



MINUTES
CITY COUNCIL MEETING
COUNCIL CHAMBERS – HUTCHINSON, KANSAS
April 16, 2019
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, April 16, 2019 in the City Council Chambers with Mayor Inskeep presiding. Councilmembers Dechant, Daveline, Soldner and Piros de Carvalho were present.

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

3. The prayer was given by Mayor Inskeep.

4. Proclamations

a. A Proclamation for Arbor Day was accepted by Justin Combs, Director of Parks and Facilities, and Kari Mailloux, Chairman of the Tree Board. Mr. Combs said the City will be celebrating Arbor Day at Orchard Park along with employees of City Beverage and 4th grade students from Plum Creek Elementary School where they will be planting trees and perennials on Friday, April 26. Mr. Combs also said the Tree Board has been working on an Urban Forestry Master Plan over the past several months. He said the City has never had a plan; and has just planted trees based on where staff thought they should be placed. Mr. Combs said the master plan will look across the City using aerial photography to see where plantings would be the most beneficial. He said this will be funded mainly through the Tree Board and private donations.

Kari Mailloux said she is excited to have a master plan. She also shared several thank you notes she received from 4th grade students who received a tree that they could plant.

b. A Proclamation for Fair Housing Month was accepted by Datjaeda Moore, Human Relations Officer. Ms. Moore said she is honored to accept the Proclamation; and said that one of her tasks is to look into fair housing for everyone.

5. Petitions, Remonstrances and Communications

a. Brian Clennan, Director of Public Works said the City's Spring Clean-Up event is scheduled for April 27 - 28, 2019. He said there will be dumpsters at 15 locations, with several employees from Public Works working each day to assist the public. Mr. Clennan said there were 57 dumpsters placed last year; and over 148 tons of waste material was collected. He said there are some items that are not accepted which include tires, tree limbs, hazardous waste, appliances, computer waste, mattresses, etc. Mr.

Clennan said those items can be taken to the Reno County Landfill from 8:00 a.m. to 5:00 p.m., Monday through Saturday.

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

Nicholas Lam (address not provided) spoke about the announcement several weeks ago regarding Smart Cities, a 5G network, etc. He presented various statistics; and spoke about health concerns. Mayor Inskeep said he appreciates him coming forward; and said we are a beta test site; and we may or may not subscribe to the service.

6. Consent Agenda

- a. Approval of Minutes of April 2, 2019 City Council meeting.
- b. Approval of contract with the Emancipation Day Committee for the 2019 subsidy.
- c. Approval of contract with the Family Community Theatre for the 2019 subsidy.
- d. Approval of contract with the Hutchinson Symphony Association for the 2019 subsidy.
- e. Approval of contract with Stage 9 for the 2019 subsidy.
- f. Approval of contract with Cinco de Mayo for the 2019 subsidy.
- g. Approval of appointment to the Visit Hutch Advisory Board of Wes Bartlett, who will replace Jim Seitnater for an unlimited term.
- h. Approval of February 2019 financial reports.
- i. Approval of appropriation ordinance in the amount of \$1,311,549.97.

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

7. Ordinances and Resolutions

- a. Consider Resolution approving Kickin' it in the Thicket as a Special Event in a Designated Entertainment District. Paul Brown, City Attorney, spoke. Councilmember Daveline asked Mr. Brown to review the current policy on police security. Mr. Brown said it's not a policy, but each group is requested to have a security plan which the Police Department reviews. Councilmember Dechant asked if businesses were contacted; and Mr. Brown said he was not aware of any negative comments from businesses. Mayor Inskeep said the map alludes to concrete barriers; and asked how that would be coordinated. John Deardoff, City Manager, said the barricades would be provided by the event planner. Additional discussion ensued.

Motion by Councilmember Dechant, second by Councilmember Piros de Carvalho, to approve Resolution 2019 R 7 authorizing Kickin' it in the Thicket event, June 14, 2019 as a Special Event pursuant to City Code Section 18-801 et seq.; and authorize the Mayor to sign. The motion passed unanimously.

b. Consider Resolution approving Third Thursday/Smallville as a Special Event in a Designated Entertainment District. Paul Brown, City Attorney, spoke. Tony Finlay, Director of the Hutchinson Recreation Commission said this is the same event that was held last year, with 2,500 to 3,000 people in attendance. Councilmember Dechant asked about security for the event. Mr. Finlay said the Hutchinson Police Department will be providing security.

Motion by Councilmember Piros de Carvalho, second by Councilmember Dechant, to approve Resolution 2019 R 8 authorizing Third Thursday/Smallville, June 20, 2019 as a Special Event pursuant to City Code Section 18-801 et seq.; and authorize the Mayor to sign. The motion passed unanimously.

8. New Business

a. Consider request for approval to submit the 2019 Emergency Solutions Grant Application on behalf of Brighthouse, Inc. Amy Allison, Senior Planner, said this is a Federal Grant administered through the Department of Housing and Urban Development. She said the City has administered this grant since 1994; and said the City receives 2.5% of the grant amount for administration of the grant.

Donna Davis, Executive Director of Brighthouse, said they received financial assistance from the Community Foundation in June. Ms. Davis said they rebranded, knowing it would be a good thing; and it has been very positive for them. She said last year they housed over 60 people in the safe house, some for only a couple of days; and others up to six months. She said they have been able to hire a child victim advocate, as part of their work is to break the cycle. Ms. Davis said they have been visiting area high schools, teaching about healthy and unhealthy relationships; and spoke about the five Buhler High School students that raised \$10,000.00 for shelter renovations. Discussion ensued.

Motion by Councilmember Daveline, second by Councilmember Soldner, to approve the 2019 Emergency Solutions Grant (ESG) Application from Brighthouse, Inc. in the amount of \$40,092.00; and authorize the Mayor to sign grant application documents. The motion passed unanimously.

b. Consider Preliminary Design/Build Agreement for an intermediate pump station at the Wastewater Treatment Facility. Brian Clennan, Director of Public Works, spoke about the needed repairs saying parts are costly; and difficult to obtain. He said they have had to rent temporary pumps; and currently only three of the five pumps are operational. Mr. Clennan spoke about the proposed improvements; and the various phases of the project. Discussion ensued.

Motion by Councilmember Dechant, second by Councilmember Daveline, to approve the Preliminary Design-Build Agreement with Burns & McDonnell/CAS Constructors for an intermediate pump station at the Wastewater Treatment Facility; and authorize the Mayor to sign. The motion passed unanimously.

c. Consider Job Creation Incentive Policy. John Deardoff, City Manager, said the City has operated without a policy as it provided more flexibility. However, during recent discussions, some councilmembers stated the City should have a policy. Mr. Deardoff said the policy he drafted mirrors what the County is providing, with a few exceptions. Mr. Deardoff spoke about the incentives; and said there is still flexibility with the new policy.

Councilmember Daveline said this is a good start; and is long overdue. He spoke about the proposed incentives, the clawback provision, types of businesses that could receive the incentives, job retention, etc.

Mayor Inskeep said Councilmember Daveline's comments were well thought out; and he had great questions. He said he is also in favor of trying to help current businesses by offering incentives for job retention; and asked if it would need to be tied to promised growth on their part. Discussion ensued regarding businesses that took advantage of Industrial Revenue Bonds, definitions of primary jobs and retention, development agreements, etc.

Mr. Deardoff said this policy is a starting point; and he likes that the policy has some flexibility. Councilmember Daveline said we need to have some degree of consistency; and believes the word "retention" needs to be added to the policy. Discussion ensued as to adding the word "retention" to this policy, whether it should be contained in a separate policy, etc. Additional discussion ensued.

Councilmember Daveline spoke more about the types of businesses that should be eligible for incentives. Jim Seitnater, Interim Planning Director, said the term "wealth" used by Councilmember Daveline in previous statements, is a great term; and a great indicator of what companies, businesses or activities could bring to the community. He said you want to bring wealth into the community; and retirement homes may bring in a bundle of wealth. Mr. Seitnater said this is a changing world; and isn't sure how we can forecast what the next wave of jobs will be. He said he has heard that a 4th grader's job hasn't even been created yet. Additional discussion ensued.

Motion by Councilmember Dechant to approve the proposed Job Creation Incentive Policy as presented. The motion died for lack of a second.

Mayor Inskeep said the sticking point seems to be eligibility and job retention.

Motion by Councilmember Daveline, second by Councilmember Piros de Carvalho, to approve the proposed Job Creation Incentive Policy with an amendment to Article 8, so it reads as follows: "When an Applicant is considering locating in Hutchinson or when a City firm is contemplating expansion/job retention and has contacted the Chamber of Commerce...". The motion failed with Councilmembers Daveline and Piros de Carvalho voting yes; and Dechant, Soldner and Inskeep voting no.

Councilmember Soldner said she wants more clarification. Mayor Inskeep asked if a redraft of the policy needs to be done. The City Manager asked what the council wants redrafted. He said if it's adding the words "job retention", that motion failed to pass. He said if another

section is added concerning job retention, it takes away flexibility. Additional discussion ensued, at which time it was agreed that the matter would be tabled until the May 7, 2019 City Council meeting.

9. Report of City Officials

a. Council

- Councilmember Piros de Carvalho reminded everyone about the Week of the Young Child; and spoke about the various activities in the City.

She also asked about the process for when a complaint about a City employee is brought to the attention of a councilmember. Mr. Deardoff said complaints typically come to him or to a director. He said there is no formal written policy, but with proper information the matter is investigated. Mr. Deardoff said if an individual doesn't feel comfortable talking to him, they could talk to an elected official who would then pass on the information to him. Discussion ensued regarding forming a citizen review board, internal investigation procedures, etc.

- Councilmember Dechant had no comments.
- Councilmember Daveline had no comments.
- Councilmember Soldner had no comments.
- Mayor Inskip asked about barriers required when blocking streets, how they are delivered, the cost of said barriers, etc. Discussion ensued.

b. City Manager

Mr. Deardoff said there will be a meeting on April 23, 2019 at 9:00 a.m. in the City Council Chambers Conference Room for follow-up discussion regarding the Park Master Plan.

The City Manager also said there will be a Study Session on May 9, 2019 at 8:00 a.m. in the City Council Chambers Conference Room to review the report from the pavement management group that did a survey of City streets, etc.

10. Adjournment

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