



MINUTES
CITY COUNCIL MEETING
COUNCIL CHAMBERS - HUTCHINSON, KANSAS
March 16, 2021
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, March 16, 2021 in the City Council Chambers with Mayor Garza presiding. Councilmembers Piros de Carvalho, Daveline, Soldner and Bagwell were present in person.

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

3. The prayer was given by Paul Brown, City Attorney.

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 March 2, 2021 City Council meeting.

b. Approval of reappointments to the Community Corrections Advisory Board of the following:

Elizabeth Allen, Kansas Department of Corrections, for a term beginning 1/01/2021 to 1/01/2023.

Cathy Nisly, Hutchinson Municipal Court, for a term beginning 1/01/2021 to 1/01/2023.

Carolyn Parson, Hutchinson Community College, for a term beginning 1/01/2021 to 1/01/2023.

c. Approval of reappointment to the Hutchinson Planning Commission of the following:

Jon Richardson, 3401 Radcliffe Terrace, Hutchinson, KS for reappointment to a second full three-year term beginning 12/31/2020 to 12/31/2023.

d. Approval of appointments to the Land Bank Board of Trustees of the following:

Todd Brown, 3705 Spyglass Drive, Hutchinson, KS for reappointment to a second full three-year term beginning 9/30/2020 to 9/30/2023.

Dan Garber, 1206 East 21st, Hutchinson, KS, for reappointment to a second full three-year term beginning 9/30/2020 to 9/30/2023.

Oscar Garcia, 3601 King Street, Hutchinson, KS to fill the expired term of Sue Poltera for a term beginning 9/30/2020 to 9/30/2023.

- e. Approval of final plat for Rohn's Replat Addition for property at 4812 Sequoia Street.
- f. Approval of appropriation ordinance in the amount of \$1,215,291.97.

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

6. Public Hearing

- a. Public hearing for vacation of right-of-way at 3304 N. Severance.

Motion by Councilmember Daveline, second by Councilmember Soldner, to open the public hearing. The motion passed unanimously.

Jessica Lowe, Assistant City Engineer, spoke.

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

Motion by Councilmember Daveline, second by Councilmember Soldner, to approve the vacation of the Order Vacating Street Right-of-Way at 3304 N. Severance; and authorize the Mayor to sign. The motion passed unanimously.

7. Ordinances and Resolutions

a. Consider Resolution approving Trucks, Taps & Tunes as a Special Event. Paul Brown, City Attorney, spoke. He said in order to hold the event on park property, the organizer needs to have a special event district. Councilmember Daveline asked about the hours for the event. Mr. Brown said it is on a Saturday from 10:00 a.m. to 10:00 p.m. Jeff Cantrell, City Manager, said the event was originally to be held at Orchard Park, but after discussions with the event organizer, the location was changed to Carey Park. Councilmember Bagwell thanked the City for working with the organizer. Mr. Brown said security for the event will be provided by Hutch Regional Medical Center security officers. Councilmember Piros de Carvalho said the event organizer is welcome to come to the next meeting if she would like to talk about this event.

Motion by Councilmember Piros de Carvalho, second by Councilmember Bagwell, to approve Resolution 2021 R 1 to authorize a special event pursuant to City Code Section 18-801 et seq.; and authorize the Mayor to sign. The motion passed unanimously.

b. Consider Charter Ordinance regarding commencement of terms for City Council members. Paul Brown, City Attorney, said there is one simple thing to do. He said council terms need to match the schedule the state requires, as we currently have a gap. Mr. Brown said terms are to start on the second Monday of January, but our meetings aren't held on that date. He said council members will need to decide if they want to use

the first meeting in December, the second meeting in December, or the first meeting in January for terms to start; and this needs to be approved by two-thirds of the councilmembers. Discussion ensued. Councilmember Daveline said he would recommend the first Tuesday in January as it would be consistent with the calendar and budget year. Councilmember Bagwell agreed; and Councilmember Piros de Carvalho said she has no strong feelings about the matter.

Motion by Councilmember Daveline, second by Councilmember Bagwell, to approve Charter Ordinance No. 52 amending and repealing existing Section 2.1(A). Composition of Charter Ordinance No. 38; amending and repealing existing Section 2.7 Annual Organization Meeting of Charter Ordinance No. 38 as modified by Charter Ordinance No. 51; and selecting the first meeting of January as the commencement date of the terms of newly elected City Councilmembers; and authorize the Mayor to sign. The motion passed unanimously.

8. Report of City Officials

a. Council

- Councilmember Daveline had no comments.
- Councilmember Bagwell had no comments.
- Councilmember Piros de Carvalho said the Governor had opened up additional phases for Covid vaccinations; and encouraged people to sign up. She said so far 17% of the people in Reno County have received vaccinations.

Councilmember Piros de Carvalho said cities with less than 50,000 people will receive funds from the State as part of the relief plan that was just passed. She said she is not sure if Hutchinson will get anything since we didn't have a revenue shortfall; and asked the City Manager if he knew what we might receive. Mr. Cantrell said he is not sure at this time as not all of our bills are in, but said he would look into this matter.

- Councilmember Soldner had no comments.
- Mayor Garza said he went to the kickboxing event at Memorial Hall last Friday. He said there were a lot of people in attendance; and there is another boxing event on May 1. The Mayor said City employees did a great job; and said everyone enjoyed the event. Chief Hooper said there were no problems; and the event was well organized. Justin Combs, Director of Parks and Facilities, said he had several staff members there; and there were no issues. He said there wasn't a lot of advertising done for the event, but spread through the community by word of mouth.

b. City Manager

Jeff Cantrell, City Manager, said the Woodie Seat application the City has petitioned for has not been popular in the SW Bricktown neighborhood. He said due to the expense involved, as well as the rapid rate of deterioration of the structure, it's appropriate to have a discussion about another application for that project. Mr. Cantrell said if we do not apply, the City would have to fund the project in another way. He said there is no guarantee with the grant, but time is of the essence; and there are many issues with the bridges.

Jeff Peterson, Director of Engineering, said they have looked at applications from previous years; and if submitted again this year, the City would do it in-house and not have a consultant prepare the grant application. Mr. Peterson said we would update verbiage, etc. Councilmember Daveline said he is glad this was brought up as he has strong feeling about the matter. He said he believes they would all agree that this would be at the top of the list of things to repair, that this is a main arterial gateway to the city; and is in bad disrepair. Councilmember Daveline said this is an opportunity to leverage federal tax dollars; and the City needs to resubmit the application. He said he can't emphasize enough that we develop a consensus from everyone to send a clear message that we have a strong consensus that this is a priority. Councilmember Daveline said it is a competitive application process as we have seen in the past; and the Department of Transportation is keenly aware of our project. He said we need to resubmit the application, connect with the Kansas delegation; and develop community support. Councilmember Soldner said she has swung the other way. She said for two years we have been trying to get the grant, but haven't been able to do so. She said we are getting "trashed" because we haven't done anything; and asked about the time frame. Mr. Peterson said they usually request that application be submitted between April and July, with notice of approval going out in October/November.

Councilmember Piros de Carvalho asked what the plans are if the City doesn't receive the grant. Mr. Peterson said the 2019 CIP included about \$2.5 million, which was the City's 20% portion of the grant application that was submitted last year. He said if there is no outside funding, the project would be significantly higher; and estimated it would probably be \$11 million for the corridor from the Arkansas River to Avenue A. Councilmember Daveline said he'd hate to part with millions of dollars; and said this is not a quick fix, but we need to work through the process. Councilmember Bagwell said she thinks we should try again. She said she was on the fence before, but if you're going to invest \$11 million into that area as well as the surrounding neighborhood roads and sidewalks, we need to reapply. Councilmember Bagwell asked if more maintenance could be done this year; and said we need to commit to a certain amount for repairs. Mr. Peterson said last year they did some chip sealing; and said this year the

City could do minor maintenance without investing a lot of money, but it wouldn't improve the look of the bridge. Councilmember Piros de Carvalho said she is strongly in line with Councilmember Daveline in that we can't let go of the opportunity of that infrastructure investment. She said the City can't shoulder a project of that size by ourselves; and said those bridges are too costly for our community to maintain. Councilmember Piros de Carvalho said we didn't do enough to engage the neighborhood in the solution; and asked what can be done prior to submitting the application to make sure they know they have been heard, to address their concerns, etc. Mr. Peterson said during the last meeting the group indicated some items that could help such as street and sidewalk improvements, but said not everyone will be on board. Additional discussion ensued.

Mayor Garza said he has walked these neighborhoods; and residents don't want the roundabout. He said they don't want the streets closed, saying they are the ones that live there. The Mayor asked about costs of repairing the bridges. Mr. Peterson said he would estimate \$5 to \$7 million, but an engineering study would be needed to see if the bridges could be repaired or if they would need to be replaced. He said the Avenue B bridge needs the most work, but the Avenue A and Avenue C bridges are of the same vintage. Mayor Garza said there needs to be meetings with the neighborhood to help them understand what is happening. Additional discussion ensued regarding meetings with the residents of the SW Bricktown area, costs to the City to repair/rebuild the bridges, etc.

Mr. Cantrell said he was at the last neighborhood meeting; and it was not good. He said in the interest of time, we need to either support resubmitting the application or not; and then have meetings as the application is pending so they know the nature of the application. He said those individuals will have the same opportunity to reach out to the same people the City contacts to express their opposition to the project. Mr. Cantrell said he believes that is what happened last time; and although they may have gotten involved later in the process, they shut the process down.

Councilmember Daveline said if you go back in time to the mid 1960's, there was an urban renewal funding program; and for some reason City leaders turned down the opportunity for funding which set this community back years and years. He said we have paid the price for that; and believe we would be highly criticized if we don't take advantage of this opportunity. Councilmember Bagwell said we need to learn how to compromise; and said maybe there are some other things that community needs which can be discussed. She said from the money saved if we were to receive the grant, those funds could be invested in that neighborhood. Councilmember Piros de Carvalho agreed; and the City Manager said she has made some good points. Councilmember Bagwell said we need to take into account the needs and desires of that section of town; and if we need to move forward, she is in favor of that for the long-term benefit for the community.

Mayor Garza said he thinks this tells the residents the council doesn't care about them; and said you have to listen to them. Councilmember Piros de Carvalho said there's a difference between listening and giving them everything they want. She said when the bowling alley was proposed, the entire area was opposed to the project. She said the neighborhood didn't want it, but it's done nothing to hurt property values. Councilmember Piros de Carvalho said the same thing happened when someone proposed apartments be built on Severance across from the water park. She said the whole neighborhood came out in opposition, even though this was one of the first multi-unit developments that had been built in years. She said at some point you have to take into account what else can be done while respecting the community at large. She said just because you don't do what they want doesn't mean we aren't listening. Additional discussion ensued regarding neighborhood improvements, neighborhood meetings, etc.

Councilmember Soldner said if we don't receive the grant, we need to start on something as it has been over two years; and there is a segment of the community that is getting frustrated that nothing is being done with the Woodie Seat. Mayor Garza said he would like to bring this back to the April 6 council meeting; and then begin neighborhood meetings. The City Manager said he doesn't know that it will change the outcome, but said the public would be able to attend the next council meeting.

Motion by Councilmember Daveline, second by Councilmember Piros de Carvalho to proceed with submittal of the BUILD grant application. The motion passed unanimously.

Mr. Cantrell said City Hall will be reopening on April 1. He also thanked Councilmember Piros de Carvalho for filling a vacant Cosmosphere board seat.

The Mayor asked how the City could advertise so people would know about the meeting. The City Manager said we don't advertise agenda items. Discussion ensued.

9. Adjournment

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

Upcoming Meetings

March 23, 2021	8:00 a.m.	Joint Study Session w/Hutch Rec
April 6, 2021	9:00 a.m.	City Council meeting
April 20, 2021	9:00 a.m.	City Council meeting