



MINUTES
CITY COUNCIL MEETING
COUNCIL CHAMBERS - HUTCHINSON, KANSAS
July 7, 2020
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 7, 2020 in the City Council Chambers with Mayor Piros de Carvalho presiding. Councilmembers Daveline, Soldner, Garza and Bagwell were present.

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

3. The prayer was given by Pastor Gary Getting of Elliott Mortuary.

4. Proclamations

a. A Proclamation for Park and Recreation Month was accepted by Amy Conkling with the Hutchinson Recreation Commission and Justin Combs, Director of Parks and Facilities. Mr. Combs said as he's been thinking about what to say, he broke out the Master Plan. He said when people were asked about the purpose of parks and recreation, the top three responses were that it influences positive behavior and reduces juvenile crime, it is a safe place for activities during non-school hours; and encourage an active lifestyle that incorporates health and fitness. Mr. Combs said it's easy to put parks and recreation in a box, saying it's not just trails, youth athletics, etc. He said there are much greater benefits which include building character, teaching teamwork, building confidence, etc. Mr. Combs thanked the council for their support; and said the Hutchinson Recreation Commission has been a great partner over the past six plus years.

Amy Conkling with the Hutchinson Recreation Commission agreed with Mr. Combs' comments. She said COVID has changed our world; and thanked the community and Reno County for their work and dedication in providing them with opportunities for activities such as allowing aquatic centers to open, outdoor adventure camps, opening the Fun Valley sports complex, etc. Ms. Conkling said the community has supported them; and said they also appreciate the City's support.

5. 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.)

Mitch Gumble of 1506 Linwood Drive, said he is a small business owner who operates a furniture store and has rental properties. He said COVID has hit them hard. Mr. Gumble spoke about several of the properties he is working on, citations they have received, etc. He said there's not enough

time or money to get everything done before his next court date; and is asking for additional time from the City. Mr. Gumble said he's been buying homes for over 20 years; and there were no problems until 2016. He said it usually takes him several years to complete improvements to homes he purchases. Mayor Piros de Carvalho apologized and suggested meeting with the City Manager to see what can be done. Councilmember Bagwell said most of the homes he buys are dilapidated, having set for many years with no improvements. She said we need to thank him for purchasing these homes and making improvements. Councilmember Garza said he appreciates Mr. Gumble staying in Hutchinson with all he's gone through; and said we will take this one step at a time.

Jill Gumble, 1506 Linwood, said back in February before COVID happened, she talked to the City Council about forming a committee to look at those individuals with citations on their properties. She said the group was going to talk about setting guidelines and timelines. Ms. Gumble said she has a large concern about the amount of time and money being spent on taking people to court on insignificant citations. She said some people have to take off work for Court which sometimes means lost wages. Ms. Gumble said the City needs to work on establishing a fair process that provides equal treatment for everyone with consistent time frames. She said legal action should be used as a last resort; and as President of the landlords association she is here to help facilitate a better working relationship with the council, the city, the inspection department, etc.

Councilmember Bagwell said she has attended some Housing Commission meetings; and has tried to work with Ryan Hvitløk and the commission. She said those homes with life threatening situations need immediate attention, but if it's a property maintenance violation, then there should be at least a year before the matter goes to court. Ms. Gumble said they purchased a property in November and received a citation four days later for peeling and chipping paint. She said they were given 30 days to make repairs. Ms. Gumble said you can't paint in December because of the weather. Discussion ensued.

6. Consent Agenda

- a. Approval of Minutes of June 16, 2020 City Council meeting.
- b. Approval of Minutes of June 23, 2020 City Council special meeting.
- c. Approval of Minutes of June 30, 2020 City Council special meeting.
- d. Approval of request by Kansas State Fair for road closures, temporary signage, etc.
- e. Approval of appointment to the Airport Advisory Board of Adam Schneider, 2302 N. Meadowlake Drive, Hutchinson, KS to fill the unexpired term of Tyler Beachy from 1/01/2018 to 1/01/2021.
- f. Approval of appoints to the Hutchinson Housing Commission of the following:

Steve Dechant, 521 East Sherman, Hutchinson, KS, to fill the expired term of Aubrey Abbot-Patterson, for a first full three-year term from 6/29/2020 to 6/29/2023.

Roy Little, 2003 Cone Street, Hutchinson, KS for a first full three-year term from 6/29/2020 to 6/29/2023.

Angie Davenport, 809 Gene Street, Hutchinson, KS for a second three-year term from 6/29/2020 to 6/29/2023.

Nathan DeBerry, 2 West 21st, Hutchinson, KS for a second three-year term from 6/29/2020 to 6/29/2023.

Ryan Patton, 3504 Rockwood Drive, Hutchinson, KS for a second three-year term from 6/29/2020 to 6/29/2023.

- g. Approval of appointment to the Visit Hutch Advisory Board of Sondra Borth with the Crystal Ballroom at The Burt, to fill the expired term of Ryan VanZant, in an at-large position from 1/01/2020 to 12/31/2021.
- h. Approval of appropriation ordinance in the amount of \$3,099,757.20.

Councilmember Bagwell said she received an anonymous note about the appointment of Steve Dechant to the Housing Commission; and read portions of that note.

Paul Brown, City Attorney, said this item is on the Consent Agenda, and if the council wants to separate it out for discussion, then the council needs to do so. Mayor Piros de Carvalho asked that Item 6.f. be set aside for discussion.

Motion by Councilmember Daveline, second by Councilmember Bagwell to approve the Consent Agenda exclusive of Item 6.f.; and authorize the Mayor to sign. The motion passed unanimously.

Item 6.f. Councilmember Garza said he received a call asking how individuals were chosen for the various board and commissions, as the person had submitted an application but never received a letter saying they weren't chosen. Mayor Piros de Carvalho explained the process; and said applications are kept in the applicant pool for two years. Councilmember Garza said we are giving the power to only certain people; and that council needs to make the decisions. Mayor Piros de Carvalho said we can have this conversation at a later date, and that it would require the whole process to be changed. Mayor Piros de Carvalho said she understands Councilmember Bagwell's concerns regarding Mr. Dechant; and went on to express her reasoning for approving his appointment. Discussion ensued.

Motion by Councilmember Garza, second by Councilmember Bagwell, to reject the appointment of Steve Dechant to the Housing Commission. The motion failed by a vote of 3 to 2, with Councilmembers Bagwell and Garza voting in favor of the motion; and Councilmembers Soldner and Daveline, as well as Mayor Piros de Carvalho, voting no.

Motion by Councilmember Daveline, second by Councilmember Soldner to approve Item 6.f. appointments to the Housing Commission. The motion passed by a vote of 3 to 2, with Councilmembers Bagwell and Garza voting no.

7. Ordinances and Resolutions

a. Consider Ordinance amending certain sections of Chapter 27 of the Hutchinson City Code. Amy Allison, Senior Planner, spoke about the changes.

Motion by Councilmember Daveline, second by Councilmember Bagwell to approve Ordinance 2020 - 21 amending Sections 27-406.C. Use Table - Industrial & Other and 27-406.C.6. of Article IV. Zoning Districts, of Chapter 27. Zoning Regulations, of the Code of the City of Hutchinson, Kansas; and authorize the Mayor to sign. The motion passed unanimously.

8. New Business

a. Consider proposed Memorandum of Understanding with the Fraternal Order of Police.

Mayor Piros de Carvalho announced this item is being removed from the agenda; and will come before council at a later date.

9. Report of City Officials

a. Council

Councilmember Soldner said she received an invitation from Big Brothers Big Sisters to attend an information session about becoming a Big Brother or Sister. She said there are currently 49 youth who are looking for Bigs.

Councilmember Daveline said Salina just adopted an ordinance requiring mandatory masking. He said we have followed the guidelines the County set out; and asked what Hutchinson's policy is for public buildings. Jeff Cantrell, City Manager, said we are in unity with what's been put out by Reno County. He said other cities have separate ordinances, but what's being done is all over the place. Councilmember Daveline asked if there is any recommendation to alter the guidelines. Mr. Cantrell said he would propose changes if he felt we have an exposure issue that could impact employees; but, the action taken would be to shut down City buildings.

Councilmember Garza said we are in a position where we can change things and work together. He thanked the Gumbles for coming to the meeting. He said he's a voice for the people; and wants to see everything come together.

Councilmember Bagwell said we live in trying times right now; and we are faced with challenges, anxiety, etc. She spoke about the Constitution, free speech, etc.; and said we all need to come together in unity rather than everything being us against them.

Mayor Piros de Carvalho said she was approached by a local banker on the City's policy regarding a 30% letter of credit required for developments. She said she would like to look at the policy; and possibly make a reduction of the amount required for the letter of credit. Discussion ensued. The City Manager said in the past the City has done a good job of looking at each case individually; and that if we want to accommodate a phasing element, we will be looking at a policy with many more pages. Additional discussion ensued.

The Mayor said several businesses have indicated they are displeased that the community is not enforcing the mask mandate. She said if they are doing their part, but others aren't, and the economy is shut down again; many of the businesses indicated they will not survive. The Mayor said she also talked to several physicians and residents who all felt the same way. She asked if there was any consensus to put this matter on an agenda for a special meeting. Councilmember Bagwell said it should be left up to Reno County; and that a separate ordinance is not needed as we are all adults. Mayor Piros de Carvalho said we need to keep the economy open; and wants to be responsive to the concerns of local businesses. The Mayor said she also talked with the Chairman of the Reno County Commission, Ron Sellers, who said we need to do more to strongly encourage masks as many people are choosing not to wear them. She said we have approved ordinances in the past regarding health concerns (i.e. no smoking in parks); and citizens police each other. The Mayor said this is not something she would want to be litigated or criminalized, but is not sure how to mandate mask wearing without a punishment. She said she does want to have a broader conversation; and asked if action will be taken when there's 100 cases, 50 cases, etc. The Mayor said the public needs to have the opportunity to respond, so no action will be taken now as the item is not on the agenda.

Councilmember Daveline said we need to provide clarity to the public; and if our position is to follow the recommendation of the county, then that message needs to be clarified.

Mayor Piros de Carvalho said she would like to pull together a joint City/County meeting; and said Commissioner Sellers indicated an interest in such a meeting. Councilmembers Soldner and Daveline said they would also be interested.

Additional discussion ensued regarding mask wearing, what other cities are doing, etc.

b. City Manager

The City Manager said he has an opportunity that's unique to his career, which is walking into this city in the aftermath of a housing scenario that

didn't go well; and said the issue is still driving a lot of discussion. Mr. Cantrell said he spent ten years in Johnson County with these very issues; and said he has many ideas on how to make the situation better. He said he understands the issues; and there are a lot of tools we can employ to make changes. Mr. Cantrell said one of the changes will come internally from the City and its culture. He said this is a very complex area that is emotionally charged; and he doesn't want to add more layers of complexity. Mr. Cantrell asked the council for three to four months to implement some changes. He also said that he would not guarantee a meeting with property owners, but that he would assess each situation, would drive around and look at the properties as well as the case file history, etc. He said it is time to reset what has been done and to start over. Mr. Cantrell spoke further about housing stock, internal changes, etc.

10. Adjournment

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

Upcoming Meetings

July 15, 2020	3:00 p.m.	Budget Study Session
July 21, 2020	9:00 a.m.	City Council meeting
August 4, 2020	9:00 a.m.	City Council meeting
August 18, 2020	9:00 a.m.	City Council meeting