



*MINUTES  
CITY COUNCIL MEETING  
COUNCIL CHAMBERS – HUTCHINSON, KANSAS  
AUGUST 2, 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, August 2, 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 Kim Biery of Trinity United Methodist Church.

4. Proclamations

a. The Proclamation for Emancipation Day was accepted by Charles Crumble, Jr. Mr. Crumble thanked the Council; and invited everyone to attend the activities on August 4 to August 7, 2016. Events include a showing of the Jackie Robinson Story at the Fox Theatre on August 4, 2016 at 7:00 p.m., a 3 point shootout at Avenue A Park on Friday, August 5, as well as Jazz in the Park with Rudy Love, Jr. from 8:00 p.m. to 10:00 p.m. Music will continue at Gray's Barber Shop located at 501 South Main. On Saturday, August 6, at 7:30 a.m., there will be a 3 on 3 basketball tournament at Avenue E and Main, with the parade following. Mr. Crumble said there will be also be an Old School Jam at the Domestic Arts Building at 9:00 p.m. on August 6, a gospel fest at the Stringer Fine Arts building on August 7 at 3:00 p.m.; and an ice cream social to close out the activities.

b. Jana McCarron, Director of Planning and Development, presented a short video on the Hutchinson Healthy Neighborhoods Initiative. The Proclamation for the Southwest Bricktown Neighborhood was accepted by Lisa Gleason of United Way, along with others from the neighborhood. Several residents also spoke about the neighborhood; and things they would like to see happen in the neighborhood. Mayor Daveline said this is an uplifting story; and is glad they are taking ownership of their neighborhood.

5. Petitioners, Remonstrances and Communications

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

Jana McCarron, Director of Planning & Development, introduced Aaron Barlow, Associate Planner, who just received his Master's degree from the University of Utah.

Malik Jobe, spoke about the budget changes; and the proposal to pay police officers based on performance.

6. Consent Agenda

- a. Approval of Minutes of July 19, 2016 City Council meeting.  
b. Approval of appointment to the Airport Advisory Committee of Dustin Ford, 3505 Rowland, for appointment to fill the unexpired term of Shane DeWeese for the term 1/01/2014 to 1/01/2017.  
c. Approval of appointment to the Landmarks Commission of Shannon Whetzel, 1005 East 21<sup>st</sup>, to fill the expiring term of Warren Hixson for the term beginning 8/11/2016 to 8/11/2019.  
d. Approval of amendment to the Memorandum of Understanding with New Beginnings, Inc. for the administration of the 2014 Moderate Income Housing Grant.  
e. Approval of appropriation ordinance in the amount of \$1,206,412.33.

Mayor Daveline asked Jana McCarron, Director of Planning and Development, to provide some history about Item 6d. Ms. McCarron said this item has been before the Council previously, but the project has encountered some obstacles; and has had trouble getting funding. Ms. McCarron said the bank noticed the original Memorandum of Understanding referenced an incorrect number of units, so that has now been corrected. She also said bids received were higher than anticipated, so they are hoping to borrow additional sums of money. Also speaking about the project was Dan Ridge, Operations Manager for New Beginnings. Discussion ensued.

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

7. Public Hearing

- a. Public hearing to consider adoption of the 2017 budget.

Motion by Councilmember Inskeep, second by Councilmember Piros de Carvalho, to open public hearing. The motion passed unanimously

John Deardoff, City Manager, spoke about the budget process; and meetings that were held. Mr. Deardoff said the proposed budget calls for a one mill increase, which is down from the 2.6 mill increase they were originally considering. Mr. Deardoff also gave an overview of assessed valuations, general fund revenues and expenditures, etc. Discussion ensued.

Motion by Councilmember Soldner, second by Councilmember Inskeep, to close the public hearing. The motion passed unanimously.

8. Ordinances and Resolutions

- a. Consider Resolution approving Hutchinson Rod Run as a Special Event. Paul Brown, City Attorney, spoke. Also speaking was Jim Gruver, organizer of the Rod Run. Mr. Gruver thanked the City Council and City staff members for their years of support for the Rod Run. He said this is the ninth year for the event; and they have had good success with the Rod Run.

Motion by Councilmember Piros de Carvalho, second by Councilmember Dechant, to approve Resolution 2016 R 28 authorizing the Hutchinson Rod Run, September 30, 2016 through October 2, 2016, as a Special Event pursuant to City Code Sec. 18-801 et seq.; and authorize the Mayor to sign. The motion passed unanimously.

- b. Consider Resolution revising date of the Notice of Public Hearing on Special Assessments for Levee C Benefit District. Frank Edwards, Director of Finance, gave an overview of the reason for the date change.

An individual from the audience said he had only received one notice, but hadn't heard about the other notice. He also said he had previously received two letters, one in February and the other in May, saying their property was no longer in the flood plain. He asked if they were no longer in the flood plain, why they owe over \$900 to the City. The City Manager gave an overview of the levee project saying FEMA required improvements be made. He said if this hadn't been done, all of the property would have been in the flood plain. Brian Clennan, Director of Public Works, said the costs came from engineering expenses as well as construction. Additional discussion ensued regarding payment of the costs.

Clayton Vetter said he has lived on Bloomville Road for over 19 years, some of his neighbors have been there 30-40 years; and the area has never flooded. He said he doesn't understand where this is coming from; and never saw any work being done on the levee. Councilmember Piros de Carvalho said this was not initiated by the City, but the residents petitioned for it. Mr. Deardoff said it was a FEMA requirement that the area be remapped. He said the City spent over half a million dollars on the system; and the County wouldn't pay for the cost despite the property being in the County. Additional discussion ensued.

Motion by Councilmember Dechant, second by Councilmember Soldner, to approve Resolution 2016 R 29 ratifying and confirming notice given of a Public Hearing on the proposed special assessments to be levied in connection with certain improvements within three miles of the corporate limits of the City of Hutchinson, Kansas (Levee C Improvements Benefit District) and repealing Resolution No. 2016 R 23; and authorize the Mayor to sign. The motion passed unanimously.

c. Consider Resolution authorizing the sale of General Obligation Bonds. Frank Edwards, Director of Finance, spoke.

Motion by Councilmember Piros de Carvalho, second by Councilmember Inskeep, to approve Resolution 2016 R 30 authorizing the public sale of approximately \$2,290,000.00 principal amount of General Obligation Bonds, Series 2016-C, of the City of Hutchinson, Kansas and repealing Resolution No. 2016 R 24; and authorize the Mayor to sign. The motion passed unanimously.

The Mayor called for a break at 10:10 a.m. The meeting resumed at 10:18 a.m.

## 9. New Business

a. Consider status of structures determined to be unsafe and dangerous. Trent Maxwell, Building Official, spoke. Mr. Maxwell said there are three different actions for the properties. The Mayor asked that they deal with the extension list first. An update of the properties to be given a 90 day extension was presented by Mr. Maxwell.

Motion by Councilmember Soldner, second by Councilmember Piros de Carvalho, to approve a 90 day extension to continue the rehabilitation of 722 West Avenue A, 1015 East Avenue C, 628 East Avenue F, 1117 Milcon Street, 1026 East 2<sup>nd</sup> Avenue and 300 West 9<sup>th</sup> Avenue. The motion passed unanimously.

Mr. Maxwell next gave a presentation regarding those properties to be removed from the demolition list.

Motion by Councilmember Dechant, second by Councilmember Soldner, to approve the removal of 510 North Walnut and 1001 West 13<sup>th</sup> Avenue from the condemnation list. The motion passed unanimously.

Mr. Maxwell gave an update on the properties that should remain on the demolition list. Discussion ensued regarding the solicitation of bids, the demolition process, etc.

Motion by Councilmember Piros de Carvalho, second by Councilmember Inskeep, to approve the solicitation of bids through Central Purchasing to demolish the structures located at: 0000 East Avenue C, 417 East Avenue C, 527 North Carey Street, 605 Carey Street, 909 East 1<sup>st</sup> Avenue, 218 South Reformatory, 514 East Avenue C, 615 Carey Street, 724 West Sherman, 1501 East 4<sup>th</sup> Avenue, 723 East 7<sup>th</sup> Avenue, 1413 East 35<sup>th</sup> Avenue and 317 East Avenue D. The motion passed unanimously.

b. Consider Historic Preservation Fund Project Agreement. Jana McCarron, Director of Planning and Development, spoke. Discussion ensued.

Motion by Councilmember Dechant, second by Councilmember Piros de Carvalho, to approve Project Agreement No. 2016-004 between the City of Hutchinson and the Kansas State Historic Preservation Office in the amount of \$11,500.00 plus a \$7,750.00 local match; and authorize the Mayor to sign the agreement. The motion passed unanimously.

c. Consider 2016 Emergency Solutions Grant. Jana McCarron, Director of Planning and Development, spoke. Discussion ensued.

Motion by Councilmember Piros de Carvalho, second by Councilmember Soldner, to approve the 2016 Emergency Solutions Grant (ESG) from the Kansas Housing Resources Corporation (KHRC) in the amount of \$40,568.00; and authorize the Mayor to sign grant acceptance documents. The motion passed unanimously.

d. Consider 2016 Housing Initiatives Funding Recommendations. Jana McCarron, Director of Planning and Development, spoke. Ms. McCarron said \$70,000.00 was set aside in 2016; and she is recommending that the remainder of the funds go toward the Hutch Area Homes website and the Healthy Neighborhoods sign toppers. Discussion ensued regarding the website.

John Montgomery with The Hutchinson News, spoke about the website. He said a lot of pieces are coming together for this site; and the partnership will allow the City to put content on the site. Discussion ensued.

Motion by Councilmember Dechant, second by Councilmember Piros de Carvalho, to approve the recommendation of the Housing Commission to approve using the remaining 2016 Housing Initiatives Funding for:

1. Development of and first-year operating costs for a comprehensive Housing Website (Hutch Area Homes) and authorizing the Mayor to sign an agreement with The Hutchinson News to develop and operate said website; and
2. Supplemental funding for street sign toppers to be placed in the Hutchinson Healthy Neighborhoods Initiative feature neighborhoods.

The motion passed unanimously.

e. Consider agreement with the Kansas Department of Transportation for improvements to K-61 and 4<sup>th</sup>. Bruce Colle, Director of Engineering, spoke about the improvements.

Motion by Councilmember Inskeep, second by Councilmember Dechant, to approve the Agreement with the Kansas Department of Transportation for improvements at K-61 and 4<sup>th</sup> Avenue; and authorize the Mayor to sign. The motion passed unanimously.

f. Consider agreement w/BNSF Railway Company for Poplar Street crossing south of 3<sup>rd</sup>. Bruce Colle, Director of Engineering, spoke. Mr. Colle said work on the railroad tracks will take approximately three to five days; and the crossing will be closed during that period. Discussion ensued.

Motion by Councilmember Dechant, second by Councilmember Inskeep, to approve the Crossing Surface Installation with BNSF Railway Company for the Poplar Street crossing south of 3<sup>rd</sup> Avenue; and authorize the Mayor to sign. The motion passed unanimously.

g. Consider 2017 budget. The Mayor indicated action on this item would be deferred until the August 16, 2016 meeting. Mr. Deardoff said the budget has been published; and the City can't exceed the maximum amount although it can be reallocated. No action was taken.

#### 10. Report of City Officials

##### a. Council

- Councilmember Piros de Carvalho said it's an important day; and urged everyone to vote.
- Councilmember Inskeep also urged people to get out and vote.

- Councilmember Dechant also urged everyone to vote. He also asked about the handicapped ramps and curb cuts being made in his neighborhood; and how locations were determined. Mr. Deardoff said he's not sure, but will check with Brian Clennan. Councilmember Dechant said he missed the last budget study session; and asked about the elimination of \$10,000.00 for an infill study. Discussion ensued. Jana McCarron said she received a call yesterday from the University of Kansas regarding an infill study. She said this would have to go before the Land Bank and City Council for approval.
- Councilmember Soldner had no comments.
- Mayor Daveline said it's been over a year since the City has heard from the new owners/developers of the Atrium Hotel and the Hutchinson Mall. He asked if it was appropriate to invite them to a council meeting for updates as he has noticed substantial and significant improvements to both facilities. Mr. Deardoff said he would invite them to a future meeting.

b. City Manager

John Deardoff, City Manager, said he was contacted by Amtrak regarding another train trip scheduled for Thursday, August 4, 2016. He also said the Sports Arena Building Committee will meet on Thursday, August 4, with an update on construction.

11. Executive Session

a. Motion by Councilmember Piros de Carvalho, second by Councilmember Dechant, to recess into executive session pursuant to the employer-employee negotiations exception, K.S.A. 75-4319(b)(3) in order to discuss pending issues related to the 2017 contract negotiations with the City's bargaining units; the open meeting to resume in the City Council chamber at 12:00 o'clock p.m. The motion passed unanimously.

The open meeting resumed in the Council Chambers at 12:00 p.m.

Motion by Councilmember Piros de Carvalho, second by Councilmember Soldner, to recess into executive session pursuant to the employer-employee negotiations exception, K.S.A. 75-4319(b)(3) in order to discuss pending issues related to the 2017 contract negotiations with the City's bargaining units; the open meeting to resume in the City Council chamber at 12:30 o'clock p.m. The motion passed unanimously.

The open meeting resumed in the Council Chambers at 12:30 p.m., with the Mayor calling for a five minute recess.

The meeting resumed at 12:35 p.m.

Motion by Councilmember Soldner, second by Councilmember Inskeep, to recess into executive session pursuant to the employer-employee negotiations exception, K.S.A. 75-4319(b)(3) in order to discuss pending issues related to the 2017 contract negotiations with the City's bargaining units; the open meeting to resume in the City Council chamber at 1:00 o'clock p.m. The motion passed unanimously.

The open meeting resumed in the Council Chambers at 1:00 p.m.

## 12. Adjournment

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