



MINUTES
CITY COUNCIL MEETING
COUNCIL CHAMBERS - HUTCHINSON, KANSAS
July 21, 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 21, 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 Paul Brown, City Attorney.

4. Proclamations

a. The Emancipation Day Proclamation was accepted by Datjaeda Moore, Human Relations Officer. Ms. Moore said there is a Facebook page that shows all of the activities taking place, as well as the locations. She said the events start on July 30 with the opening of the Chester I. Lewis Plaza, and concludes on August 1 with a picnic at the Stringer Fine Arts Center.

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.)

Natasha Russell, 8 S. Nelson, Chairperson of the Human Relations Commission, said she is in support of making the Human Relations Officer a full time position. She said the position is called for by City ordinance; and it is crucial that this position be made full time.

Mayor Piros de Carvalho said she has received several e-mails from individuals in favor of funding this as a full time position. She also thanked Ms. Russell for her service on the commission. Mayor Piros de Carvalho said she would like the position to be full time; and that she made that clear during the budget study session.

Ms. Russell said all of the councilmembers were given a white sheet at the budget study session showing the work the Human Relations Officer has been doing since she was hired. She said it's incumbent upon the City to come into compliance with the Human Relations Ordinance that exists in the City Code.

Councilmember Bagwell said this is a work in progress; and no one here is questioning the good Ms. Moore is doing in the community. She said she needs time to review the ordinance; and feels like this is being rushed. Ms. Russell said this has been going on for years; and is not being rushed. Ms. Russell said it's crucial to get it done now; and said the assumption on the part of the community is that council would take action on what they said they would do. She said the position was left unfilled for 10 years in contradiction to the Human Relations Ordinance, so she doesn't want to hear about it being a rushed issue.

Councilmember Garza said we are not done with this discussion; and said Ms. Moore does a great job. He also asked about funding a full time position. Councilmember Daveline said he doesn't recall a full time promise being made. Councilmember Soldner said if we weren't in the financial position we are in she would be in favor of making it a full time position. She said we just reduced the budget by almost \$6 million dollars; and the City can't print money in the basement. Councilmember Soldner said she is reluctant to make a financial commitment that she's not sure we can honor in the future. Mayor Piros de Carvalho said the fiscal impact is quite small considering the position is already funded for 30 hours. Discussion ensued.

Datjaeda Moore, Human Relations Officer, said she received a message from Aubrey Patterson with the Community Foundation; and proceeded to read the message from Ms. Patterson.

Councilmember Daveline said his position was clearly stated that with the constraints we have on 2021 budget. He, in good conscience, can't support funding for a full time position. He said he can support the \$53,520 line item; and if others can bridge the gap that would allow for a full time position, then he will support it. Councilmembers Garza and Bagwell agreed. Additional discussion ensued regarding additional costs to the City in the future, scope of duties for the position, review of the ordinance, timing of bringing this back to council, etc.

The City Manager said if you want the position to survive long term, you would not want to tie it to case load, as that would become problematic. Mr. Cantrell said one stone that gets thrown is that this position is a duplication of services offered by the State. He said we are one of the few cities that offer this position, even at a part-time level; and this would be a shift from caseload to outreach. Discussion ensued.

Tom Sanders, Human Resources Officer, said he has some information from Salina he can use in working on revisions to the job description, etc. Mayor Piros de Carvalho asked if this could be done by the next meeting. Mr. Sanders said he could probably have most of it done by that time.

Mayor Piros de Carvalho said moving forward, she appreciates the efforts on the technology piece, but said we need to provide the opportunity for people to come before the council even if it's by appointment. She asked other council members how they felt about allowing people into the building. Councilmember Garza said he agreed. Mr. Cantrell said if that's what council wants, then we will make accommodations. Todd Davis, Information Technologies Director, said before Mr. Cantrell started, the former City Manager had asked for recommendation; and it was determined there should be a staff person at the front door to take temperatures and asking the necessary questions of each individual wanting to attend the meeting. Mr. Davis said we would also need to rearrange the seating in the council chambers; and only let one person in at a time.

6. Consent Agenda

- a. Approval of Minutes of July 7, 2020 City Council meeting.
- b. Approval of License Agreement with Sandhills Development, LLC.
- c. Approval of June 2020 financial reports.
- d. Approval of appropriation ordinance in the amount of \$2,319,392.42.

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

David Sotelo Holguin, 2900 Acres Road, and a member of the Human Relations Commission asked council to support the expansion of the Human Relations Officer position to full time as the City needs to adhere to its ordinance. He said this is not being done just for people of color, but for anyone who faces discrimination.

7. New Business

- a. Consider proposed Memorandum of Understanding with the Fraternal Order of Police. Tom Sanders, Human Resources Director, gave an overview of discussions with the FOP. He said there are no changes to the agreement other than adding a "me too" clause. Mr. Sanders also said it was agreed by the other three bargaining units to delay negotiations; and they met for the first time yesterday. Mr. Sanders said those discussions will be addressed at a later meeting. Discussion ensued.

Motion by Councilmember Bagwell, second by Councilmember Garza, to approve the Memorandum of Understanding with the Fraternal Order of Police, Lodge 7 bargaining unit for 2021; and authorize the Mayor to sign. The motion passed unanimously.

8. Report of City Officials

a. Council

- Councilman Garza said the budget discussions are new to him, but he is glad we got through it. He also said he hopes we can get the Human Relations position full time.
- Councilmember Bagwell said she is not wearing her mask because the meeting isn't open to the public. She said there has been some confusion as to why she and Councilman Garza have a mask with them but don't wear them. She said masks shouldn't be mandatory; and that government shouldn't force them to do anything. Councilmember Bagwell said when meetings are again open to the public, she will wear the mask.
- Councilmember Daveline had no comments.
- Councilmember Soldner had no comments.
- Mayor Piros de Carvalho spoke about the Emancipation Day activities; and encouraged citizens to check out the Facebook page.

b. City Manager

Mr. Cantrell said he briefly discussed Letters of Credit with council at a previous meeting, but not specifically regarding the Quail Ridge Development. He said he has had conversations with the Mayor, RCB Bank, etc.; and the bank understands the City's policy. He said there are now seven lots in this development that are either complete or under construction; that they have met the 20% threshold for construction, but the City's policy is 35%. Mr. Cantrell discussed the policy requirements saying we may want to make a few revisions to the policy. Discussion ensued. Council agreed they were fine with the downward adjustment.

Mr. Cantrell spoke about the Human Relations Officer position saying he will reaffirm the commitment of the Community Foundation for 36 months, as well as looking at the cost of benefits, etc. for a full time position. He said this will be brought back to the council in August.

Mayor Piros de Carvalho said an Executive Session was added to the agenda.

Motion by Councilmember Daveline, 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 issues related to 2021 contract negotiations with the City's

bargaining units; the open meeting to resume in the City Council chambers at 10:20 a.m. The motion passed unanimously.

The meeting reconvened at 10:20 a.m.

Motion by Councilmember Soldner, second by Councilmember Garza, to recess into executive session pursuant to the employer-employee negotiations exception, K.S.A. 75-4319(b)(3) in order to discuss issues related to 2021 contract negotiations with the City's bargaining units; the open meeting to resume in the City Council chambers at 10:30 a.m. The motion passed unanimously.

The meeting reconvened at 10:30 a.m.

Motion by Councilmember Bagwell, second by Mayor Piros de Carvalho, to recess into executive session pursuant to the employer-employee negotiations exception, K.S.A. 75-4319(b)(3) in order to discuss issues related to 2021 contract negotiations with the City's bargaining units; the open meeting to resume in the City Council chambers at 10:40 a.m. The motion passed unanimously.

The meeting reconvened at 10:40 a.m.

9. Adjournment

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

Upcoming Meetings

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