



MINUTES
CITY COUNCIL MEETING
January 16, 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 16, 2018 in the City Council Chambers with Mayor Daveline presiding. Councilmembers Piros de Carvalho, Soldner, Inskeep and Dechant 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.

Paul Brown, City Attorney, asked Councilmember Soldner, Councilmember Inskeep, and Mayor Daveline to stand to be sworn in by Karen Weltmer, City Clerk.

4. Election of Mayor

Motion by Mayor Daveline, second by Councilmember Soldner to elect Councilmember Dechant, Mayor. The motion passed by a vote of 4 to 0, with Councilmember Dechant abstaining.

Mayor Dechant was sworn in by Karen Weltmer, City Clerk.

5. Election of Vice Mayor

Motion by Councilmember Piros de Carvalho, second by Councilmember Daveline, to elect Councilmember Inskeep, Vice Mayor. The motion passed by a vote of 4 to 0, with Councilmember Inskeep abstaining.

Councilmember Inskeep was sworn in as Vice-Mayor by Karen Weltmer, City Clerk.

Mayor Dechant congratulated Councilmembers Soldner, Daveline and Inskeep on their re-election last fall; and for serving the City of Hutchinson and its citizens.

City Manager John Deardoff and Mayor Dechant presented a plaque to outgoing Mayor Jon Daveline. Mayor Dechant said Councilmember Daveline has been the longest serving Mayor for quite some time. Councilmember Daveline said he appreciates the nice thoughts from Mayor Dechant; and said it has been an honor to serve as Mayor of this great city. He said he has met many people from this community; and from across

the country. He thanked all of the council members for their patience with him; and said this is an excellent form of government that works well with this community. Councilmember Daveline also thanked staff and the City Manager, saying he looks forward to continuing working with the City.

6. Awards

a. Presentation of community service awards. Community Resource Officers Darrell Tossie and Steve Schaffer presented the awards to the following:

Cindy Flores
Jesse McElheny
Jeff Thomson
Eddie Smith
The Father's House
Jim Kanady
Kari Mailloux
First Presbyterian Church
Erica Rivera
Darla Fisher
The Hutchinson News
Lisa Gleason

7. 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.)

Meryl Dye, Assistant City Manager, said the sculpture "Guidance", located at Sherman and Main, by artist Deborah Zelenak, won the People's Choice Award for the 2017 Sculpture Walk. She said Sculpture Walk for 2018 will continue as they have been able to raise the necessary funds. Ms. Dye said a call has been sent out to artists; and they have received 15 entries to date. Mayor Dechant thanked her for her efforts in organizing the Sculpture Walk.

Steve Garcia, the lead signal technician for the City, invited everyone to the Little Dribblers Tournament which will be held on January 27, 2018 at the Hutchinson Sports Arena. He said he is the play-by-play announcer for this event; and there are 11 teams involved.

8. Consent Agenda

- a. Approval of Minutes of January 2, 2018 City Council meeting.
- b. Approval of contract with First Generation Video for 2018 subsidy.
- c. Approval of appropriation ordinance in the amount of \$1,714,346.25.

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

9. Public Hearing

- a. Public hearing to consider structures to be unsafe and dangerous.

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

Trent Maxwell, Building Official, spoke about each property; and the process involved to either rehabilitate the home or have it demolished. Mr. Maxwell said all of the homes are vacant, except for one. Discussion ensued regarding the occupied property, the required cash bond, etc.

Several homeowners were in attendance; and the Mayor invited them to speak.

Mr. Maxwell said the property owner for 715 West 1st was in attendance but did not want to speak. Mr. Maxwell said he is comfortable with the plan that has been presented to him. He said the owner will be moving into the property himself. Mr. Maxwell said the owner has hired several contractors; and improvements to the property should be completed by the end of March, depending on the weather.

Lisa Navarro, owner of the property at 1407 East 2nd, said she has contacted Gonzales Construction with regard to the roof and possible purchase of the property, but she does not have anything in writing from them. She said she has prepared an estimate for supplies and materials if she and her friends were to do the work. Ms. Navarro also indicated that taxes on the property are current.

Brad Burnett, owner of the property at 220 West 6th, spoke. He said he met with Mr. Maxwell yesterday; and walked through the property. Mr. Burnett said he needs to have the gas, plumbing and electricity checked out; and that he has gotten an estimate for roofing and the front porch.

Jeff Mack, owner of 324 West 6th, said he sold this property on a land contract; and the property was not maintained. He said he hasn't presented a plan to Mr. Maxwell because he's been busy with work, but thinks he can have the work completed by mid-April.

Councilmember Piros de Carvalho had questions regarding the cash bond; and asked if we need to look at revising the ordinance. She also said this process is very lengthy; and said the viability of doing repairs in the winter doesn't make sense. She asked if this process could begin in the spring. Mr. Maxwell said he actually began this process last July, but he got busy with other things, so it is his fault for the process being delayed.

Tina Rosiere, owner of the home at 28 East Bigger, said her goal is to repair the property and live there. She said they had started on the roof, but with the weather changing they have been unable to complete the project. She hopes to have it completed this week if weather permits. She also said they will address concerns with the porch, etc.

Alma Reyes, spoke on behalf of her brother who owns the property at 21 East Carpenter. She said money that had been saved to make repairs on the home had to be used for other expenses; and they may talk with Interfaith Housing about donating the home to them. She indicated she would talk to Mr. Maxwell following the meeting.

Councilmember Piros de Carvalho left the meeting at 10:20 a.m.

Michael Carder, owner of the property at 753 East Avenue F, said he wants to fix up the property. He said there are three structures to be re-roofed and re-sided; and there are two add-ons to the garage that need to be torn off.

John Kuntz, said the property at 763 East Avenue F belongs to his mother; and it is being willed to him. He said most of the work is cosmetic, but he would be able to do any plumbing and electrical work on the home. Mr. Kuntz said he just found out in December about this matter saying his mother didn't get the notices. He said it will take him approximately three months to do what's needed to the property.

Kandee House, owner of the property at 1210 North Forrest, said this property was bought at a Sheriff's sale. She said they didn't know it was in this poor condition; and it wasn't disclosed at the sale. She said her husband became disabled shortly after they purchased the property; and they have not been able to go in and make any improvements; although they were able to clean out the interior. Ms. House said they would like to sell the property, if possible. Councilmember Soldner suggested to Ms. House that she sit down with Mr. Maxwell to formulate a plan.

Additional discussion ensued.

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

Mayor Dechant thanked everyone who spoke. He told the owners if they have a plan and are working with Mr. Maxwell, then there is a good likelihood council will allow them to proceed with those plans. Councilmember Inskeep agreed, telling owners they need to have a well-formulated plan; and to include what is going to be done to the property, materials that will be used, costs, etc.

Motion by Councilmember Soldner, second by Councilmember Inskeep, to approve Resolution 2018 R 3 which condemns unsafe and dangerous structures within the City of Hutchinson located at: 413 West 1st Ave., 715 West 1st Ave., 620 East 2nd Ave., 1407 East 2nd Ave., 1510 East 2nd Ave., 1745 East 3rd Ave., 0000 East 6th Ave., 220 West 6th Ave., 324 West 6th Ave., 824 East 7th Ave., 1212 East 8th Ave., 1302 East 10th Ave., 106 East Avenue A, 28 East

Bigger St., 21 East Carpenter St., 122 North Chemical St., 753 East Avenue F, 763 East Avenue F, 1210 North Forrest St., 114 East Osborne St., 20 North Pershing St., and 721 South Poplar St., to forego the cash bond requirements, to allow the property owners thirty (30) days to repair or remove such structures; and authorize the Mayor to sign the Resolution. The motion passed unanimously.

Mayor Dechant called for a break at 10:42 a.m.

The meeting reconvened at 10:50 a.m.

10. Ordinances and Resolutions

a. Consider Ordinance amending Chapter 27 of the Hutchinson City Code regarding sign regulations. Jana McCarron, Director of Planning and Development, spoke. Councilmember Daveline asked about abandoned signs. Ms. McCarron said they have a schedule in place to inventory the signs by the end of March. She said everyone will receive notice about the signs, giving them a certain number of days to either improve the sign or remove it. She said there are approximately 50-60 signs on East 4th Avenue that are abandoned or dilapidated, but not every sign will have to come down. Ms. McCarron thanked Luminous Neon for meeting with staff; and reading through the regulations numerous times. Discussion ensued.

Cindy Proett with Luminous Neon, 1429 West 4th, acknowledged the months of hard work put in by Ms. McCarron and her staff. She said they are not just representing the sign industry, but local business as well.

Mayor Dechant said he has thought long and hard about this matter; and told council they have the chance to chart a different course for the future. He said he is concerned about the number of billboards that may be added, the first impression given to visitors when they come into the City, the size of signs, etc.

Councilmember Daveline said he watched the sign code unfold; and it was apparent there was a lot of divisiveness as well as deep concerns by staff, sign companies, etc., in terms of coming up with something that was workable. He said his position is to support the recommendation of the Planning Commission as presented. Councilmember Soldner agreed. Additional discussion ensued.

Motion by Councilmember Daveline, second by Councilmember Soldner, to approve the recommendation of the Planning Commission to approve amendments to Article VIII and IX of the Zoning Regulations, to approve Ordinance 2018 – 1 amending Article VIII. Sign Regulations and amending certain sections of Article IX. Supplemental Regulations of Chapter 27 of the Code of the City of Hutchinson, Kansas; and authorize the Mayor to sign. The motion passed unanimously.

11. New Business

a. Consider amendment to the Down Payment Match Incentive Program. Jana McCarron, Director of Planning and Development, spoke. Discussion ensued.

Motion by Councilmember Inskeep, second by Councilmember Daveline, to approve the recommendation of the Housing Commission to amend program amendments for the Down Payment Match Incentive; and authorize the Mayor to sign an agreement extending program operations with Interfaith Housing Services (IHS) into 2018. The motion passed unanimously.

b. Consider amendment to the Zero-Interest Home Repair Loan Program. Jana McCarron, spoke. Discussion ensued.

Angie Davenport of Peoples Bank and Trust, spoke. She said it is a great program; and it has been very easy to work with everyone. Discussion ensued regarding turn-around time, denials, etc.

Motion by Councilmember Inskeep, second by Councilmember Soldner, to approve the recommendation of the Housing Commission to amend the program requirements for the Zero-Interest Home Repair Loan Program; and authorize the Mayor to sign the 2018 Program Operations Agreement with Peoples Bank and Trust. The motion passed unanimously.

c. Consider Purchase Agreement for sculpture at Rice Park Splash Pad. Meryl Dye, Assistant City Manager, spoke. Ms. Dye said the artist reduced the price on the sculpture to \$5,000.00; and two private donors come forward with additional funds for purchase of the sculpture. She said they hope to move the piece in May, 2018, saying the artist will come to Hutchinson to help crews make the move. Mayor Dechant complimented the Public Art Design Council for their success in raising the additional funds. Councilmember Daveline echoed the Mayor's comments and asked if it would be in order to amend the motion to separate out the \$3,000.00 being paid from the CIP budget and the \$2,000.00 coming from private donors.

Motion by Councilmember Daveline, second by Councilmember Inskeep, to approve the Purchase Agreement with artist Reven Marie Swanson in the amount of \$5,000.00 for the direct purchase of "Good Morning Sunshine", with \$3,000.00 of such purchase to be made from the CIP project account balance and the remaining \$2,000.00 coming from private donations; and authorize the Mayor to sign the agreement. The motion passed unanimously.

d. Update on RW-4 Alternative Groundwater Remediation Project. John Deardoff, City Manager, said Don Koci is unable to be here for this item; and it will be moved to another meeting.

12. Report of City Officials

a. Council

- Councilmember Inskeep had no comments.
- Councilmember Daveline had no comments.
- Councilmember Soldner said the latest Ask Hutch article had a question about "J" turns. Ms. Soldner said on her way to the meeting she had someone do that in front of her on Main Street.

- Mayor Dechant thanked everyone for their patience today, as the meeting was fairly lengthy.

b. City Manager

Mr. Deardoff said several of them will be headed to Topeka next Wednesday for Local Government Day.

He also reminded council about the Employee Achievement Recognition luncheon to be held on January 30, 2018.

Councilmember Soldner reminded him about the State of the City address tomorrow at 7:00 a.m.

Mr. Deardoff said there will be a study session next Tuesday, January 23, 2018, at 8:30 a.m. to review the Comprehensive Plan; and to look at each goal and strategy.

13. Adjournment

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