



MINUTES
CITY COUNCIL MEETING
COUNCIL CHAMBERS – HUTCHINSON, KANSAS
July 3, 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, July 3, 2018 in the City Council Chambers with Mayor Dechant presiding. Councilmembers Daveline, Piros de Carvalho, Soldner and Inskeep were present.

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

3. The prayer was given by Vice-Mayor David Inskeep.

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.)

Jana McCarron, Director of Planning & Development, recognized Amy Allison, who took the American Institute of Certified Planners exam in May. She said Ms. Allison passed with flying colors; and has been promoted to Senior Planner.

Kathy Moore, a former resident of the City of Hutchinson, said Hutchinson used to be referred to as the retail center for Western Kansas, but those days are gone. She said the current interest in cultural activities brings new visitors to the city. She spoke about attendance at events held at Stage 9, the Hutchinson Art Center, etc.; and said it's not just local people attending, but from as far away as California, Florida, Oregon, etc. She said visitors are likely to stay and enjoy a meal, visit local shops, etc. Ms. Moore encouraged the council to continue supporting the arts. Councilmember Daveline said he is the one that brought the cuts to the table; and it is only part of a proposal. He said this has been a very painful process; and can't disagree with what Ms. Moore said. Councilmember Daveline said they are faced with difficult budget decisions; and the items he brought to the table for budget cuts are only for discussion purposes.

5. Consent Agenda

a. Approval of Minutes of the June 19, 2018 City Council meeting.

b. Approval of reappointment to the Landmarks Commission of Jo Higgins, 615 E. Sherman, to a second three-year term beginning 8/11/2018 to 8/11/2021.

- c. Approval of appointment to the Visit Hutch Board of the following:
Nathan McClanahan with the Kansas State Fair in an attraction position with an unlimited term.
Phebe Duncan with RibCrib who will fill an at-large position with an odd-year term ending 12/31/2019.
- d. Approval of May 2018 financial reports.
- e. Approval of appropriation ordinance in the amount of \$1,315,870.78.

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

6. Ordinances & Resolutions

a. Consider Resolution declaring 225 South Main as a blighted building. Jim Seitnater, Downtown Development Manager, said this is an important project for downtown. He said the grant will be used to make repairs to the outside of the building including masonry, windows, etc. Mr. Seitnater said Casey Tillman of SCKEDD is writing the grant application; and will be administering the grant.

Casey Tillman of SCKEDD said the grant will be used for exterior work, as well as interior code issues. Mr. Tillman spoke about the exterior work to be done which includes tuckpointing, documents that need to be signed, etc. Discussion ensued. Mr. Tillman said the Notice of Public Hearing had been published in the Hutchinson News; and this would serve as the public hearing.

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

Scott Cooley, owner of the Stevens building, spoke. Mr. Cooley said they will be moving their existing facility from a 7,000 sq. ft. building to the Stevens building which is over 47,000 sq. ft. He said the boutique, salon and spa won't take that much space, but they do have some plans for the rest of the building, but those plans can't be disclosed at this time. Mr. Cooley said there will be at least two phases to the project, but that there may be as many as four phases. He said if they are awarded the grant, they have 12 months to have the business in the building.

Motion by Councilmember Piros de Carvalho, second by Councilmember Inskeep, to close the public hearing.

Mr. Seitnater said this is a historic building on the historic register, so all work will be approved through the historical society. He said this will be a great addition to downtown; and said it is a great anchor to the south end of Main Street. Councilmember Soldner asked if the project would be eligible for historic tax credits. Mr. Seitnater said there is a historic preservation specialist involved in the project; and any tax credits should be used on more high-end parts of the project. Mayor Dechant asked if this is the oldest standing building in Hutchinson. Mr. Seitnater said the original three-story section of the building was the original water mill for the City. He said the building was last used as a heating and air equipment warehouse.

Motion by Councilmember Daveline, second by Councilmember Soldner, to approve Resolution 2018 R 8 declaring a building blighted with respect to the Kansas Small Cities Community Development Block Grant Program (CDBG); and authorize the Mayor to sign. The motion passed unanimously.

Motion by Councilmember Soldner, second by Councilmember Piros de Carvalho, to approve Resolution 2018 R 9 certifying the legal authority to apply for the Kansas Small Cities Community Development Block Grant Program from the Kansas Department of Commerce, authorizing the Mayor to sign and submit such an application; and authorizing the Mayor to sign the Resolution. The motion passed unanimously.

Mayor Dechant said he has asked Ms. McCarron to separate the presentation regarding zoning amendments as best she can, following the motions suggested. He said a tremendous amount of work was done by the Planning Department; and acknowledged staff for all of their work.

b. Consider request for zoning regulation amendments pertaining to landscaping, paving/parking, site plans, administrative adjustments and exceptions. Jana McCarron, Director of Planning and Development, spoke. Ms. McCarron said the zoning ordinance has tentacles; and if you change one thing you have to find all of the other references and change those as well. She said the landscaping requirements used a complicated point system that was difficult to explain to people. Ms. McCarron said they wanted to simplify that by replacing the point-based system, as well as focusing more on key corridors.

Ms. McCarron also spoke about the changes in paving and parking requirements, exemptions, loading requirements, etc. She said boats, RV's and trailers larger than 18' in length and 10' in height must be parked on a paved surface in a building, carport, side yard or rear yard. Ms. McCarron said anything smaller than those dimensions would be allowed to be parked in the driveway. Discussion ensued.

Additional discussion ensued regarding the use of asphalt and millings, commercial rear parking, etc. Ms. McCarron said these changes are a good start; and changes can always be made if it's not working. Mayor Dechant said he hates to see us allow gravel parking lots. He said paving is expected in cities of our size, while in smaller cities you expect to see gravel. Ms. McCarron said the market/customer service will dictate if areas need to be paved; and is hoping this will allow for some development.

Bryant Anderson, 1001 Barberry Drive, said council is making a move in the right direction. He said while everyone would like the city to look pristine and nice, the reality is that you have to get in the mind of the business owner. He said it's sometimes hard to afford landscaping and paved parking areas; and asked the council how much time they want to spend on controlling what others do. Mr. Anderson said most business owners don't want parking lots with pot holes; and common sense dictates that if you want to compete you have to have good customer service and the facility has to look nice. He said it's not government's job to tell businesses what to do with their parking lots, how to handle customer service, what type of landscaping should be used, etc. Mr. Anderson again said council is making a move in the right direction, but they should try to stay away from thinking they know what is best for a person's business.

Motion by Councilmember Piros de Carvalho, second by Councilmember Inskeep, to approve Ordinance 2018 - 12 amending Article VII. Parking Regulations of Chapter 27 of the Code of the City of Hutchinson, Kansas; and authorize the Mayor to sign. The motion passed unanimously.

Mayor Dechant said he is not seeking to regulate how a business operates, but believes as a community we have a responsibility to the greater community regarding quality of life, aesthetics, etc.

Ms. McCarron spoke about landscaping requirements, as well as proposed changes. She said they are expanding the types of materials that can be used, but 50% of landscaping needs to consist of living materials. She said rather than using a point system they will be using minimum landscape area requirements. Discussion ensued regarding requirements for street trees, screening, parking area buffers, parking lot landscaping, islands in parking lots, etc.

Jon Richardson, 3401 Radcliffe Terrace, who operates Richardson Construction with his brother, said some of these changes would impact infill and the tax base; and said he is excited about this more as a citizen than as a contractor. He talked about the impact of the changes saying he has lost several projects in the past year and a half because of some of the zoning requirements. He said this will give commercial developers some ammunition when comparing Hutchinson with other cities.

Motion by Councilmember Piros de Carvalho, second by Councilmember Daveline, to approve Ordinance 2018 - 13 amending Section 27-908. Landscaping Requirements of Chapter 27 of the Code of the City of Hutchinson, Kansas; and authorize the Mayor to sign. The motion passed unanimously.

Mayor Dechant called for a break at 10:45 a.m. The meeting resumed at 10:53 a.m.

Ms. McCarron spoke about the Site Plan review, saying they are basically changing to meet other changes and current practices. Discussion ensued.

Motion by Councilmember Soldner, second by Councilmember Inskeep, to approve Ordinance 2018 - 14 amending Article X. Site Plan Review of Chapter 27 of the Code of the City of Hutchinson, Kansas; and authorize the Mayor to sign. The motion passed unanimously.

Next, Ms. McCarron spoke about Conditional Use Permits, Special Use Permits and Administrative Adjustments. She said the Administrative Adjustments section is new; and allows for minor adjustments to existing standards. She said an application is done; and a sign is placed in the front yard for 10 days. She said if there are no concerns, then an adjustment can be made. Ms. McCarron said if there are concerns, the applicant can file for an exception. She said Wichita has this in place; and it works very well for them. Discussion ensued.

Motion by Councilmember Daveline, second by Councilmember Soldner, to approve Ordinance 2018 - 15 amending Article V. Conditional and Special Use Permits of Chapter 27 of the Code of the City of Hutchinson, Kansas; and authorize the Mayor to sign. The motion passed unanimously.

Ms. McCarron spoke about changes to Zoning Appeals. She said this is required for administrative adjustments where public concerns are expressed. Ms. McCarron said it also gives the Board of Zoning Appeals some flexibility. Discussion ensued.

Motion by Councilmember Piros de Carvalho, second by Councilmember Soldner, to approve Ordinance 2018 - 16 amending Article XI. Board of Zoning Appeals of Chapter 27 of the Code of the City of Hutchinson, Kansas; and authorize the Mayor to sign. The motion passed unanimously.

c. Consider Resolution amending the Master Fee Schedule pertaining to Administrative Adjustments, Exceptions and Signs. Jana McCarron, Director of Planning and Development, said this simply establishes the fees for administrative adjustments, etc.

Motion by Councilmember Soldner, second by Councilmember Daveline to approve Resolution 2018 R 10 proposing amendments to the Master Fee Schedule; and authorize the Mayor to sign. The motion passed unanimously.

Ms. McCarron provided an update on the Development Committee. She said fence and shed brochures were sent out June 22, 2018, the website is being updated, education is on-going, etc.

Jim Seitnater, Downtown Development Manager, said it was the City Manager's desire that he thank Ms. McCarron in his absence for all of her hard work; and the years she has given to the City.

7. New Business

a. Consider Prairie Star II final plat. Amy Allison, Senior Planner, spoke.

Motion by Councilmember Daveline, second by Councilmember Soldner, to approve the recommendation of the Planning Commission to approve the final plat for Prairie Star II subdivision. The motion passed unanimously.

b. Consider Fun Valley Observation Deck recommendations. Justin Combs, Director of Parks and Facilities, spoke. He said this is really an exterior renovation as they want to prevent further deterioration of the steel structure. He said work includes cleaning, preparing and painting the exterior components of the concession building, repairing the steel support structure, fence replacement, etc.

Mayor Dechant asked if any other improvements had been made since the replacement of roofing materials a couple of years ago. Mr. Combs said other work had been done, but nothing structural. He said restrooms are the biggest concern; and those are scheduled for renovation in 2020. He said in the meantime they are going to try to make them look a little nicer. Discussion ensued regarding using epoxy paint on the concrete floor surfaces, etc.

Councilmember Inskeep asked Tony Finlay of the Hutchinson Recreation Commission if this will make the venue more marketable. Mr. Finlay said it will definitely look more presentable, but the restrooms are his biggest concern. He said parking is still

an issue, as well as the approach to the facility. He said Fun Valley hosts over 800 players through the Recreation Commission; and is home to Hutchinson High School and Hutchinson Community College softball. Additional discussion ensued.

Motion by Councilmember Inskeep, second by Councilmember Daveline, to approve contract with Ward Davis Builders, Inc. for an amount not to exceed \$217,793.00 for renovations to the Fun Valley Observation Deck; and authorize the Mayor to sign any necessary documents. The motion passed unanimously.

7c. Consider Taxiway A sealcoat grant request and construction services. Pieter Miller, Airport Manager, spoke. Discussion ensued.

Motion by Councilmember Daveline, second by Councilmember Inskeep, to approve accepting the low bid from McConnell and Associates, Inc. for an amount not to exceed \$307,357.54 for pavement maintenance associated with Taxiway Alpha at the Hutchinson Regional Airport, and contract for construction services related to Taxiway Alpha at the Hutchinson Regional Airport as presented by Lochner in the amount not to exceed \$56,500.00; and authorize the Mayor to sign any necessary documents. The motion passed unanimously.

8. Report of City Officials

a. Council

- Councilmember Piros de Carvalho wished everyone a Happy 4th of July. She also reminded people about the parade at 10:00 a.m. and fireworks at 9:45 p.m.
- Councilmember Inskeep wished everyone a Happy 4th. He told Ms. McCarron it had been a pleasure working with her, that she explained things very well; and was always well prepared and thorough.
- Councilmember Daveline echoed Councilmember Inskeep's comments; and said Ms. McCarron had taken the Planning Department to a new level.
- Councilmember Solder also echoed previous comments.
- Mayor Dechant had no comments.

b. City Manager

The City Manager was not in attendance.

9. Executive Session

a. Motion by Councilmember Piros de Carvalho, second by Councilmember Soldner, to recess into executive session pursuant to the employer-employee negotiations exception, K.S.A. 75-4319(b)(3) in order to discuss pending issues related to the 2019 contract negotiations with the City's bargaining units; the open

meeting to resume in the City Council chamber at 12:20 p.m. The motion passed unanimously.

The meeting reconvened in the City Council chambers at 12:20 p.m.

Motion by Councilmember Daveline, second by Councilmember Soldner, to recess into executive session pursuant to the consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship exception, K.S.A. 75-4319(b)2) to discuss personnel performance, the open meeting to resume in the City Council chamber at 12:35 p.m. The motion passed unanimously.

The meeting reconvened in the City Council chambers at 12:35 p.m.

10. Adjournment

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