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*MINUTES  
CITY COUNCIL MEETING  
COUNCIL CHAMBERS – HUTCHINSON, KANSAS  
MAY 17, 2016  
9:00 A.M.*

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1. The Governing Body of the City of Hutchinson, Kansas met in regular session at 9:00 a.m. on Tuesday, May 17, 2016 in the City Council Chambers with Mayor Daveline presiding. Councilmembers Dechant, Inskip, Soldner and Piros de Carvalho were present.

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

3. The prayer was given by Pastor Gary Getting of Elliott Mortuary.

4. Awards

a. Presentation of the Mini MPA plaque. Gail Martin of the Hugo Wall School of Public Affairs of Wichita State University presented the plaque to Jeremy Lindahl, Superintendent of Horticulture and Forestry.

b. Fire Department commendations. Deputy Fire Chief Doug Hanen gave an overview of the incident leading to these commendations. Receiving the commendations were Captain Doug Reeves, Captain Craig Walle, Driver David Goering and Firefighter Edvar Aguirre.

5. Proclamations

a. A Proclamation for National Drug Court Month was accepted by Libertee Thompson, Drug Court Coordinator.

6. 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.)

Chris Givan, Chairman of the Hutchinson Human Relations Commission, spoke. Mr. Givan said the Human Relations Commission is to be partnered with the Human Relations Officer, who handles the investigative part of the position, but this position was eliminated in 2009 due to budget cuts. The Commission is asking for this position to be restored in order to better fulfill the mission of the Human Relations Commission as well as the Ordinance itself. He said since the position was eliminated, complaints have dropped

from over 300 a year to only two in the past year. Mr. Givan said most of the complaints were informal; and didn't require investigation or mediation, but the Human Relations Officer was responsible for those complaints. He said the Ordinance is important; and is unique in the power it grants. The Commission would like to discuss this matter further with the Council. Discussion ensued. City Manager John Deardoff said this will be discussed as council goes through the budget process.

Ryan VanZant, Director of the Hutchinson Zoo, talked about several events at the Zoo. He said May 23<sup>rd</sup> is the 30<sup>th</sup> anniversary of the zoo; and there are activities happening at the zoo all of the time including visits by school groups, birthday parties, etc. Mr. VanZant invited the public to attend Family Fun Day at the zoo on June 4, 2016, as well as the Otter Water 5k and a fun run.

Christopher Wietrick asked the Council for a Proclamation again this year declaring Hutchinson as Smallville. The Proclamation will be presented at the June 7, 2016 meeting.

Jon Robinson talked about ComicCon which will be held June 11-12, 2016 at the Kansas State Fairgrounds. He said there will be over 100 vendors, mobile laser tag, movie cars, etc.

7. Consent Agenda

- a. Approval of Minutes of May 3, 2016 City Council meeting.
- b. Approval of Special Alcohol Fund Awards for 2017.
- c. Approval of License Agreement with Mary Angers for sculpture.
- d. Approval of Farm Lease with Mark Elliott.
- e. Approval of financial statements for April, 2016.
- f. Approval of appropriation ordinance in the amount of \$1,005,257.11.

Mayor Daveline asked about the SRO allocation in Item 7b. Meryl Dye, Assistant City Manager explained how the special alcohol fund works; and said City staff recommended we increase the amount for the SRO since funds are available. Discussion ensued.

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

8. Ordinances and Resolutions

- a. Consider Ordinance rezoning property at the northwest corner of 30<sup>th</sup> and Elm. Casey Jones, Senior Planner, spoke. Mr. Jones said the applicant's client is interested in leasing the commercial property; and having a tire sales and installation

business. The residential properties are owned by one individual; and there are no immediate plans to develop them into commercial use. Discussion ensued.

Motion by Councilmember Piros de Carvalho, second by Councilmember Soldner to approve Ordinance 2016 - 8 approving the request to rezone Lot 12 and Lot 13, except the North 57 feet of said Lot 13; Block 1, Farmington Addition, from C-2 Neighborhood Commercial District to C-3 Outdoor Commercial District based on due consideration of the factors listed; and authorize the Mayor to sign. The motion passed unanimously.

b. Consider Ordinance authorizing the issuance and delivery of General Obligation Bonds 2016B. Frank Edwards, Director of Finance, spoke. Mr. Edwards said there are five projects included in this bond issue, with the Main Street project coming in well below the engineer's estimate. He said they are proposing to Council that the extra revenue be used to fund the overlay on Main Street from 6<sup>th</sup> Avenue to 16<sup>th</sup> Avenue, which is budgeted for 2017. Discussion ensued.

Motion by Councilmember Soldner, second by Councilmember Inskip, to approve Ordinance 2016 - 7 authorizing the issuance and delivery of \$3,970,000.00 principal amount of General Obligation Bonds, Series 2016-B, of the City of Hutchinson, Kansas; and providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on the bonds as they become due; and authorize the Mayor to sign. The motion passed unanimously.

c. Consider Resolution authorizing General Obligation Bonds 2016B. Frank Edwards, Director of Finance, spoke. Discussion ensued.

Motion by Councilmember Piros de Carvalho, second by Councilmember Dechant to approve Resolution 2016 R 17 prescribing the form and details of and authorizing the delivery of \$3,970,000.00 principal amount of General Obligation Bonds, Series 2016-B, of the City of Hutchinson, Kansas, previously authorized by an Ordinance of the City; and authorize the Mayor to sign. The motion passed unanimously.

## 9. New Business

a. Consider donation of sculpture by the Bush family. Meryl Dye, Assistant City Manager, spoke. Ms. Dye said the sculpture will be located at the entrance to City Hall; and gave specifics about the pedestal for it. Discussion ensued. Justin Combs, Director of Parks and Facilities, said this is a large piece of art; and the wing tip will be 8' to 9' tall. Mr. Combs also talked about the placement of the American flag, up lighting, etc. Additional discussion ensued.

Motion by Councilmember Inskip, second by Councilmember Piros de Carvalho to approve the Memorandum of Understanding accepting the proposed donation of "Gathering of the Magnificent" by Bob, Ann and Jack Bush to the City of Hutchinson; and authorize the Mayor to sign. The motion passed unanimously.

b. Consider Change Order No. 1 for 2016 Arterial Street Maintenance Program. Jeff Peterson, Interim Director of Engineering, spoke. Discussion ensued.

Motion by Councilmember Dechant, second by Councilmember Soldner, to approve Change Order No. 1 with Cornejo and Sons, LLC in the amount of \$288,763.29 for proposed additional work associated with the 2016 arterial street maintenance project; and authorize the Mayor to sign. The motion passed unanimously.

c. Consider Change Order No. 1 for 2016 Residential Street Maintenance Program. Jeff Peterson, Interim Director of Engineering, spoke. Mr. Peterson said a portion of the Lucille chip seal will be paid by the township.

Motion by Councilmember Piros de Carvalho, second by Councilmember Soldner, to approve Change Order No. 1 in the amount of \$105,984.21 from Circle C Paving and Construction, LLC for the additional work associated with the 2016 residential street maintenance project; and authorize the Mayor to sign. The motion passed unanimously.

d. Consider report of bid opening for Main Street improvements from 17<sup>th</sup> to 23<sup>rd</sup> Avenue. Jeff Peterson, Interim Director of Engineering, spoke. Mr. Peterson said two bids were received, with APAC-Kansas being the low bid. Discussion ensued about the project.

Motion by Councilmember Inskeep, second by Councilmember Dechant, to approve the bids and authorize the Mayor to sign the contract with APAC-Kansas, Inc., in the amount of \$1,409,284.65, subject to compliance with all legal requirements. The motion passed unanimously.

10. Report of City Officials

a. Council

Mayor Daveline asked Councilmember Piros de Carvalho about the Drug Impact Task Force; and where they are now with their effort. Councilmember Piros de Carvalho said it is going very well; and they have tried to involve as many stakeholders as possible. She said the group spent several months diagnosing the problem and how it effects schools, businesses, mental health, etc. The last few months they have been laying out action steps. She said there are wonderful organizations involved doing great work.

Councilmember Piros de Carvalho spoke about a resident in the Countryside area who has concerns about traffic speeds on Carlton Street. The City Manager said this issue goes back to January; and traffic counts have been done. He said the traffic on Carlton was 812 cars per day, on Kansas from Plum back to the west was 1,300 per day, and Kisiwa Parkway

approximately 700. Mr. Deardoff said the resident wants to make Carlton Road into a dead end or a cul-de-sac. He said there will be another traffic study done with the results being brought back to council. Discussion ensued.

Councilmember Inskeep reminded everyone that Friday, May 20, 2016 is Bike to Work Day.

Councilmember Dechant said it's good to see the property at 4<sup>th</sup> and Plum being used; and was glad to see the article in the newspaper about the mall.

Councilmember Soldner said she finally made it to a movie at the mall; and the remodeled theatre is very nice.

Mayor Daveline had no comments.

b. City Manager

Mr. Deardoff gave an update on the South Hutchinson ATV matter. He said there is a meeting tomorrow with a representative from Kansas Parks and Wildlife expressing concern about the lease; and the City's ability to lease the property. He said the matter will be hashed out; and we either move forward or we don't. Mr. Deardoff said South Hutchinson is interested in closing the gate until the matter is resolved. He said he hopes to have the matter resolved this week.

Mr. Deardoff said the City has been the major player in the 4<sup>th</sup> of July fireworks display. He said he's not sure about Hutch Fest as there are numerous issues; and Hutch Fest still owes money to various entities from last year. He said the City was approached about paying the money owed by Hutch Fest for last year's fireworks, but he said no. Mr. Deardoff said he talked with the owner of Showalter Fireworks, telling him we want a \$15,000 display. He said the City has a potential sponsor that would help with this cost, but needs Council's direction to proceed. Discussion ensued. All members of the Council agreed that several sponsors should be found; and to move forward.

Lastly, Mr. Deardoff said he wants to obtain general direction on recent legislation regarding the rental registration program. He said the legislation makes our ordinance dead unless we make some changes. Mr. Deardoff said the legislation doesn't prohibit the registration fee, but does prohibit mandatory inspections. Jana McCarron, Director of Planning and Development, gave councilmember a printout showing various options. Discussion ensued. Motion by Councilmember Dechant, second by Councilmember Piro de Carvalho, to hold a special meeting on June 2,

2016 at 8:00 a.m. to discuss potential revisions to the rental inspection program. The motion passed unanimously.

Mr. Deardoff reminded the Council about the budget study session on May 19, 2016 at 8:00 a.m. He said they will discuss the utility fund and the rate study that was done.

11. Adjournment

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