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**MINUTES**  
**CITY COUNCIL MEETING**  
**COUNCIL CHAMBERS - HUTCHINSON, KANSAS**  
**September 17, 2019**  
**9:00 a.m.**

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1. The Governing Body of the City of Hutchinson, Kansas met in regular session at 9:00 a.m. on Tuesday, September 17, 2019 in the City Council Chambers with Vice Mayor Piros de Carvalho presiding. Councilmembers Dechant, Daveline and Soldner were present. Mayor Inskeep was absent from the meeting.

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. Report on Townhomes at Santa Fe Place. Shara Gonzales presented statistics regarding residents, including ages, employment, income, etc. She said the Lt. Governor, along with representatives from the Community Foundation, toured the townhomes; and said they are being used as a case study by the State of Kansas on how to do moderate income housing using a public/private partnership. Discussion ensued.

b. Oral communications from the audience. (Please limit your remarks to five (5) minutes and to items NOT on the agenda.)

There were no oral communications from the audience.

5. Consent Agenda

a. Approval of Minutes of September 3, 2019 City Council meeting.

b. Approval of appointments to the Juvenile Corrections Advisory Board of the following:

Kathleen Carter, 1805 East 35<sup>th</sup>, Hutchinson, for reappointment to a sixth three-year term beginning 7/01/2019 to 7/01/2022.

Sondra Borth, 17110 S. Highpoint Road, Arlington, for appointment to a first full three-year term (replacing Deb Theis), beginning 7/01/2019 to 7/01/2022.

c. Approval of the appointments to the Planning Commission of the following:  
Logan Leuenberger, 4305 Pagoda, Hutchinson, to fill the unexpired term of Janet Hamilton, in at at-large position, for a term beginning 12/31/2017 to 12/31/2020.

Janet Pennington Gamber, 2519 Pennington Road, Hutchinson, to fill the vacant out-of-city position, for a first full three-year term beginning 12/31/2018 to 12/31/2021.

- d. Approval of the appointments to the Tree Board of the following:
  - Cammie Rumback, 220 East 15<sup>th</sup>, Hutchinson, is eligible for appointment to a first full three-year term beginning 4/19/2019 to 4/19/2022.
  - Frank Price, 1607 Cochran, Hutchinson, to fill the expired term of Bill Moyer, for appointment to a first full three-year term beginning 4/19/2019 to 4/19/2022.
- e. Approval of FAA Contract Tower Operating Agreement.
- f. Approval of August 2019 financial reports.
- g. Approval of appropriation ordinance in the amount of \$1,166,502.14.

Motion by Councilmember Dechant, 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 50<sup>th</sup> Avenue Right-of-Way Vacation.

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

Jeff Peterson, Engineering Director, spoke. Discussion ensued.

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

Motion by Councilmember Daveline, second by Councilmember Dechant, to approve the Order Vacating Street Right-of-Way; and authorize the Mayor to sign. The motion passed unanimously.

7. Ordinances and Resolutions

- a. Consider Resolution of Intent for refunding IRB's on behalf of Health Care Facilities (Wesley Towers). Paul Brown, City Attorney, spoke.

Motion by Councilmember Dechant, second by Councilmember Daveline, to approve Resolution 2019 R 16 of the Governing Body of the City of Hutchinson, Kansas determining the intent to issue Health Care Facilities Refunding Revenue Bonds of said City, in one or more series, for the purpose of refinancing and refunding certain outstanding revenue bonds issued by the City; and authorize the Mayor to sign. The motion passed unanimously.

8. New Business

a. Consider appeal of the Landmarks Commission decision regarding 522 East 1<sup>st</sup> Avenue. Aaron Barlow, Associate Planner, said the property is in disrepair; and the owner does not have the means to make the needed repairs. He said the Municipal Court Judge has ordered that the home be repaired or demolished.

Councilmember Dechant said it pains and saddens him that the house will be demolished, but realizes there is no alternative. He asked about the impact of the removal of this home, as well as the status of the historical designation of the neighborhood. Mr. Barlow said despite their best efforts, improvements have not been made; and council will see several more requests in the coming months. Mr. Barlow said with enforcement of the International Property Maintenance Code, more homes are being looked at that should have been taken care of 10-15 years ago. He said to bring these homes up to livable standards would take a considerable amount of money; and most owners are unable to spend the amount required.

Councilmember Dechant said he would like to officially request that there be some proactive measures taken so we don't just sit and watch while the homes deteriorate. He said as a community we are failing to protect our history. Vice-Mayor Piros de Carvalho asked if there were some way the Landmarks Commission could intervene before properties reached this point. Trent Maxwell, Building Officials, said this property, as well as the one at 524 East 1<sup>st</sup> were complaint driven, but in the near future they will be proactive in addressing violation issues. Mr. Barlow said the Landmarks Commission does have a plan of action; and they are working on reaching out to the community with development of a social media program. Discussion ensued.

Motion by Councilmember Soldner, second by Councilmember Dechant, to grant the appeal of the Landmarks Commission determination and authorize the issuance of a demolition permit for 522 East 1<sup>st</sup> Avenue based upon a finding that there is no feasible and prudent alternative to the project. The motion passed unanimously.

b. Consider arterial overlay change order. Jeff Peterson, Director of Engineering, spoke. Discussion ensued.

Motion by Councilmember Daveline, second by Councilmember Soldner, to approve Change Order No. 2 in the amount of \$185,136.26 with Cornejo and Sons, LLC. The motion passed unanimously.

c. Consider amendment to contract for Intermediate Pump Station at the Wastewater Treatment Facility. Brian Clennan, Director of Public Works, spoke. Discussion ensued.

Motion by Councilmember Dechant, second by Councilmember Daveline, to approve Amendment No. 1 to the contract documents for the City of Hutchinson, Kansas Primary Clarifier

Effluent Pipeline Project dated July 16, 2019; and authorize the Mayor to sign. The motion passed unanimously.

d. Consider adoption of revised Community Events Policy. Paul Brown, City Attorney, spoke about the amendments. Vice-Mayor Piros de Carvalho said this policy is much easier to read, but she does have one concern regarding barricades. Chief Hooper spoke about the use of barricades, what triggers the use of water filled barricades, etc. Discussion ensued.

Motion by Councilmember Daveline, second by Councilmember Soldner, to approve staff's recommendation to adopt revised City Council Policy No. 8. Including: Revised Hutchinson City Council Policy No. 8, Community Event Fees, Community Event Contact List, Frequently Asked Questions, Community Event Permit Application Checklist and Community Event Permit Application. The motion passed unanimously.

9. Report of City Officials

a. Council

- Councilmember Dechant said the Family Children's Theatre, in conjunction with Dillon Nature Center and the Hutchinson Zoo, will be presenting a children's play this weekend.
- Councilmember Daveline had no comments.
- Councilmember Soldner had no comments.
- Vice-Mayor Piros de Carvalho offered her condolences with regard to the passing of Det. Culley of the Reno County Sheriff's Department. She said his funeral will be Friday, at 10:00 a.m. at Trinity United Methodist Church.

Vice-Mayor Piros de Carvalho also asked about the status of the convention center. Mr. Deardoff said we are back in communication with the developer; and will hold off until he returns to Kansas the first week of October. He said he has talked with the Task Force; and they are excited about continuing their conversations with Leisure Development. Mr. Deardoff said he is disappointed we lost several months, but it is worth giving him the opportunity to put something together and moving forward. Vice-Mayor Piros de Carvalho said she hopes we stay on this until we find a solution for the community.

b. City Manager

Mr. Deardoff said we have had two parties interested in purchasing the former fire station at Avenue B and Walnut. He talked about the City policy

regarding sale of property; and said council has to decide whether they want to sell. He also said they have to decide if they want to privately sell it, go through a competitive bid process, sell at auction, etc. He said he doesn't expect a decision today, but will put this matter on the agenda for formal action. Mr. Deardoff asked council to think about how they want to proceed. Discussion ensued.

Vice-Mayor Piros de Carvalho said during the budget process there was a discussion regarding Memorial Hall; and its relationship to the fire station. She asked if anything was being done in that regard. Mr. Deardoff said there was not. He said we are keeping Memorial Hall open; and it is being utilized for several events during the year. He said he has had conversations with developers, but it's not an easy project to develop.

Councilmember Soldner asked about the status of the Landmark Hotel. Mr. Deardoff said there are issues there; and the brick on the building along the alleyway is starting to pull away. He said the City is getting cost estimates to shore up the building or to close the alley until something happens with the building. Mr. Deardoff said the owner is not doing anything with the property. Discussion ensued.

Councilmember Dechant said at one point he thought the fire station at Avenue B and Walnut was going to be used as our Information Technologies building. Mr. Deardoff said it was talked about, but it was more building than what was needed.

Mr. Deardoff also talked about the Orchard Park trail. He said the 43<sup>rd</sup> Avenue bridge is creating some problems, but we will proceed to bid on the project.

Councilmember Daveline asked about the traffic signal that was installed at 30<sup>th</sup> Avenue and Lucille. Mr. Deardoff said it's working well; and is doing it's job. He did remind council that the signal is only temporary.

## 10. Adjournment

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

### Upcoming Meetings

October 1, 2019	9:00 a.m.	City Council Meeting
October 15, 2019	9:00 a.m.	City Council Meeting