5. Petitions, Remonstrances and Communications

a. Oral communications from the audience. (Please limit your remarks to five (5) minutes and to items NOT on the agenda.)

Greg Dovel, 305 N. Whiteside, said he is speaking for over 350 businesses regarding stormwater fees. Mr. Dovel said there are two options, one being to form a panel and renegotiate the fees; and the second being a class-action lawsuit. He said the fees are creating hardships on businesses; and some are looking at moving out of the City of Hutchinson. Mr. Dovel said he has been pledged enough money to start a class-action lawsuit; and said he will ask for a City-wide audit of all departments to find out where the money is going. He asked the Council if they wanted to make a decision at the present time. Discussion ensued regarding fees, the stormwater study, impervious vs. pervious, etc. The Mayor asked Brian Clennan, Director of Public Works, to speak about the task force, the

various options that were available; and how the fees were established. Mr. Clennan said there are over \$60 million in improvements that need to be made to the system; and this does not include maintenance. Additional discussion ensued. The Mayor told Mr. Dovel we have heard his thoughts; and appreciates him coming forward.

Ed Manche with Silas Enterprises, also spoke about the stormwater fees. He said he has contacted two of the councilmembers asking them to come out to his businesses to talk with him, but no one has responded. Mr. Manche said he just wants them to give him one hour of their time to look at his properties. He said the water drains onto his properties, not away from them. Discussion ensued. The Mayor asked Mr. Manche if he would be available at 2:00 p.m.; and said he would come out to his property. Councilmember Soldner said she would join the Mayor.

The Mayor suggested that staff report to the Council at the September 20, 2016 meeting on the process for businesses to obtain credits or adjustments on the calculated ERU.

6. Consent Agenda
 - a. Approval of Minutes of August 16, 2016 City Council meeting.
 - b. Approval of appointments to the Juvenile Corrections Advisory Board of the following:
 - Kathleen Carter, 1805 East 35th, for reappointment to a three-year term beginning July 1, 2016 through July 1, 2019.
 - Jodie Rawlins, 2008A Landon, for reappointment to a three-year term beginning July 1, 2016 through July 1, 2019.
 - Deb Theis, 10051 Wovoka Drive, for reappointment to a three-year term beginning July 1, 2016 through July 1, 2019.
 - c. Approval of voting delegates for the Lease of Kansas Municipalities Annual Conference.
 - d. Approval of appropriation ordinance in the amount of \$4,360,023.10.

City Manager, John Deardoff, said 6c should be amended, as Councilmember Piros de Carvalho was shown as the Mayor.

Motion by Councilmember Soldner, second by Councilmember Dechant, to approve the Consent Agenda and authorize the Mayor to sign. The motion passed unanimously.

7. Ordinances and Resolutions

a. Consider Ordinance authorizing the issuance of Health Care Facilities Refunding Revenue Bonds (Wesley Towers, Inc.). Frank Edwards, Director of Finance, spoke. Discussion ensued.

Motion by Councilmember Dechant, second by Councilmember Piros de Carvalho, to approve Ordinance 2016 - 20 authorizing the City of Hutchinson, Kansas to issue its Health Care Facilities Refunding Revenue Bonds (Wesley Towers, Inc.), Series 2016-A and its Taxable Health Care Facilities Refunding Revenue Bonds (Wesley Towers, Inc.) Series 2016-B for the purpose of advance refunding the City's outstanding Health Care Facilities Refunding Revenue Bonds (Wesley Towers, Inc.), Series 2013; and authorizing additional actions and documents in connection therewith; and authorize the Mayor to sign. The motion passed unanimously.

b. Consider Revising Resolution authorizing Monarch Meadows II Sanitary Sewer Improvements. Frank Edwards, Director of Finance, spoke. Discussion ensued.

Motion by Councilmember Inskeep, second by Councilmember Soldner, to approve Resolution 2016 R 31 amending Resolution No. 2016 R 26 of the City of Hutchinson, Kansas (Monarch Meadows II Addition Sanitary Sewer Benefit District 2016); and authorize the Mayor to sign. The motion passed unanimously.

8. New Business

a. Consider update on condemned properties. Trent Maxwell, Building Official, spoke about 0000 East Avenue C.

Motion by Councilmember Piros de Carvalho, second by Councilmember Inskeep, to approve removing 0000 East Avenue C from the condemnation/bid list. The motion passed unanimously.

Trent Maxwell, Building Official, spoke about the properties at 723 East 7th and 218 S. Reformatory.

Maurice Faudoa, said he appreciates the council taking the time; and giving him the opportunity to make improvements to the properties. He said this is hard work, but they are doing the best they can to fix up the homes.

Motion by Councilmember Inskeep, second by Councilmember Piros de Carvalho, to approve reversing the decision to demolish 723 East 7th and 218 South Reformatory;

and that a 60-day extension be given for the property owners to continue the rehabilitation of these structures. The motion passed unanimously.

b. Consider bid report on condemned properties. Trent Maxwell, Building Official, spoke.

Motion by Councilmember Dechant, second by Councilmember Inskeep, to approve the recommendation of the Building Official to award a contract for the demolition of 417 East Avenue C, 527 North Carey, 605 Carey, 909 East 1st, 514 East Avenue C, 615 Carey, 724 West Sherman, 1501 East 4th, 1413 East 35th and 317 East Avenue D to Goering Enterprises, Inc. of Hutchinson, Kansas for the amount of \$20,548.00. The motion passed unanimously.

c. Consider Letter of Intent for tax exemption for BOLD. John Deardoff, City Manager, spoke. Mayor Daveline said there will be a public hearing, but asked for an overview what BOLD is and what they do.

A representative of BOLD said they started the business three years ago; they have run out of space; and are looking to expand. He said they have 25 customers, which are mainly European companies dealing with hair care products, looking to break into the U.S. market. Discussion ensued.

Jason Ball with the Hutchinson/Reno County Chamber of Commerce said the Chamber has been working with BOLD; and all ten jobs created would work for BOLD; and would come with additional benefits over the base wage.

Motion by Councilmember Piros de Carvalho, second by Councilmember Dechant, to approve the Letter of Intent authorizing the Mayor to sign; and setting the required public hearing for September 20, 2016 at 9:00 a.m. in the City Council Chambers. The motion passed unanimously.

d. Consider map delineating the City of Hutchinson's Area of Influence (Notification Area). Jana McCarron, Director of Planning and Development, spoke. Ms. McCarron said the County recently revised their zoning regulations; and it is allowing cities to establish notification areas. She said the County would notify the City of any rezoning requests or conditional use permit requests; and the City would be able to comment on those requests. Discussion ensued.

Motion by Councilmember Piros de Carvalho, second by Councilmember Dechant, to accept and approve a map (Exhibit 1) delineating the City of Hutchinson's Area of Influence (Notification Area) and authorizing staff to forward the Area of Influence Map to Reno County, along with request for prompt notification, for consideration. The motion passed unanimously.

e. Consider bids for Monarch Meadows 2 – Phase II Improvements (Street and Sanitary Sewer). Bruce Colle, Director of Engineering, spoke. Discussion ensued.

Motion by Councilmember Dechant, second by Councilmember Soldner, to approve awarding the project to APAC-Kansas, Inc., Shears Division, for \$423,424.20 subject to compliance with all legal requirements. The motion passed unanimously.

f. Discussion on traffic calming guidelines and policies. John Deardoff, City Manager, said this is a follow-up to a recent discussion with a citizen about traffic issues on Carlton Road. He said there is no action required, but maybe just direction from the council.

Bruce Colle, Director of Engineering, gave a presentation about traffic calming guidelines and policies. Mr. Colle said the policy can be implemented in the Engineering Department without council action. Paul Brown, City Attorney, said that is correct, as it's an engineering decision.

Councilmember Piros de Carvalho said she is glad we are having this conversation as all decisions now are arbitrary; and has led to upset residents. Councilmember Soldner said she agrees this is important; and the other council members echoed that sentiment. The Mayor said there seems to be support at the council level; and asked Mr. Colle if he would draft a proposed policy to bring back to council or simply implement the policy. Mr. Colle said he would draft the policy, then share it with council.

The Mayor called for a break at 10:45 a.m.
The meeting reconvened at 10:50 a.m.

g. Consider City Council Funding Priorities. John Deardoff, City Manager, spoke. Mr. Deardoff said the funding priorities were developed after the Governing Body retreat in December, 2015. He said the purpose was to develop goals to be used for future strategic plans; and guidance for the annual budget process. Discussion ensued.

Motion by Councilmember Inskeep, second by Councilmember Piros de Carvalho, to approve the Governing Body Funding Priorities for 2016/2017. The motion passed unanimously.

h. Consider 2016 Audit Engagement Agreement. Frank Edwards, Director of Finance, spoke. Discussion ensued.

Motion by Councilmember Soldner, second by Councilmember Inskeep, to approve the 2016 Audit Engagement Agreement with Lindburg Vogel Pierce Faris, Chartered; and authorize the Mayor to sign. The motion passed unanimously.

9. Report of City Officials

a. Council

- Councilmember Piros de Carvalho had no comments.
- Councilmember Inskeep said he was contacted by a citizen who was caught doing something good; and was recognized by the Police Department for seat belt compliance. He congratulated Chief Heitschmidt and the Police Department for being proactive.
- Councilmember Dechant said he should have worn his State Fair shirt; and said the Fair starts in a few days.
- Councilmember Soldner had no comments.
- Mayor Daveline said he continues to see trucks parked north of Trinity; and asked about posting this area as no parking or enforcing what we already have. Mr. Deardoff said we could do that, but the issue will be coming back as he has been in communication with the hospital; and this corridor will be used as the main entrance to the hospital. Paul Brown, City Attorney, said the matter has to do with zoning. He said this area is zoned commercial; and they are allowed to park there. He also said the hospital issue will ultimately resolve the parking matter. Discussion ensued. Jana McCarron, said if parking is an issue on private property in a residential area, then the Planning Department would handle it. If it is street parking in a residential area, the Police Department deals with the issue. Additional discussion ensued.

The Mayor also asked about street lights on Airport Road and K-61; and whether this was still moving forward. Mr. Deardoff said this is currently on hold; but there would be a charter ordinance brought before council in the near future broadening the area of allowed projects. Discussion ensued.

b. City Manager

- Job Creation Incentive Policy. Mr. Deardoff said the County has been discussing this policy; and asked if the City had any comments. He said the biggest change is increasing the qualifications from \$12.00 an hour to \$15.00 an hour to qualify for any incentives. Councilmember Piros de Carvalho commended the county, saying it's time to raise the standard. She indicated one item she found alarming was the insistence that jobs coming into the community be filled by Reno County residents. Councilmember Piros de Carvalho said McPherson and Wichita have skilled workers; and we won't be as attractive if we can't look at labor from those areas. Councilmember Soldner said she agreed. Discussion ensued.

The Mayor said he is pleased to see the county is offering advance incentives; and said he supports a clawback provision. Discussion ensued about the clawback provision. Additional discussion ensued.

The City Manager said he would talk to Gary Meager, County Administrator, regarding the council's concerns and comments.

Mr. Deardoff also asked Justin Combs to give an update on the Sports Arena project.

Justin Combs, Director of Parks and Facilities, spoke. Mr. Combs said the Mayor gets an opportunity to tour the building; and said if any of the other council members want to tour the building, to contact John or him. Mr. Combs spoke about progress in the north addition, exterior framing; and work on the south addition. He also gave an update on the budget and contingencies. Discussion ensued. Mr. Combs also said he and the City Manager toured the Dodge City arena. Mr. Deardoff said the arena brings in approximately \$400,000.00 a year in advertising, with naming rights for the events center being \$45,000.00 a year. He said in a meeting between the college, the American Legion and the City, everyone is doing their own things; and it needs to be brought together. Mayor Daveline said Mr. Combs has done an excellent job; and said we have a very capable contractor with J.E. Dunn.

10. Adjournment

Motion by Councilmember Piros de Carvalho, second by Councilmember Soldner, to adjourn. The motion passed unanimously.