



**MINUTES**  
**CITY COUNCIL MEETING**  
**COUNCIL CHAMBERS – HUTCHINSON, KANSAS**  
**August 21, 2018**  
**5:30 p.m.**

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1. The Governing Body of the City of Hutchinson, Kansas met in regular session at 5:30 p.m. on Tuesday, August 21, 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 Pastor Gary Getting of Elliott Mortuary.

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.)

Rhett Self, 1102 East 10<sup>th</sup>, said he saw the City prosper in the 50's, 60's and 70's, but things aren't being taken care of in the City; and we have lost a lot of people. Mr. Self went on to say the diversion ditches are not being taken care of as they are not being mowed. He said the ditches were not made to hold water, but were made to allow the water to drain. He said he talked with Jeff (Nichols) and Brian (Clennan) at Public Works; and was told they don't have the manpower or money to do everything. Mr. Self said Jeff told him they had 19 employees at one time, but are now down to nine. He said he worked for the City in Princeton, Texas; and there were three of them that took care of the entire City. He said if one needed help, the others would help him. Mr. Self said that system worked; and things got done.

Police Chief Dick Heitschmidt said the Police Department has received the 2018 Edward Byrne Memorial Grant from the Department of Justice in the amount of \$22, 221.00. He said these funds are shared with the Sheriff's Office, with the City getting 69% or \$15,332.00; and the Sheriff's Office receiving 31% or \$6,889.00. Chief Heitschmidt said they plan to use the money to replace 10-15 year old respirators.

5. Consent Agenda

- a. Approval of Minutes of the August 7, 2018 City Council meeting.
- b. Approval of voting delegates for the League of Kansas Municipalities Annual Conference.
- c. Approval of reappointment to the Landmarks Commission of Gale Wall, 1510 West 22<sup>nd</sup>, to a second three-year term beginning 8/11/2018 to 8/11/2021.
- d. Approval of appropriation ordinance in the amount of \$1,523,202.74.

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

6. Public Hearing

- a. Public hearing to consider adoption of the 2019 budget.

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

John Deardoff, City Manager, gave an overview of the 2019 proposed budget; and spoke about how they got to where they are today. He said the mill levy will remain unchanged at 44.123, which was one of the directives of the council. Mr. Deardoff said personnel services make up 68.9% of the budget which makes it difficult when faced with reducing expenses. He said they are eliminating 10 positions, with all but one being through attrition. Mr. Deardoff talked about sources of revenue; and said the General Fund balance at the end of 2018 will be approximately \$4.5 million and \$4.2 million at the end of 2019. He also spoke about the street program, Capital Improvement projects, utility costs, etc.

Rhett Self asked if we really know where we are going with the City. He said it wasn't this way when he grew up. He said everything is going up for sale; and we need to bring people back. He also talked about the increases in his taxes since he moved back to Hutchinson seven years ago. Councilmember Inskeep said the mill levy was left at a flat rate so there wouldn't be an increase in taxes. He said there are other taxing agencies. Mr. Deardoff said the City only represents 25% of the dollar; and it's important to know where the tax dollars go. Discussion ensued. Mayor Dechant encouraged Mr. Self to attend budget meetings in the future to voice his concerns. He said we all want to improve the City, but we are in challenging times. Councilmember Piros de Carvalho said we have a lot of positive efforts going on; and the sole focus of the Chamber's Economic Development Division is to bring in businesses, not just restaurants. She said the number one goal of the council was to bring in more industry; and they are trying to make it easier to develop here. Additional discussion ensued.

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

Mayor Dechant said he would like to move Item 8d on the agenda to be heard at this time, as it makes sense to approve the budget after the public hearing rather than at the end of the meeting.

8.d. Consider 2019 budget.

Motion by Councilmember Daveline, second by Councilmember Inskeep, to approve the 2019 budget. Councilmember Piros de Carvalho thanked everyone that gave input on the budget. Mayor Dechant said staff worked hard on this budget. He said it was a difficult year, but good in terms of input. He said challenges bring opportunity to seek solutions. The motion passed unanimously.

6.b. Consider partial right-of-way vacation on Avenue G between Elm and Plum.

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

Jeff Peterson, Interim Director of Engineering, spoke. Discussion ensued.

Clint Nelson of Interfaith Housing thanked the council for their consideration. He said they were approached by a local investor who wanted to develop senior housing in the southern part of town; and the vacation of this right-of-way will allow the developer to build a 16 unit senior housing complex consisting of quadplexes and duplexes. Discussion ensued.

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

Motion by Councilmember Piros de Carvalho, second by Councilmember Soldner, to approve the partial vacation of Avenue G between Elm Street and Plum Street as described in the Notice to Vacate and indicated on the site map based upon the responses from potential affected utilities and departments; and authorize the Mayor to sign. The motion passed unanimously.

7. Ordinances and Resolutions

a. Consider Ordinances amending various sections of Chapter 27 of the City Code. Amy Allison, Senior Planner, said the objectives of the ordinances are to reduce the number of uses, conditional use permits and special use permits, to improve approval times, to reduce barriers, etc.

Ms. Allison spoke about amendments to the definitions section saying some definitions were removed as they were no longer necessary or no longer used in the code, etc. Mayor Dechant asked why extra-territorial jurisdiction was removed. Ms. Allison said it may be brought back at a later date. The City Manager said we don't have extra-territorial jurisdiction, so it was removed. He said we have area of influence instead. Discussion ensued with the Mayor saying he would like us to move through the process of the discussion with the County. Councilmember Daveline said it would be beneficial to have the City Manager and staff meet with county staff before having the conversation with the elected body.

#### Motion #1

Motion by Councilmember Piros de Carvalho, second by Councilmember Daveline, to approve the recommendation of the Planning Commission to approve Ordinance 2018 – 21 amending Section 27-202. Definitions of Chapter 27 of the Code of the City of Hutchinson, Kansas; and authorize the Mayor to sign. The motion passed unanimously.

Ms. Allison spoke about accessory structures, saying they will now allow new, painted metal to be used for accessory structures, but they must resemble structures in the neighborhood. Councilmember Soldner said she would like to discuss carports. She said this was brought up by residents during the August 14, 2018 public hearing; and if there is an exception to be made, the amendment needs to be done now. Ms. Allison spoke about the various types of carports; and said they will still require a concrete base and be affixed to the ground. She also said they will be allowed only in the back or side yard of a residence. Discussion ensued about any impact this may have in the historic district, silver metal round tops, number of permits requested, etc.

#### Motion #2

Motion by Councilmember Piros de Carvalho, second by Councilmember Daveline, to approve the recommendation of the Planning Commission to approve Ordinance 2018 - 22 amending Section 27-314. Accessory Buildings and Uses of Chapter 27 of the Code of the City of Hutchinson, Kansas; and authorize the Mayor to sign. The motion passed unanimously.

Amy Allison, Senior Planner, spoke about the zoning district amendment, saying the R-6 Residential Infill District is designed for older neighborhoods with narrow, deep lots. She said they are proposing to reduce setbacks, increase lot coverage, allowing accessory dwelling units, etc. Ms. Allison also spoke about parking/paving standards, multi-family dwellings, land use tables, etc. Discussion ensued. Councilmember Soldner said she would like to amend the motion to not allow the landfill use classification.

Motion #3

Motion by Councilmember Soldner, second by Councilmember Inskeep, to approve the recommendation of the Planning Commission to approve Ordinance 2018 - 23 amending Article IV. Zoning Districts, of Chapter 27 of the Code of the City of Hutchinson, Kansas with the exception of landfill and restricted only to I-3 Heavy Industrial, removing all other conditional use permit uses; and authorize the Mayor to sign. The motion passed unanimously.

Ms. Allison spoke about supplemental regulations regarding salvage yards and self-service storage yards, saying they have been moved to a previous section.

Motion #4

Motion by Councilmember Daveline, second by Councilmember Inskeep, to approve the recommendation of the Planning Commission to approve Ordinance 2018 - 24 amending certain sections of Article IX. Supplemental Regulations of Chapter 27 of the Code of the City of Hutchinson, Kansas; and authorize the Mayor to sign. The motion passed unanimously.

Councilmember Soldner said the amount of work that was put into this is incredible; and thanked Ms. Allison for the simplification. Ms. Allison said that Jana McCarron, former Director of Planning and Development, did 95% of the work. Mayor Dechant said a tremendous number of things are happening in the Planning Department.

Mayor Dechant called for a break at 7:11 p.m. The meeting resumed at 7:20 p.m.

b. Consider Ordinance annexing various right of ways. This item was withdrawn from the agenda.

8. New Business

a. Consider Conditional Use Permit for a salvage yard located at 316 Spencer Street. Amy Allison, Senior Planner, spoke. Discussion ensued regarding fencing, zoning, etc. Councilmember Soldner requested that Mr. Manche speak to the council about his planned use of the property.

Ed Manche, owner of Silas Enterprises, spoke. Mr. Manche said the property is zoned industrial because Cook Manufacturing was located there years ago. He said that this property will be used as a holding area for cars, which will then be taken to his recycling facility. Mr. Manche said he doubts there will ever be more than 30 cars there at one time; and the front and sides of the property will

be fenced. He said there will also be lights and cameras installed. Discussion ensued.

Motion by Councilmember Inskeep, second by Councilmember Piros de Carvalho, to approve the recommendation of the Planning Commission to approve the Conditional Use Permit for a salvage yard to be located at 316 Spencer Street, pursuant to the factors and conditions listed. The motion passed unanimously.

Mayor Dechant said he would like to look at this again in the future saying the I-2 zoning designation “doesn’t fit for him.” Councilmember Inskeep asked if a graphic could be made showing all of the industrial pockets in the City. Ms. Allison said they can look into doing that, but it might take some time.

b. Consider Airport T-Hangar Manufacturer Bid Award. Pieter Miller, Airport Manager, spoke. He said this is Part I of the T-Hanger project; and once this is approved, they will move forward with site prep and concrete work. Discussion ensued.

Motion by Councilmember Daveline, second by Councilmember Piros de Carvalho, to accept the bid from Erect-A-Tube Inc. for manufacture and delivery of eight (8) metal t-hangars for an amount not to exceed \$155,945.00 for the Hutchinson Regional Airport; and authorize the Mayor to sign any necessary documents. The motion passed unanimously.

c. Consider Orchard Park Pavilion Bids. Justin Combs, Director of Parks and Facilities, reviewed the various phases of the project. He said Phase IV, which includes the pavilion, was bonded in the fall of 2017; and included in the 2017 budget. He said the proposed building is larger than others the City currently has; and reviewed the bid results. Mr. Combs said all of the bids came in well over budget; and he met with the architect last week to discuss ways to reduce the costs. He said he is confident it can be brought within budget; and discussed several options including making the structure a single level rather than two stories, reducing the size of the overhang, eliminating the limestone veneer, etc. Discussion ensued regarding use of the bond funds, competition with existing facilities, etc. Angela Richard, Finance Director, indicated she would need to talk with bond counsel to determine whether the funds can be used for another project, etc.

Councilmember Daveline said the competition issue is out there; and said at a future meeting he would like to have additional information regarding the Homebuilders Shelter and the Rice Park building including the number of times it is rented, the types of groups renting the facility, the cost to maintain the buildings, etc. Justin Combs said he will work on obtaining that information. Councilmember Inskeep asked about the demand for the building in the early planning stages. Mr. Combs said this came from the survey results that were done; and over half of

those that responded to the survey wanted some type of community building. Additional discussion ensued.

Motion by Councilmember Inskeep, second by Councilmember Soldner, to reject all bids for construction of the new park pavilion at Rivers Banks Orchard Park. The motion passed unanimously.

9. Report of City Officials

a. Council

- Councilmember Soldner had no comments.
- Councilmember Daveline asked for an update on the parking lot across from Smith's Market. He said it was scheduled to have lights put in; and wondered when that would be done. Jim Seitnater, Downtown Development Director, said we have the poles, but with the change in leadership in the Engineering Department, the project is "stuck". Jeff Peterson, Interim Engineering Director, said they have been working on other projects; and this one has been pushed back. Mr. Deardoff said the Engineering Department has had a lot of high priority issues they have been working on that have taken precedence over installation of the lights. Councilmember Daveline also commented about the budget issues South Hutchinson is facing; and wondered if it would be in order for the City to reach out and initiate a conversation with them about combining efficiencies. Councilmember Inskeep said any conversation is worth having, but we have to see if they are receptive. Other councilmembers agreed. Mayor Dechant said he thinks it is an excellent idea; and that he could reach out to the Mayor of South Hutchinson, but that he would like to give it some thought.
- Councilmember Inskeep had no comments.
- Councilmember Piro de Carvalho had no comments.
- Mayor Dechant had no comments.

b. City Manager

John Deardoff, City Manager, had no comments.

10. Executive Session

a. Motion by Councilmember Inskeep, second by Councilmember 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 2019 contract negotiations with the City's bargaining units; the open meeting to resume in the City Council chamber at 8:45 p.m. The motion passed unanimously.

11. Adjournment

The open meeting resumed in the City Council chamber at 8:45 p.m.

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