



MINUTES
CITY COUNCIL MEETING
January 2, 2018
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, January 2, 2018 in the City Council Chambers with Mayor Daveline presiding. Councilmembers Soldner, Inskeep and Dechant were present. Councilmember Piros de Carvalho was absent from the meeting.

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

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

4. 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.)

There were no oral communications from the audience.

5. Consent Agenda

a. Approval of Minutes of December 19, 2017 City Council meeting.

b. Approval of appointments to the Downtown Hutchinson Revitalization Partnership Board of the following:

Henry Platts, 12 Downing Road, to a first full term beginning 1/01/2018 to 1/01/2021.

Tony Finlay, 412 East 15th, for reappointment to a first full term beginning 1/01/2018 to 1/01/2021.

Wes Bartlett, 510 East Avenue B, for reappointment to a second full term beginning 1/01/2018 to 1/01/2021.

c. Approval of Contract for Audit Services with Lindburg Vogel Pierce Faris, Chartered.

d. Approval of November 2017 financial reports.

e. Approval of appropriation ordinance in the amount of \$1,403,153.49.

Mayor Daveline commented about the general fund receipts and expenditures in the November financial reports; and asked Angela Richard, Finance Director, where she believes these will be at year end. Ms. Richard said we typically have a lot of expenses in December, as well as fund transfers. She said she originally believed there would a \$4.9 million ending cash balance but believes that amount may be closer to \$ \$4.7 million. Discussion ensued.

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

6. Ordinances and Resolutions

a. Consider Resolution amending refuse service charges. Angela Richard, Director of Finance, spoke. Mayor Daveline asked if the City has considered putting a cap on the CIP from a contractual standpoint. The City Manager said it's always a part of the conversation, but we have not done that in the past. Discussion ensued.

Motion by Councilmember Dechant, second by Councilmember Inskip, to approve Resolution 2018 R 1 establishing rates, charges and franchise fees for collection and disposal of garbage and trash by the City, all as authorized by Section 10-209 and 10-210 of the Hutchinson City Code; and authorize the Mayor to sign. The motion passed unanimously.

b. Consider Resolution regarding the Convention and Visitors Bureau Advisory Board. Paul Brown, City Attorney, spoke. Mayor Daveline said he is disappointed South Hutchinson has chosen to sever their relationship with the CVB, saying he believes it would be advantageous to unify our efforts. He said there is a new makeup of the South Hutchinson City Council; and would like to see the CVB reach out to them. Mr. Brown said he would see that it is done. Additional discussion ensued.

Motion by Councilmember Inskip, second by Councilmember Soldner, to approve Resolution 2018 R 2 in accordance with City Code Section 2-1401 of Article XIV. Convention and Visitors Bureau Advisory Board of the Code of the City of Hutchinson pertaining to the composition and terms of the members of the Convention and Visitors Bureau Advisory Board; and authorize the Mayor to sign. The motion passed unanimously.

7. New Business

a. Consider Contract with the Hutchinson/Reno County Chamber of Commerce. Paul Brown, City Attorney, spoke about the changes to the contract. Mayor Daveline asked about the language concerning the Atrium. He said we have a 7% transient guest tax, 4% of which goes to the CVB, 2% to the Atrium for improvements to the convention center only, and 1% is retained by the City for public improvements to attraction related facilities. Mayor Daveline said he would like to have a report from the Atrium about the previous years' improvements to get an idea of how that money is being used. He said he would also like to know what improvements are planned by the Atrium for 2018; and how many years remain on the agreement with the Atrium. Councilmember Inskip said he would like a progress report on the Atrium hotel piece saying he's heard from many that they do not want to stay at the hotel. He said some strides were made toward making improvements, but if it's not a nice place to stay, it's hard to sell the convention side.

Motion by Councilmember Soldner, second by Councilmember Dechant, to approve the Contract between the City of Hutchinson, Kansas and the Hutchinson/Reno County Chamber of Commerce; and authorize the Mayor to sign. The motion passed unanimously.

b. Consider Conditional Use Permit for Salt Hawk Baseball and Soccer Complex. Jana McCarron, Director of Planning and Development, spoke.

Randy Norwood, Director of Operations for USD 308, spoke. Mr. Norwood said they want to increase utilization of the facilities as the facility is used by USD 308, the Hutchinson Recreation Commission, etc. He said as programs have expanded, usage has increased; and modifications need to be made.

Bob Williams, Director of Sports Facilities, said the lights are LED's which are more targeted. He said the height of the poles helps put lights where they need to be; and that the technology of lighting has improved so there's not as much spillage. Mayor Daveline asked about lighting on the soccer fields; and how it might impact nearby residences. Mr. Williams said the fields to the west are practice fields and will not be lit. Discussion ensued.

Bob Burkhart, 807 Newport, says he lives right behind the baseball fields; and throughout the year he picks up 50-75 baseballs from his pool, back yard, etc. He said during the summer he won't have an outside life, saying there will be so much noise he won't be able to enjoy the pool or the yard. Mr. Burkhart also said there's no buffer zone, only a ditch and his fence. He said when there are tournaments at the facility, you can't park in the area because of all the cars. Mr. Burkhart said he understands where USD 308 is coming from, but said they need to think about the residents living there. He said this property was initially set up as practice fields; and that is how it should remain.

Mary Adcock, 804 Newport, said she attended the Board of Zoning Appeals meeting to talk about lighting, added noise, etc., but was told she should only speak in terms of foot candles. She said it was short-sighted of the Board to only focus on the foot candles; and not everything else that will occur with nighttime lighting. She addressed each of the Findings of Fact and Analysis that were used by the Board. Ms. Adcock also talked about a 2012 correspondence from the school district indicating there were no plans for any field lighting, the height of the poles, etc.

Jana McCarron said she has a clarification, telling the council they are not considering a variance, only a Conditional Use Permit. She also addressed the height of the light poles. Ms. McCarron also said when the Planning Commission reviewed the case, they did modify factors due to neighbor input.

Mayor Daveline said he has thoroughly reviewed this; and he appreciates the comments of the neighbors. The Mayor said as he looks at the whole city and the USD 308 school district, he believes everyone would agree it's a very compact district with no ability to expand beyond its current boundaries. He said USD 308 is land locked which creates a challenge to the school district; and impacts neighborhoods. Mayor Daveline said he thinks the lights are long overdue, saying all of the Ark Valley League schools have lighted fields, turf fields, etc. Mayor Daveline said USD 308 has always been a good neighbor; and supports the recommendation of the Planning Commission.

Councilmember Soldner asked if the lighting could be redesigned. Mr. Williams said there are certain requirements that go with lighting a sports complex; and said the Athletic Association has certain requirements from a safety standpoint. He said their

design is based on that through their lighting contractor. Randy Norwood said if they adjust the lighting they run the risk of injury for athletes because it falls below the standard required. She asked if a row of trees would be an adequate buffer for Mr. Burkhart's concerns. Ms. McCarron said yes, when they are mature, but it would take a matter of time before they would serve their purpose.

Councilmember Inskeep asked about the votes on the matter, as well as the original Conditional Use Permit. Mr. Williams said the permit was for tearing down the old barn that was on the property, as well as building the new facility which included locker rooms, restrooms, concessions, etc. Councilmember Inskeep asked if there were any conditions put on the property when it transitioned from a field to a sports complex, saying he wants to clarify if it was ever indicated there would not be any baseball or lighting allowed at the facility. Mr. Williams said back in the 90's no lighting was permitted; and when they asked for the Conditional Use Permit in 2012, they were not allowed to install lighting, but said they didn't request it. Additional discussion ensued regarding lighting at other fields in the area, time restrictions, number of games, etc.

Councilmember Dechant said he agrees with some of the Mayor's comments, but said this is not an easy choice. He said this certainly has an impact on the neighbors, not just lighting, but noise and traffic as well. He said when the fields were initially put in, there were assurances made there would be no lighting, so this item should not be approved.

Councilmember Inskeep said he agrees with the Mayor and with Councilmember Dechant on various points. He said he can't get past the premise that when the facility was built residents were told there would not be lighting. Councilmember Inskeep said he has trouble with this; and would oppose the request at this time.

Mr. Norwood said hearing the pros and cons on this matter, he would submit an amendment to their proposal for only adding lights to the soccer field and allowing regulation baseball games on the baseball fields. Discussion ensued.

Mr. Burkhart said he hadn't thought about this, but believes it would be workable. He said he's not trying to be a bad neighbor, but he would like to have a little privacy. He said there will still be traffic problems, but they will not be as bad. He also said this would be a viable solution.

Ms. Adcock said if she understands Mr. Norwood correctly, the amendment would be to recommend approving a Conditional Use Permit for four new light fixtures on the soccer field; and for permission to conduct regulation baseball games on the baseball fields. She said this is a good compromise; and hopes this isn't a slippery slope where they come back in two to three years asking for lights. She said they should think about planting trees now; and letting them grow if they plan on coming back in the future requesting lighting.

Motion by Councilmember Dechant, second by Councilmember Inskeep, to amend and approve the recommendation of the Planning Commission to approve amendments to Conditional Use Permit #12-CUP-06 for the installation of four (4) new light fixtures around the soccer field only and approve conducting unlit regulation baseball games at the Salt Hawk Baseball Complex, 712 East 23rd Avenue, pursuant to the factors and conditions as presented. The motion passed unanimously.

Mayor Daveline called for a recess at 10:37 a.m. The meeting resumed at 10:44 a.m.

c. Consider Hutchinson Airport Engineering Consultant Selection. Pieter Miller, Hutchinson Airport Manager, spoke. Discussion ensued.

Motion by Councilmember Soldner, second by Councilmember Inskip, to approve retaining HW Lochner as the officially selected airport engineering consultant for the Hutchinson Airport for the next five (5) years. The motion passed unanimously.

d. Consider golf course improvements bid results. Justin Combs, Director of Parks and Facilities, spoke. He said work could begin within the next few weeks; and if the weather cooperates City crew could lay sod in early April, with the holes being open in late April or early May. He said they have already set up temporary greens which does create some disruption, but they are doing their best to accommodate players. Discussion ensued regarding future phases, savings over the initial estimate, funding, etc.

Motion by Councilmember Dechant, second by Councilmember Inskip, to approve awarding the bid to Houska, Inc. for Carey Park Golf Course Renovation (Phase 4), for a total not to exceed \$283,758.20 for the primary construction, as well as the alternate tee box construction. The motion passed unanimously.

e. Consider 2017 Annual Report for the Hutchinson Land Bank. Jana McCarron, Director of Planning and Development, spoke. Discussion ensued.

Motion by Councilmember Dechant, second by Councilmember Soldner, to approve the 2017 Annual Report. The motion passed unanimously.

f. Consider approval of Agreement with the Kansas Department of Transportation for the Washington Street Bicycle Boulevard. Bruce Colle, Director of Engineering, spoke.

Motion by Councilmember Inskip, second by Councilmember Dechant, to approve the Agreement with the Kansas Department of Transportation for funding of the Washington Street Bicycle Boulevard project up to \$453,644.00; and authorize the Mayor to sign. The motion passed unanimously.

g. Consider purchase of Computer Aided Dispatch (CAD) Upgrade. Dick Heitschmidt, Police Chief, spoke. He said they will be using 911 funds, no general funds. Chief Heitschmidt said it will take six to seven months to rebuild tables, etc., which will allow them to be ready to go when 2019 rolls around. He said the Fire Department will be asking to be added to the program in 2019, so it makes sense to upgrade at this point.

Councilmember Inskip asked what all the CAD system is used for. Chief Heitschmidt said all of records management begins with the 911 call; and said any associated records can be delivered to the officers responding to a call. Discussion ensued.

Motion by Councilmember Inskeep, second by Councilmember Soldner, to approve the upgrade to the Computer Aided Dispatch (CAD) system; and authorize the Mayor to sign any required documents. The motion passed unanimously.

8. Report of City Officials

a. Council

- Councilmember Soldner had no comments.
- Councilmember Dechant had no comments.
- Councilmember Inskeep wished everyone a Happy New Year.
- Mayor Daveline had no comments.

b. City Manager

Mr. Deardoff said he would like to have a Study Session in January to review the Comprehensive Plan, provide updates, review goals, etc. The Study Session is scheduled for January 23, 2018 at 8:30 a.m.

9. Executive Session

a. Motion by Councilmember Dechant, 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 issues related to the 2019 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 meeting reconvened in the Council Chambers at 12:30 o'clock p.m. Motion by Councilmember Inskeep, second by Councilmember Soldner, to extend the executive session pursuant to the employer-employee negotiations exception, K.S.A. 75-4319(b)(3) in order to discuss issues related to the 2019 contract negotiations with the City's bargaining units; the open meeting to resume in the City Council chamber at 12:50 o'clock p.m. The motion passed unanimously.

The meeting reconvened in the Council Chambers at 12:50 o'clock p.m.

10. Adjournment

Motion by Councilmember Soldner, second by Councilmember Inskeep, to adjourn. The motion passed unanimously.