



MINUTES
CITY COUNCIL MEETING
COUNCIL CHAMBERS – HUTCHINSON, KANSAS
JANUARY 3, 2017
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 3, 2017 in the City Council Chambers with Mayor Daveline presiding. Councilmembers Soldner, Dechant, 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. 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.)

Richard Kramer, 600 East Avenue E, talked about the Petition he sent out to the councilmembers, City Manager, and others. He said government is to protect our rights, not set out exceptions; and there are too many exceptions. He asked the council to repeal the tax for the Sports Arena, saying it's theft from the people. He also asked for a repeal of the destruction of buildings under poor maintenance, as the building are people's private property. Mr. Kramer also asked for a repeal of the tax on runoff (stormwater), as well as a repeal of all ordinances that are destructive to the people of the City of Hutchinson.

5. Consent Agenda
 - a. Approval of Minutes of December 20, 2016 City Council meeting.
 - b. Approval of appointment of Jerome Kahn, 1824 Nickerson Blvd., to fill the expired term of Chris Givan for the term beginning 9/11/2016 to 9/11/2019.
 - c. Approval of appropriation ordinance in the amount of \$3,854,304.96.

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 City elections moving to the fall. Paul Brown, City Attorney, spoke. Mayor Daveline asked how this will affect the term for the Mayor. Mr. Brown said it will change from April to January. Additional discussion ensued regarding changes to the at-large position, partisan and non-partisan elections, etc. Councilmember Inskeep said he objects to this as the people voted and said here are your terms, but agrees we have no options.

Richard Kramer, 600 East Avenue E, said the City can stand up and say we won't comply. Mayor Daveline said we will take the advice of the City Attorney. Paul Brown, City Attorney, said the authority a city has is granted to it by the State of Kansas; and without that, we would't exist.

Motion by Councilmember Inskeep, second by Councilmember Dechant, to approve a Charter Ordinance exempting the City of Hutchinson, Kansas, from the provisions of K.S.A. 12-1040, relating to the City Manager form of government; exempting the City of Hutchinson, Kansas from the provisions of K.S.A. 12-104(a); amending and repealing existing Section 2.7 Annual Organizational Meeting of Charter Ordinance No. 38; and authorize the Mayor to sign. The motion passed unanimously.

b. Consider Ordinance amending the Table of Land Use Categories. Jana McCarron, Director of Planning and Development, spoke. Ms. McCarron said she did research on adult day care; and it has been around for about 30 years. She said this is not overnight care or a nursing home, but helps people who need additional assistance during the day. Ms. McCarron said the cost is about \$79.00 per day in Kansas, which is slightly higher than the US average.

Mayor Daveline asked about the location of the facility; and who will be operating the facility. Ed Spexarth of J. P. Weigand and Sons, said 1125 North Main is the former Medical Center; and it has been vacant for several years. He said the operator is a person that is licensed in the medical field, still has a job; and until this is approved would like to keep that job so they are not willing to disclose the person's identity. Mayor Daveline asked about the time schedule. Mr. Spexarth said it will probably be 60 to 90 days until the facility is operational. Discussion ensued. Councilmember Soldner said she is pleased to see this happen; and believes it will be helpful to a lot of people in town. Mr. Spexarth said this is great for caregivers as it allows them to still work during the day. Councilmember Inskeep said he researched the cost; and said it is minimal compared to a full time facility. Additional discussion ensued.

Motion by Councilmember Piros de Carvalho, second by Councilmember Soldner, to accept and approve the recommendation of the Planning Commission to approve amendments to Section 27-406 of the Zoning Regulations of the Code of the City of Hutchinson, Kansas; and authorize the Mayor to sign the Ordinance. The motion passed unanimously.

7. Report of City Officials

a. Council

- Councilmember Piros de Carvalho had no comments.
- Councilmember said it may be due to the New Year, but the trails were full when he was out yesterday. He also wished everyone a Happy New Year.
- Councilmember Dechant wished everyone a Happy New Year.
- Councilmember Soldner said Happy New Year.
- Mayor Daveline said the City Manager makes a presentation every year called the State of the City address. This will be held on January 18, 2017 at 7:00 a.m. at the Atrium. He said it is open to the general public; and reservations can be made through the Chamber of Commerce.

b. City Manager

Mr. Deardoff said there will be a meeting this Thursday with the Mayor, Vice Mayor and the Topeka legislative delegation.

Mr. Deardoff also gave an update on the rental registration program. He said as of last week approximately 64% of properties were registered.

The City Manager said in his weekly report he mentioned a study session on January 10, but said it's up to the council if they wish to do so. He said this would be for discussion of the traffic calming policy. Discussion ensued. It was decided to have the study session on January 10, 2017 from 8:00 a.m. until 10:00 a.m.

8. Adjournment

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