



MINUTES
CITY COUNCIL MEETING
COUNCIL CHAMBERS - HUTCHINSON, KANSAS
September 1, 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, September 1, 2020 in the City Council Chambers with Mayor Piros de Carvalho presiding. Councilmembers Soldner, Daveline, Garza and Bagwell were present.

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

3. The prayer was given by Pastor Kim Biery of Trinity United Methodist Church.

4. Proclamations

a. The Fair Housing Month Proclamation was accepted by Ryan Hvitlok, Planning Director. Mr. Hvitlok said it has been an interesting year when it comes to housing nationwide. He spoke of protected classes as well as equal rights and thanked Mayor for the Proclamation. Mr. Hvitlok said the City of Hutchinson takes fair housing very seriously and any complaints will be investigated.

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.)

Michael Kirk, 307 Walker Street, spoke on his concerns of Code Enforcement being unfair, he has called the City on a neighbor on fence issues and tall grass and can't get anybody to do anything. He gets put to answering machines and no one calls him back. He has been cited multiple times for having Tyvek on his home too long; yet two close neighbors have Tyvek on their homes longer than his. He has talked to Staff who told him unless someone is turned in, they don't do anything about it. Discussion ensued, Mayor Piros de Carvalho spoke of staffing changing, her disappointment that Mr. Kirk has had so many problems. City Attorney asked for Mr. Kirk's phone number and will follow up.

6. Consent Agenda

a. Approval of Minutes of August 18, 2020 City Council meeting.

b. Approval of Subordination Agreement for property at 417 East 16th Avenue, owned by Linda Utiger, as requested by Open Mortgage LLC.

- c. Approval of appropriation ordinance in the amount of \$858,791.27.

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

7. Ordinances and Resolutions

- a. Consider Ordinance amending Sections 27-807 and 27-812 of the Hutchinson City Code. Amy Allison, Senior Planner, spoke about the changes related to signage. Allison gave a brief history from 2018 where the City of Hutchinson amended the Sign Ordinance based on a supreme court decision where signage ordinances cannot be content based they have to be based upon the type of sign. Cindy Proett with Luminous Neon, 1429 W 4th; spoke regarding the changes and felt it will help open up the door allowing properties to have better signage. Section 27-807 was amended to separate the residential street classification from the non-residential/other classification and then to amend the maximum height permitted on residential streets from 10 feet to 20 feet. Section 27-812 amended the ordinance so freestanding signs in the P/I zoning district or P/I uses are permitted to have the standards established in Sec. 27-807 instead of 27-808.B. An exception was approved that if a freestanding sign in the P/I district or use was constructed on a lot that is less than 5 acres, located on an arterial or collector, and is adjacent to a residential use or district (including separated by a street), the maximum permitted sign height must be reduced by 50%.

Motion by Councilmember Daveline, second by Councilmember Garza, to approve Ordinance 2020 - 24 amending Sections 27-807 and 27-812, of Chapter 27 of the Code of the City of Hutchinson; and authorize the Mayor to sign. The motion passed unanimously.

8. Report of City Officials

a. Council

- Councilmember Bagwell had no comments.
- Councilmember Garza said he is doing well working at the Prison considering all the Covid cases.
- Councilmember Daveline had no comments.
- Councilmember Soldner had no comments.
- Mayor Piros de Carvalho had a couple questions for Ryan Hvitlok, Planning Director, about our current zoning regulations regarding public areas for outdoor dining or shopping. Mr. Hvitlok explained how our districts allow for sidewalk and parking lot uses, the only real stipulation is you cannot block the fire lanes. If a business reached out to them about extending into the sidewalk and or street we would talk to the Fire Department to make sure no lanes would be blocked but certainly

work within our current Ordinances. Mayor also asked about our CDBG Grant regarding daycare opportunities. September 15th 2020 is the deadline for applying. Also mentioned was conversations with USD 308 regarding pickleball solutions; for the time being we are being allowed to tape the tennis courts off Severance; in which the City will remove the tape before regionals start. Continuing to work with Hutch Rec in opening up the Sports Arena courts accessibility without a fee.

- City Attorney had no comments.
- Ryan Hvitlok, Planning Director, gave an update on the census; the federal deadline has been moved up to September 30; we want to make a hard push; census takers are out knocking on doors. Residents can fill out the form online at my2020census.gov; every household we miss, the city stands the chance to miss out on \$49K over the next 10 years; that can add up quickly to missed federal funds. 10 minutes, 10 questions and you are done. We are at 87% response including paper, online and census takers.

10. Adjournment

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

Upcoming Meetings

September 15, 2020	9:00 a.m.	City Council meeting
October 6, 2020	9:00 a.m.	City Council meeting
October 20, 2020	9:00 a.m.	City Council meeting