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**MINUTES**  
**CITY COUNCIL MEETING**  
**COUNCIL CHAMBERS - HUTCHINSON, KANSAS**  
**January 21, 2020**  
**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, January 21, 2020 in the City Council Chambers with Mayor Inskeep presiding. Councilmembers Dechant, Daveline, Soldner 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.

City Manager, John Deardoff, thanked Mayor Inskeep and Councilmember Dechant for their commitment and service to the community. He said while they haven't always agreed with staff, they have always been respectful of everyone. Mr. Deardoff said people have no idea the amount of time, effort, energy and thought that goes into this position. He said he has enjoyed the different styles they brought to the council; and how they approached issues differently.

Vice Mayor Piros de Carvalho presented a plaque to Councilmember Dechant, saying he had the courage to try new things; and that he challenged the council to look at things differently. Councilmember Dechant said he has enjoyed serving with this group, that it has been an honor and a privilege; and he has been humbled by the experience.

Vice Mayor Piros de Carvalho presented a plaque to Mayor Inskeep, saying he has a passion for parks and trail development, etc.; and that he served while raising a family and running a business. She said he is leaving a positive mark on Hutchinson. Vice Mayor Piros de Carvalho said he was patient and humble in his leadership; and responded to everyone that reached out to him. She said we will miss his sense of humor. Mayor Inskeep said he has enjoyed serving; and hopes that through conversations they can find common ground.

4. Administration of Oath of Office

a. Swearing in of Sara Bagwell as new councilmember for the City-at-Large.

b. Swearing in of Steve Garza as new councilmember in the Southeast District.

Karen Weltmer, City Clerk, administered the oath of office to Councilmembers Bagwell and Garza.

5. Election of Mayor

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

Karen Weltmer, City Clerk, administered the oath of office to Mayor Piros de Carvalho.

6. Election of Vice-Mayor

Motion by Councilmember Daveline, second by Councilmember Piros de Carvalho, to elect Councilmember Soldner as Vice-Mayor. The motion passed by a vote of 3 to 1 with Councilmember Bagwell voting no; and Councilmember Soldner abstaining.

City Clerk, Karen Weltmer, administered the oath of office to Councilmember Soldner.

A reception for the retiring and newly elected councilmembers was held from 9:13 a.m. to 9:33 a.m.

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.)

Richard Greever, 3409 N. Maple, said citizens have been buying old homes to fix up, but instead of getting an “atta boy” they almost always get a “bring this up to code or we’ll throw you in jail”. He said he hopes the new administration will correct this.

Mitch Gumble, 1506 Linwood Drive, said he was here at the last council meeting on January 7; and on January 9 he received two new violations on two new properties, all because he complained about John Vetter. He said he buys distressed properties; and fixes them up to sell. Mr. Gumble said the City wins because when he’s done with a property, the valuation goes up. He said he has been in court 10 times in the past year and a half; and was given an illegal trial. He said he can’t work with Trent Maxwell or John Vetter anymore so he’s working with Paul Brown, but nothing is being done. Mr. Gumble said he wishes we could all work together; and hopes with the new councilmembers we can make some changes. Mayor Piros de Carvalho said she appreciates his comments; and said she is sorry if we have given him any indication that what he does is not appreciated. She said we are all committed to finding a solution, but we don’t want to lower our standards while doing so. Mayor Piros de Carvalho said this is a deep issue, that we will find a solution, but it won’t happen overnight.

LaVerle Pounds, 512 E. Avenue A, presented a printout of data to the council from Prairieland Realtors showing the listing price, sale price, etc. of properties under \$50,000.00 that were sold during a one year period. He said 87 of the properties sold were sold for less than the appraised value; and only 17 were sold for more than the appraised value. He said he understands that some of the properties may have been over-appraised; and said he has given this list to the County Appraiser for review. Discussion ensued. Mayor Piros de Carvalho thanked him for the work he has put into this; and said it is good information to have. Councilmember Soldner said the discrepancy in values is disturbing; and hopes the Appraiser's office will take the initiative to correct the valuations.

Jill Gumble, 1506 Linwood, said she is here to talk about the Central Kansas Landlords Association. She said they want to correct their image, as they have been beaten and bashed; and said they have started a program called "Clean Up Hutch". Ms. Gumble said they want to give back to the community, so beginning in April a group of volunteers will begin cleaning up owner occupied homes. She said they will do four homes, with the first one belonging to a veteran. Ms. Gumble said she has talked with John Harlow of the American Legion; and names of veterans can be submitted to him for consideration by calling him at 620-662-0573. She talked further about what the organization hopes to do; and suggested that when letters are sent out by the City, they could include information about programs offered through SCKEDD and others. Mayor Piros de Carvalho thanked Ms. Gumble saying the program will be incredible. Ms. Gumble said the need is overwhelming; and while they can paint, clean up yards, etc.; they don't have the funds to purchase supplies. She said if people want to volunteer to help, they can call her at 620-474-0389.

Councilmember Garza said he represents the Southeast district; and that he has walked the street and talked to a lot of people. He said many of these people are afraid to come to the council meetings; and he is their voice. Councilmember Garza said people in his district can't afford repairs to their homes; and asked what other options they have. He said he has an issue with the amount of time given to repair code violations; and that changes need to be made. He asked how people that live paycheck to paycheck can fix their properties; and said we need to work together to get this issue resolved. Councilmember Garza said businesses are another problem; and we need to ease up our regulations as businesses don't want to come to Hutchinson. Mayor Piros de Carvalho said she appreciates his comments; and told Councilmember Garza these are usually reserved for the end of the meeting. She said it is clear there is work that needs to be done; and that there is consensus there is not a lot of support for what is currently being done. Councilmember Garza said he would like to see this ordinance repealed. Mr. Deardoff said we have an agenda to follow; that this can be brought up at another time; and said we need to move on with the business

of today. Councilmember Garza asked that it be put on the agenda for another meeting.

8. Consent Agenda

- a. Approval of Minutes of December 17, 2019 City Council meeting.
- b. Approval of reappointment to the Airport Advisory Committee of Zach Clobes, 700 Idlewild Drive, Hutchinson, for a second three year term beginning 1/01/2020 to 1/01/2023.
- c. Approval of appointment of Lt. Brice Burlie, Hutchinson Police Department, as Hutchinson's representative on the South-Central Regional Homeland Security Council beginning January 22, 2020 through December 31, 2021.
- d. Approval of appointment to the Hutchinson Human Relations Commission of the following:
  - Anthony Frischenmeyer, 511 East Avenue C, Hutchinson, to fill the unexpired term of Joel Reiss, for the term beginning 9/11/2019 to 9/11/2022.
  - Auhneyyce Grissom, 1424 West 11<sup>th</sup> Avenue, Hutchinson, to fill the unexpired term of Chanel Barlow, for the term beginning 9/11/2018 to 9/11/2021.
- e. Approval of appropriation ordinance in the amount of \$1,425,119.59.

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

9. Ordinances and Resolutions

a. Consider Letter and Resolution of Support for the Interfaith Townhomes I development. Ryan Hvitløk, Director of Planning and Development, said they received a request that this be removed from today's agenda, but that it will be brought back sometime in the future.

b. Consider Letter and Resolution of Support for the Kaw Village I development. Ryan Hvitløk, Director of Planning and Development, spoke about the projects in Items 9a and 9b. Councilmember Daveline asked if this project is contingent upon them being awarded tax credit. Mr. Staub of Disability Supports responded by saying yes.

Rick Staub, President and CEO of Disability Supports and Clayworks, said it is an honor to be here; and he appreciates the support from the City. He said this is their seventh and eighth developments, with the first being done in McPherson. Mr. Staub said they did an elderly market study; and found the market here calls for more than 400 units for the elderly. Discussion ensued regarding how tax credits work, the selection process, etc. Mr. Staub said the demand for the tax credits is very high; and they have been fortunate that every application they have submitted has been chosen, with the exception of Kaw Village which was submitted last year. He said they were told to submit the application again this year. Mr. Staub said if they have to choose between housing for the

elderly or for the developmentally disabled, he would select the developmentally disabled project as the units would be full as soon as they are completed; and they have already identified the likely occupants of those units. Mr. Staub said the application needs to be in by February 1, with the notification date being mid-May.

Richard Greever asked if these properties would be on the tax rolls or are if they would be tax exempt. Mr. Staub said because they are a 501(c)3 corporation, they would be tax exempt. Mr. Hvitløk said that streets for these units would be private drives; and the City would not assume maintenance.

Motion by Councilmember Daveline, second by Councilmember Soldner, to approve the recommendation of the Housing Commission to provide a Letter and Resolution of Support for the Kaw Village I development; and authorize the Mayor to sign. The motion passed unanimously.

c. Consider Letter and Resolution of Support for the Kaw Village II development. Ryan Hvitløk, Director of Planning and Development, said this development is for the elderly.

Motion by Councilmember Soldner, second by Councilmember Bagwell, to approve the recommendation of the Housing Commission to provide a Letter and Resolution of Support for the Kaw Village II development; and authorize the Mayor to sign. The motion passed unanimously.

d. Consider amendment to the Comprehensive Plan Land Use Map designation for 925 West 4<sup>th</sup> Avenue. Aaron Barlow, Associate Planner, spoke about items 9d and 9e. He said two public comments were received, both of which were concerned about the requested change. Mr. Barlow said the Planning Commission recommended denial of the request as it would create a spot zone on the property. Discussion ensued. Councilmember Garza said he hasn't talked to the people involved, saying he can't make a decision until he's talked with the applicant. Mayor Piros de Carvalho asked if there was a consensus to table the matter. All agreed after some discussion. Paul Brown, City Attorney, asked for a motion.

Motion by Councilmember Soldner, second by Councilmember Daveline, to table the matter. The motion passed unanimously.

Mr. Gumble said he's not sure how to feel about this, stating he owns property at 902 West 4<sup>th</sup>. He asked how this would affect him. Mr. Barlow said there would not be much of an impact as there is street separation, but said he would recommend talking to his banker to see if it will affect financing, etc.

e. Consider request to rezone property at 925 West 4<sup>th</sup> Avenue.

Motion by Councilmember Daveline, second by Councilmember Soldner, to table the matter. The motion passed unanimously.

10. New Business

a. Consider UV Disinfection and Secondary Treatment Preliminary Design-Build Agreement. Brian Clennan, Public Works Director, spoke. He said the City was given until June 30, 2022 to meet the requirements made by KDHE. Mr. Clennan said parts are difficult to obtain; and the wiring is beginning to fail in the UV system. He said Burns & McDonnell and CAS Construction was selected for the project; and said they are the team currently working on the intermediate pump station. Discussion ensued regarding the cost of the project, energy savings, design/build vs. design/bid/build, etc.

Motion by Councilmember Soldner, second by Councilmember Bagwell, to approve the agreement with Burns & McDonnell and CAS for Phase I (Preliminary Design and Guaranteed Maximum Price (GMP) development) in a lump sum contract in the amount of \$190,900.00; and authorize the Mayor to sign. The motion passed unanimously.

b. Consider funding request for creation of social detox and inpatient treatment center. Shara Gonzales, New Beginnings, introduced retired Sheriff Randy Henderson who will speak about the drug task force impact panel, and Harold Casey, CEO of the Substance Abuse Center of Kansas.

Randy Henderson said in 1998 he finished an assignment with the Hutchinson Police Department, working narcotics for nine years. He said he is proud of what was accomplished, but they needed an end all to the drug problem. He spoke about what happened over the years saying there were several attempts toward a detox facility, but everything fell through. Mr. Henderson said in 2014, after construction of the Reno County Correctional Facility, a crime reduction task force was started with grant money. He said that program started to make an impact, but it reached the end when there was no detox facility. He said at that time Mayor Piros de Carvalho started working to get people together; and that has grown into four separate groups of over 60 individuals. He said in 2015-2016 the correctional facility and the hospital were spending approximately \$5 million annually. Mr. Henderson said we have a serious drug problem; and it is causing a severe impact on the community. He said a new medical detox facility called "Breakthrough" opened in December 2019. Mr. Henderson said if an individual tries to kick the habit by themselves, they usually get very ill and go back to the drugs. He said this is where Breakthrough comes in; and that in three to five days a person can get medically detoxed and can then be placed in a social detox facility where they work on mental health and social aspects.

Ms. Gonzales talked about the groups working on this project, as well as the strategic plan, etc.

Harold Casey, Director/CEO of the Substance Abuse Center of Kansas, 400 West 2<sup>nd</sup>, said services have been offered since 1995; and they cover 29 counties. He said staff travels across these areas visiting hospitals, jails, homeless shelters, etc. Mr. Casey said they see about 600 people a month; and they have access to care agencies where individuals are referred. Mr. Casey said officers pick up people, but there is nowhere to

take them other than the hospital. He said the individual may not have broken any laws, but they are intoxicated or passed out. He said it is very expensive for officers to have to take these individuals to the hospital; and said they have to stay there until the person is admitted or discharged. Mr. Casey said WSU did a cost analysis of a 13-bed detox center in Wichita; and they found the cost savings to the community was \$10 million for a one year period. Mr. Casey talked further about a detox facility, a proposed budget, staffing, etc.

Councilmember Garza asked if there was any way to collect money at a later time from those that received services. Mr. Casey said probably not, but the investment is tenfold to the community in that these people are sober, they are paying taxes, working, etc. Additional discussion ensued regarding the organization, the original tax credits for Walnut Court, adaptation of the building to a detox facility, etc.

Ms. Gonzales said New Beginnings is requesting \$50,000.00 from the City to help with a fire suppression system for the front part of the facility. Mayor Piro de Carvalho asked if any of the special alcohol funds could be used. Mr. Deardoff said the City Attorney had looked at this; and those funds would be eligible for use. Discussion ensued regarding the amount of money in the fund, allocations for 2020, etc. Councilmember Daveline asked Fire Chief Beer to speak about the fire suppression system.

Chief Beer said he is not familiar with this project, but said the requirement is probably due to the type of occupancy of the building, etc. Trent Maxwell, Building Official, said when the use changes, it changes the requirements. Additional discussion ensued regarding fire suppression, a contribution by Reno County, additional fundraising, etc.

Motion by Councilmember Daveline, second by Councilmember Bagwell, to approve the request for a \$50,000.00 City contribution towards the adaptation of Meadowlark Commons, a part of the Walnut Court Apartments, into a social detox and inpatient treatment center for people with addictive disorders. The motion passed unanimously.

## 11. Report of City Officials

### a. Council

- Councilmember Soldner welcomed the new members to the council.
- Councilmember Daveline had no comments.
- Councilmember Garza thanked everyone that voted for him. He said he expects everyone to work together as the City is a family. Councilmember Garza asked Mr. Deardoff what needs to be done to repeal the rental registration program. Mr. Deardoff said we would need an ordinance to repeal this; and if council supports the repeal then it would be put on the agenda. Councilmember Bagwell said she would like to see it on the February 4 agenda. She said she would also like to decriminalize anything

that is not health or safety related; and to amend the Property Maintenance Code. Councilmember Soldner said she would like to see the Housing Committee work on that issue; and to put together a plan and bring it before council. Ryan Hvitløk said at the last Housing Commission meeting a committee was established to look at enforcement procedures. Discussion ensued.

- Councilmember Bagwell thanked everyone for the opportunity to serve the community.
- Mayor Piros de Carvalho congratulated the new council members; and said they have a lot of tough issues ahead. She also thanked former Councilmember Dechant and former Mayor Inskeep. Mayor Piros de Carvalho said she did have a comment about oral communications in that it is the goal of everyone on the council to be open and transparent. She said if you have something to bring to the council, make it a point to come to the meeting and address them as there is no need to be afraid. She pointed out that sometimes people who have an item on the agenda have waited 60-90 days for the item to be placed on the agenda, so she would like to move through oral communications quickly by sticking to the five minute rule. Mayor Piros de Carvalho reminded everyone this is a business meeting; and if you have issues you want to bring up, then oral communications is the time to do so. She said if it's an issue that requires deep work and change, then you need to reach out to the City Manager, council members, the appropriate commission or board, etc. She also thanked the council for the honor of serving as Mayor.

Councilmember Bagwell asked if there was any way to cut down on the citations issued until this matter is resolved. Mayor Piros de Carvalho said it comes back to the culture that was set by the council; and staff is just doing their job. Discussion ensued.

Councilmember Soldner left the meeting at 11:40 a.m.

City Manager Deardoff said the Rental Registration Code is this piece, but the City still has the International Property Maintenance Code in effect. He said in two weeks they can deal with the rental registration issue.

- b. City Manager

There were no comments by the City Manager.

12. Adjournment

Motion by Councilmember Daveline, second by Councilmember Garza, to adjourn. The motion passed unanimously.

**Upcoming Meetings**

February 4, 2020	9:00 a.m.	City Council meeting
February 18, 2020	9:00 a.m.	City Council meeting