



MINUTES
CITY COUNCIL MEETING
COUNCIL CHAMBERS - HUTCHINSON, KANSAS
October 20, 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, October 20, 2020 in the City Council Chambers with Mayor Piros de Carvalho presiding. Councilmembers Soldner, Daveline, Bagwell and Garza were present.

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

3. The prayer was given by Pastor Darryl Peterson of Grace Christian Church.

4. Proclamations

a. The Proclamation for Disability Employment Awareness Month was accepted by Anthony Frischenmeyer of Prairie Independent Living Resources. He said they would normally be getting ready for Disability Mentoring Day; and this would have been their 20th anniversary. Mr. Frischenmeyer said they are doing the event virtually this year; and it has given those with disabilities a unique chance.

b. The Proclamation for Red Ribbon Week was accepted by Shaelee Mendenhall, Youth Leadership and Communications Program Coordinator with Rise Up Reno.

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.)

There were no oral communications from the audience.

6. Consent Agenda

a. Approval of Minutes of October 6, 2020 City Council meeting.

b. Approval of September financial reports.

c. Approval of appropriation ordinance in the amount of \$1,590,615.39.

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 authorizing General Obligation Bonds, Series 2020-B. Angela Richard, Director of Finance, said she is very pleased with the results of the bond sale. She said there were four bids, with the low bid coming from the Baker Group in coordination with RCB Bank of Hutchinson, with an interest rate of 1.82%. Discussion ensued.

Motion by Councilmember Daveline, second by Councilmember Garza, to approve Ordinance 2020 - 27 authorizing the issuance and delivery of \$6,670,000.00 principal amount of General Obligation Bonds, Series 2020-B, of the City of Hutchinson, Kansas; and providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on the bonds as they become due; and authorize the Mayor to sign. The motion passed unanimously.

b. Consider Resolution authorizing General Obligation Bonds, Series 2020-B.

Motion by Councilmember Bagwell, second by Councilmember Garza, to approve Resolution 2020 R 14 prescribing the form and details of and authorizing the delivery of \$6,670,000.00 principal amount of General Obligation Bonds, Series 2020-B, of the City of Hutchinson, Kansas; previously authorized by an Ordinance of the City; and authorize the Mayor to sign. The motion passed unanimously.

c. Consider Ordinance authorizing General Obligation Refunding Bonds, Series 2020-C. Angela Richard, Director of Finance, said there were three bids, with the Baker Group being the low bidder at 1.06%. She said these bonds will be paid earlier, so that is why the interest rate is lower. The Mayor asked if it would be wise to consider moving up some capital improvement projects or bonding more because of the low interest rates. Discussion ensued.

Motion by Councilmember Daveline, second by Councilmember Soldner, to approve Ordinance 2020 - 28 authorizing the issuance and delivery of \$7,280,000.00 principal amount of General Obligation Refunding Bonds, Series 2020-C, of the City of Hutchinson, Kansas; and providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on the bonds as they become due; and authorize the Mayor to sign. The motion passed unanimously.

d. Consider Resolution authorizing General Obligation Refunding Bonds, Series 2020-C.

Motion by Councilmember Soldner, second by Councilmember Bagwell, to approve Resolution 2020 R 15 prescribing the form and details of and authorizing the delivery of \$7,280,000.00 principal amount of General Obligation Refunding Bonds, Series 2020-C, of the City of Hutchinson, Kansas; previously authorized by an Ordinance of the City; and authorize the Mayor to sign. The motion passed unanimously.

8. New Business

a. Consider approval and awarding of CDBG-CV grant funds for small businesses. Ryan Hvitløk, Director of Planning and Development, spoke. Discussion ensued.

Motion by Councilmember Bagwell, second by Councilmember Soldner, to approve the recommendation of the CDBG-CV Review Committee to award \$27,570.00 in CDBG-CV grant funds to nine small businesses in the City of Hutchinson. The motion passed unanimously.

b. Consider approval of grant application to Kansas Department of Health and Environment. Ryan Hvitløk, Director of Planning and Development, spoke. He said Interfaith Housing received this property as a donation in 2016; and had intended to develop the building into income qualified apartments. Mr. Hvitløk said Interfaith had submitted an application for tax credits, but that application was not approved. He said Interfaith does still have plans to develop the building. Discussion ensued regarding the Brownfields Assessment program, costs to the City, liability for any environmental issues, etc.

Clint Nelson, Director of Housing & Development, said this is a “no cost review”; and said that regardless of the outcome, one of the options is to demolish the building. Mr. Nelson said they are simply asking the City to act as their sponsor. Additional discussion ensued.

Motion by Councilmember Garza, second by Councilmember Bagwell, to approve submittal of a grant application to the Kansas Department of Health and Environment Brownfields Targeted Assessment program; and authorize the Mayor to sign. The motion passed unanimously.

c. Consider bids for 2021 Residential Street Maintenance Project. Jeff Peterson, Engineering Director, spoke. Discussion ensued.

Motion by Councilmember Daveline, second by Councilmember Soldner, to approve the bid of \$1,188,824.80 from Circle C Paving and Construction, LLC; and authorize the Mayor to sign the contract, subject to compliance with all legal requirements. The motion passed unanimously.

d. Consider Supplemental Agreement for Washington Street Bicycle Boulevard. Jeff Peterson, Engineering Director, said this is just updating the grant award. Mr. Peterson said the project is administered by KDOT; and should go out for bid in March 2021. He said the project will not include a bicycle lane, but there will be signage, traffic circles, a raised median, etc. Discussion ensued regarding the completion date, additional phases, etc.

Motion by Councilmember Soldner, second by Councilmember Garza, to approve Supplemental Agreement No. 1 with the Kansas Department of Transportation for the Washington Street Bicycle Boulevard; and authorize the Mayor to sign the contract, subject to compliance with all legal requirements. The motion passed unanimously.

e. Consider Risk and Resilience Assessment and Emergency Response Plan. Brian Clennan, Director of Public Works, said vulnerability assessments will be done which will focus on incidents of terrorism, natural disasters, etc. He also spoke about the selection of CDM Smith for the assessment. Councilmember Daveline said he has reviewed the materials several times; and said he is troubled by the fact this Act appears to be an unfounded mandate placed by the federal government. He also asked about the fine that would be imposed by the EPA if an assessment is not done. Mr. Clennan said he was correct in that the City would be subject to a fine; and fines are approximately \$40,000.00 to \$50,000.00 per day. Mr. Clennan said the EPA is very serious about the assessments being done; and he wouldn't want to challenge them. Additional discussion ensued.

Motion by Councilmember Garza, second by Councilmember Bagwell, to approve an agreement with CDM Smith, Inc. for Vulnerability Assessment Professional Services; and authorize the Mayor to sign. The motion passed by a vote of four to one, with Councilmember Daveline voting no.

f. Consider Class I Disposal Well By-Pass Project Engineering Services Agreement. Brian Clennan, Director of Public Works, spoke. He said the City gets raw water from 17 groundwater wells, with three of those being remediation wells. He said the water goes through the water treatment plant, with approximately 25% of this water being waste which gets injected into the deep disposal wells. Mr. Clennan said the City has been concerned about the deep disposal wells, saying seismic activity is a concern. Mr. Clennan said the second concern staff has is an increase in the static fluid level in the wells. He said these wells wouldn't be viable in roughly 26 years, if injections continue at the same rate they are today. Discussion ensued regarding the water treatment plant, the Arbuckle formation, etc. Mr. Clennan said KDHE has suggested discharging the waste stream into the GVI ditch, which would reduce overall costs. He said this would also eliminate the need for a pump station and pipeline. Mr. Clennan also talked about the benefits of eliminating the flow to the Class I disposal wells. Additional discussion ensued.

Motion by Councilmember Soldner, second by Councilmember Daveline, to approve the agreement with Burns and McDonnell for Professional Engineering Services for Reverse Osmosis Wastestreams Disposal Options Feasibility Study; and authorize the Mayor to sign. The motion passed unanimously.

g. Update on detox treatment facility. Jeff Cantrell, City Manager, spoke. He said this is not a matter for formal action, but is just reaffirming council's previous action on this matter.

Shara Gonzales of New Beginnings said all of the architectural drawings are in the City's Inspection Department; and they are waiting on a building permit. She said they have signed an agreement with Borecky Construction; and can begin as soon as the building permit is issued. Ms. Gonzales said they have raised \$516,000.00, with private investors contributing 50% of that amount. She said the County had set aside money for this project, but put it back into the general fund when Covid happened. Ms. Gonzales said she will be meeting with the County asking them again for a \$50,000.00 contribution.

Harold Casey, Director of the Substance Abuse Center of Kansas said they have been open since 1995 working in Hutchinson and 28 other counties. He said they are looking to provide a 36-bed men's facility for providing detox and treatment. He said they may have some beds available for women, but they are not sure at this point. Mr. Casey said there are multiple women's treatment centers in Kansas with no waiting list, but the waiting list for men is three to four months. Mr. Casey talked about the Wichita facility, saying the facility here would be similar, but they would need additional staff for treatment. Additional discussion ensued.

Mr. Cantrell said he sees no objections; and will move forward with the contribution as originally discussed.

9. Report of City Officials

a. Council

- Councilmember Bagwell had no comments.
- Councilmember Garza offered his condolences to the Bush family at the passing of Bob Bush. He also talked about the Hutchinson High School football game; and encouraged people to go out and support them. Councilmember Garza also reminded everyone to wear their masks; and to be respectful.
- Councilmember Soldner had no comments.
- Councilmember Daveline had no comments.
- Mayor Piros de Carvalho also commented on the passing of Bob Bush, saying he had been on the City Council for eight years; and the City was made better by his service. She also gave kudos to the Planning Department saying she had received input from a constituent on an issue; and they were very complimentary about the Planning Department. The Mayor also brought up an issue regarding damages to the Severance Street tennis courts, asking if the City or the school district is responsible for repairs? She said she knows that Justin Combs has a long term solution for this, but in the meantime, the courts need to be repaired. Mr. Cantrell said he knows this has been an ongoing discussion; and involves a complex agreement that has been problematic for us.

b. City Manager

Mr. Cantrell said a tour of the Atrium has been scheduled for October 27, 2020 at 2:00 p.m.

Mr. Cantrell also spoke about the RFP for Fun Valley; and said a Study Session has been scheduled for November 10, 2020 at 6:00 p.m.

The City Manager said councilmembers have probably seen signage on Main Street regarding a street closure at Main & 5th from October 26 to November 26. He said this will allow the project to move along faster.

Mr. Cantrell said he has received a request from local developer, Christian Ablah, who has an interest in properties by mall. Discussion ensued regarding CID's, use of funds, intended uses, etc. Councilmember Daveline said Mr. Ablah has done several good projects, is a sharp business guy, but he's not sure about ultimate intent of the CID funds by Mr. Ablah.

10. Adjournment

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

Upcoming Meetings

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| November 3, 2020 | 9:00 a.m. | City Council meeting |
| November 10, 2020 | 6:00 p.m. | Study Session |
| November 17, 2020 | 9:00 a.m. | City Council meeting |