



MINUTES
CITY COUNCIL MEETING
COUNCIL CHAMBERS - HUTCHINSON, KANSAS
June 15, 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, June 15, 2021 in the City Council Chambers with Mayor Garza presiding. Councilmembers Piros de Carvalho, Daveline, Soldner and Bagwell were present.

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

3. The prayer was given by Pastor David Dubovich of Park Place Christian Church.

4. Proclamations

Mayor Garza announced he would like to do the Smallville Proclamation first.

b. The Proclamation for Smallville, Kansas – The Home of Clark Kent was accepted by Veronika Nelson with the Hutchinson Recreation Commission and Christopher Wietrick. Ms. Nelson spoke about her role at the Recreation Commission. She also spoke about the Third Thursday events, as well as events taking place on Saturday, June 19, including the Smallville 5k, 1 Mile Fun Run, Comic Con and the Pub Crawl.

Christopher Wietrick thanked the Recreation Commission as well as the other Smallville sponsors; and said this is going to be one of the biggest events in the past 15 months. He talked about the impact of Smallville, saying it is recognized in six continents, as well as having an impact locally. Mr. Wietrick said he recently came across an April article from an entertainment site in North Carolina asking if Smallville is a real place. He talked about the article; and said the last three paragraphs all focused on Hutchinson, saying we should have bragging rights. Mr. Wietrick also said next year will be the 10th year for the Smallville Proclamation.

a. The Proclamation for Boys & Girls Club Week was accepted by Skip Wilson and Sadye Patterson of the Boys and Girls Club. Mr. Wilson thanked the council; and invited everyone to come to the open house at The Mine, a new teen center located at 111 North Walnut, on Thursday, June 17, 2021 from 8:00 p.m. to 9:30 p.m.

Sadye Patterson, 2021 Youth of the Year, said she's been going to the Boys & Girls Club for a long time. She said her father is Lance Patterson with the Boys & Girls Club; and said she has been a member for 12-13 years. Ms. Patterson said she is a vision leader at The Mine; and said the Boys & Girls Club is a good place for kids to go after school and during the summer. She said it is a safe place to go and learn new things; and it makes a huge impact on those that attend.

Councilmember Bagwell said the Boys & Girls Club is very dear to her heart, saying it helps not only the children but also the adults as they have a safe place to take their children when they go to work, etc. She said her daughter attended the Boys & Girls Club through her teen years; and her son currently goes there, saying it's a good place for her son to socialize and to learn how to get along with others.

c. The Proclamation for Hutchinson Community College Blue Dragon Men's Football Team Day and Hutchinson Community College Blue Dragon Men's Golf Team Day was accepted by HCC's Athletic Director Josh Gooch. Mr. Gooch said they are honored to be here. He talked about the staff at HCC being very valuable; and said he hopes to do this again in the fall.

Coach Chris Young, golf coach for HCC, said he has been here for 23 years; and has coached for 21 years. He said many businesses help them out by allowing them to use the golf courses, providing vans, etc.

Football Coach Drew Dallas said Hutchinson is a special place. He said he has a special team, great coaches, great fans, etc. Coach Dallas thanked everyone that was involved; and thanked the City for allowing them to be here this morning.

The Mayor said as he listened to the game, he knew the City had to do something. He said he sent Mr. Gooch an email about having a parade for the football team. The Mayor said they talked back and forth, but since the team members had already gone home, a parade was not an option. Mr. Gooch said the Shrine Bowl will be having a parade on June 26 that will showcase how the community works together. He said Coach Dallas will be one of the individuals leading the parade; and said something will be done in the fall to celebrate the athletes that come back.

5. Petitions, Remonstrances and Communications

a. Community engagement poll results. Rebekah Keasling, Director of Public Information and Community Engagement, spoke about the poll that was done through a third party "Polco". She said the poll was promoted on local media, through Facebook, the City website, etc. Ms. Keasling said 264 responses were received; and spoke about the makeup of those responding. She said of those responding, the poll revealed that 17.3% of those households do not have a broadband internet subscription at home. Ms. Keasling said there is no way to reach everyone; and further spoke about creating more opportunities for engagement including more polls and surveys, a more responsive system for complaints, a more intuitive website, etc. She said she hopes to launch a new website and engagement tool this fall. Ms. Keasling said you can sign up to be notified of upcoming polls by going to <https://polco.us/Hutch>. Discussion ensued.

b. Oral communications from the audience. (Please limit your remarks to five (5) minutes and to items NOT on the agenda.)

Scott Brown with Arkano, said he is disappointed the project can't be fully funded as planned and is being scaled back. He spoke about the importance of the Arkansas River Water Trail and tourism, saying in the past six years

of operation they have seen tremendous growth in use of the river. Mr. Brown said in 2019 they had a clicker; and there were over 3,700 boats on the river. In 2020 there were over 5,700 kayaks. Mr. Brown showed a map with parking areas outlined; and spoke about the need for more parking as well as a pull-through. He said use of the river is growing in popularity; and it is important that we can accommodate visitors.

Mayor Garza said they have spoken a couple of times; and asked the City Manager if the City owns all of this property. Mr. Cantrell said he is not sure but would check. Additional discussion ensued. Mr. Cantrell said when we make improvements, we are bound to ADA standards; and this may be a bigger discussion than what it may seem to be.

6. Consent Agenda

- a. Approval of Minutes of June 1, 2021 City Council meeting.
- b. Approval of appointment to the Land Bank Board of Trustees of the following:
Adam Stewart, 18 East 13th, Hutchinson, KS to fill the expired term of James Gilliland for a term beginning 9/30/2020 to 9/30/2023.
- c. Approval of May 2021 financial reports.
- d. Approval of appropriation ordinance in the amount of \$1,820,086.79.

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.

7. Ordinances and Resolutions

- a. Consider Resolution of Support for Amtrak Passenger Rail Service. Jeff Cantrell, City Manager, said this is good for a lot of cities including Hutchinson. Councilmember Daveline said he is pleased to see the Resolution references federal funding and maintenance of the SW Chief that serves the City.

Motion by Councilmember Piros de Carvalho, second by Councilmember Bagwell to approve Resolution of Support 2021 R 6 by the Mayor and City Council of the City of Hutchinson, Kansas for expansion of Amtrak passenger rail service in Oklahoma and Kansas; and authorize the Mayor to sign. The motion passed unanimously.

- b. Consider Ordinance amending Section 21-107 of the Hutchinson City Code regarding Contractor License and Registration Requirements. Izzy Rivera, Building Official, spoke about the revisions. Discussion ensued.

Motion by Councilmember Piros de Carvalho, second by Councilmember Soldner, to approve Ordinance 2021 - 11 amending Section 21-107 Building Contractor License and Limited Contractor Registration Requirements as presented; and authorize the Mayor to sign. The motion passed unanimously.

8. New Business

a. Project update on Cow Creek drainage improvements. Jeff Peterson, Director of Engineering, gave a brief background, saying the Cow Creek Channel Expansion was one of the top priorities of the Stormwater Master Plan.

Eric Broce, with Wood Environment and Infrastructure Solutions, Inc. gave an overview saying the Cow Creek drainage area encompasses over four acres in the City. He said future projects may include areas along Elm, Main, East 2nd and Cleveland. Mr. Broce said early on the area between Avenue C and Avenue G was identified as where improvements needed to be made. He said they have found that the real bottleneck is outside of the project limits, citing the location of three railroad tracks near Cargill Salt which are pinching the waterflow down. Mr. Broce said they have run over 30 different scenarios that simulate the cost benefit; and said that unless they focus on the problem area south of Avenue G, the City could spend a lot of money but not get much benefit. He said they continue to engage stakeholders as they want to get the biggest benefit, but also want to make sure dollars are well spent. Mr. Broce said they are also investigating grant funding opportunities, etc.

John Covey, also with Wood Environment, spoke about the Master Plan data, saying they have established flows, both existing and future, and redeveloped the CIP stormwater model. He said what they develop now can be expanded as the City looks at upstream stormwater projects. Mr. Covey said they enhanced the FEMA flood risk study as they needed to identify where flooding would occur. He said they want this model to be as robust as possible; and talked about flow conditions, etc. He said we have to address downstream issues first, saying if you don't address the railroad issue, there won't be much improvement. Mr. Covey said opening the railroad points made a huge impact in the scenario; and he further spoke about the number of homes that may be able to be removed from floodplain, etc.

Mr. Broce talked about stakeholder engagement which includes regulatory agencies, property owners, utilities, railroad funding agencies, the Stormwater Advisory Committee, and the City. He said the first thing is dealing with the four railroad owners which is a bit of a challenge. Mr. Broce spoke about each of the railroads, saying they continue to have conversations, but it's not yet to the point to visit with citizens. He said the next steps will be to continue working with staff; engaging with stakeholders, evaluating potential funding opportunities, utility relocations, bridge modifications and stormwater channel improvements which include public amenities.

Councilmember Daveline said he appreciates them coming over; and said he has a thorough knowledge of the situation with multiple moving parts. He said this is a time sensitive process; and asked if they have a calendar as to what the time schedule looks like. Councilmember Daveline said this fee was imposed back in 2013; and said he is not sure any of them knew the longevity of this challenge. Mr. Broce said some stakeholders have been non-responsive; and they have to get this off dead center. He said Covid didn't slow them down, but he hears this from the stakeholders. Mr. Broce said it is hard to know how long this will take, as you have to be careful about how certain negotiations could impact the project. He said looking at utility relocations, it may be possible to have a bid package

ready by the end of the year or the first part of next year. Additional discussion ensued regarding project costs, conversations with the railroads, the possibility of involving KDOT in talks, etc. The City Manager indicated he would put a hold on things until the rail situation is resolved. He said in trying to project costs, everyone has a future dollar value. Mr. Cantrell said if we put too much pressure on them, the amount will probably be inflated. He said there won't be a speedy outcome.

9. Report of City Officials

a. Council

- Councilmember Bagwell had no comments.
- Councilmember Piros de Carvalho talked about the sesquicentennial for the City and County, saying several organizations are involved; and are putting together ideas how best to get information out. She said she is asking the City and County for a token amount of money; and has already talked to the county about a \$15,000.00 allocation, saying she hopes the City will do the same. She said there would be a large community event in 2022. Councilmember Daveline said he would suggest funding this from the 2022 budget. Councilmember Piros de Carvalho said she is hoping to use this year's budget; and said they hope to formally do a kick-off during the fall festival organized by the Hutchinson Recreation Commission. Discussion ensued about entities involved, the use of initial funds being requested, etc. The Mayor said he would like to wait until after the budget meeting and asked that this be tabled.

Councilmember Piros de Carvalho asked if the budget session would be streamed as she had several individuals inquire. The City Manager said he would leave it up to the Governing Body. Discussion ensued. Councilmember Piros de Carvalho said anything we can do to increase transparency is positive; and if we stream the meeting, we need to get that information out.

Councilmember Piros de Carvalho also said she has received e-mails about a noise ordinance. She asked what is covered in the current ordinance; and how it relates to disturbances. The City Manager said he knows we have something that is enforceable; and asked Chief Hooper to speak.

Chief Hooper said this originated from the Orchard Park issues; and there is another issue where a specific community member sent out e-mails a couple of weeks ago. He said the City Code only addresses loud music, not traffic or vehicles. Chief Hooper spoke about what the disorderly conduct ordinance covers; and said the specific cases they are dealing with haven't risen to that level. Councilmember Piros de Carvalho asked if we need to consider additional ordinances to address these issues. Chief Hooper said what we have is appropriate; and he

will continue to put officers out in the area who will take appropriate action if needed.

- Councilmember Soldner said Main Street looks nice where the new construction was done; and said it's nice to have striping. She said this needs to be done in other areas.
- Councilmember Daveline asked when the traffic signals at 9th and Main would be activated. Jeff Peterson, Director of Engineering, said they are on, but are only activated when a pedestrian pushes the button.
- Mayor Garza said he is excited about HCC winning the championship. He also congratulated the youth with the Boys & Girls Club.

b. City Manager

Mr. Cantrell said construction project costs are coming in very high. He said the concession stand at Hobart Detter has been tabled until it can be rebid. He said they are looking at bids as they come in; and said there is no reason to pay 200% more than what it would have cost six months ago. Councilmember Bagwell asked if we have any idea when things will level back out. Mr. Cantrell said it may be never, may be a couple of years, etc.

10. Executive Session

a. Motion by Councilmember Soldner, second by Councilmember Bagwell, to recess into executive session pursuant to the preliminary discussion relating to acquisition of real property exception, K.S.A. 75-4319(b)(6); the open meeting to resume in the City Council chambers at 11:45 a.m. The motion passed unanimously.

11. Adjournment

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

Upcoming Meetings

July 6, 2021	9:00 a.m.	City Council meeting
July 20, 2021	9:00 a.m.	City Council meeting