

- 
- A. **CALL TO ORDER/ROLL CALL**  
\_\_Nisly \_\_Schmidt \_\_Weber \_\_Garretson \_\_Fairbanks \_\_Scofield
  
  - B. **PLEDGE OF ALLEGIANCE**
  - C. **APPROVAL OF AGENDA (ADDITIONS/DELETIONS)**
  - D. **CITIZEN COMMENTS**
  - E. **HEARINGS, PRESENTATIONS, PROCLAMATIONS & RECOGNITIONS**
  - F. **CONSENT AGENDA**
    - 1. Approval of Minutes – Regular Meeting, August 1, 2022
    - 2. Approval of InvoicesMotion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_
  
  - G. **ACTION ITEMS**
    - 1. Council Meeting Schedule Change (Ordinance No. 22-04)  
Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_
  
    - 2. Adoption of Standard Traffic Ordinance (Ordinance No. 22-05)  
Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_
  
    - 3. Adoption of Uniform Public Offense Code (Ordinance No. 22-06)  
Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_
  
    - 4. Sunday Alcohol Sales (Ordinance 22-07)  
Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_
  
  - H. **DISCUSSION ITEMS**
  - I. **CITY ADMINISTRATOR’S REPORT**
  - J. **GOVERNING BODY COMMENTS**
  - K. **EXECUTIVE SESSION**
  - L. **ADJOURNMENT**

**\*\*\*Immediately following the council meeting we will adjourn into a budget workshop session.**

**Meeting Date:** August 22, 2022  
**Department:** Administration  
**Prepared By:** Joseph Turner, City Administrator  
**Agenda Title:** Consent Agenda

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**Background/Analysis** – Consent agendas are designed to take routine business items, non-controversial items, and other matters where a consensus has been reached and combine them into one single motion and vote. Items on the consent agenda should not be discussed or debated by the governing body. Any member of the governing body may elect to pull an item from the consent agenda for a separate vote.

Notable Items:

- Approval of Minutes from August 1, 2022 regular meeting
- Approval of Invoices

**Recommendation** – Motion to approve the consent agenda as presented.

**Exhibit A** – Minutes from August 1, 2022 Regular Meeting

**Exhibit B** – AP Invoices



A. **CALL TO ORDER/ROLL CALL**

X Nisly X Schmidt X Weber X Garretson X Fairbanks X Scofield

B. **PLEDGE OF ALLEGIANCE**

C. **APPROVAL OF AGENDA (ADDITIONS/DELETIONS)**

D. **CITIZEN COMMENTS-Larry Bolton regarding Municipal Court.**

E. **HEARINGS, PRESENTATIONS, PROCLAMATIONS & RECOGNITIONS**

1. Introduction of Jeanelle Simpson | City Clerk Denise McCue’s Replacement

F. **CONSENT AGENDA**

1. Approval of Minutes – Regular Meeting, July 18, 2022

2. Approval of Invoices

*Motion:* Scofield                      *Second:* Weber                      *Vote:* 5-0

G. **ACTION ITEMS**

1. Request to move August 15<sup>th</sup> meeting date to August 22<sup>nd</sup>

*ACTION:* Motion to move the August 15<sup>th</sup> meeting date to August 22<sup>nd</sup>.

*Motion:* Schmidt                      *Second:* Weber                      *Vote:* 5-0

2. Right-of-Way Easement Agreement with Ideatek

*ACTION:* Motion to approve the agreement and authorize the Mayor to sign the required documents.

*Motion:* Fairbanks                      *Second:* Garretson                      *Vote:* 5-0

3. Cost Recovery for Staff Time

*ACTION:* Motion to approve the council setting the cost recovery fee structure for man hours to \$100 per hour, excluding the fulfillment of public information requests, and further give the City Administrator discretion to reduce or eliminate this charge at his or her discretion.

*Motion:* Schmidt                      *Second:* Scofield                      *Vote:* 5-0

H. **DISCUSSION ITEMS**

1. Housing Authority Check-in-Council approves letter for HUD grant.

2. Municipal Court Operations-will discuss at first in September.

3. City Hall Hours & Reorganization-Council approves the 4/10 work schedule and the Reorganization is still being considered.

I. **CITY ADMINISTRATOR’S REPORT**

J. **GOVERNING BODY COMMENTS**

K. **EXECUTIVE SESSION**

L. **ADJOURNMENT**

*Motion:* Weber                      *Second:* Schmidt                      *Vote:* 5-0

**\*\*\*Immediately following the council meeting we will adjourn into a budget workshop session.**

**Invoice Approval List  
August 22, 2022**

<b>Gen Gov</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
101-101-6000	Electric Billing	Evergy	\$546.22
101-101-6000	Phone service	Ideatek	\$27.50
101-101-6000	Cox	Cable	\$16.78
101-101-6000	Gas Service	Kansas Gas	\$37.67
101-101-6002	Blanket surety bond	CNA Surety	\$32.50
101-101-6002	CCMFOA Membership	CCMFOA	\$50.00
101-101-6002	Bond for City Clerk	Nationwide	\$115.00
101-101-6002	Drug test	Hutchinson Clinic	\$50.00
101-101-6003	Cleaning contract	FreshCo	\$225.00
101-101-7000	Name plate and name plate holders	Office Plus	\$28.75
101-101-7004	Cups and dog treats	Dollar General	\$7.75
			<b>\$1,137.17</b>
<b>Police</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
101-102-6000	Cable	Cox	\$39.87
101-102-6000	Phone service	Ideatek	\$27.50
101-102-6000	Electric Billing	Evergy	\$780.19
101-102-6000	Gas Service	Kansas Gas	\$85.26
101-102-6002	Annual Microsoft 365	Leading Edge	\$891.00
101-102-6002	Cleaning contract	Tabitha Maxfield	\$150.00
101-102-6004	Car wash	Carquest	\$16.08
101-102-6005	MIFI air cards and cell phones	Verizon	\$284.63
101-102-7002	STO & UPOC	League of Kansas	\$437.11
101-102-7002	Water	Culligan	\$28.00
101-102-7003	Fuel	Bridgman	\$1,304.39
101-102-7004	HDMI cable and batteries	Dynamic Electronic	\$130.76
101-102-7009	Uniform cleaning	Giant Laundry	\$5.50
			<b>\$4,180.29</b>
<b>Street</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
101-103-6000	Electric Billing	Evergy	\$500.77
101-103-6000	Phone service	Ideatek	\$27.50
101-103-6000	Gas Service	Kansas Gas	\$52.88
101-103-6005	Cell phones	Verizon	\$24.34
101-103-7002	Water	Culligan	\$14.00
101-103-7002	Radiator, thermostat, gasket, mirror	Carquest	\$1,212.16
101-103-7002	Edger blade, idler, ejector and oil	Fairview	\$139.70
101-103-7002	Delivery of rock	Harshman Brothers	\$778.18
101-103-7002	Rock	Harshman Construction	\$635.03
101-103-7002	Repair mule	Ely's	\$620.00
101-103-7002	Rebar, wire mat and cement	Mid American Redi Mix	\$1,827.90
101-103-7002	Tire repair	Tom & Dan's	\$63.25
101-103-7002	Thermostat	Rose Motor	\$51.21
101-103-7003	Diesel	Bridgman	\$466.96
101-103-7003	Fuel	Bridgman	\$331.41
			<b>\$6,745.29</b>

**Invoice Approval List  
August 22, 2022**

<b>Fire</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
101-104-6000	Cable	Cox	\$10.49
101-104-6000	Phone service	Ideatek	\$27.50
101-104-6000	Electric Billing	Evergy	\$732.48
101-104-6000	Gas Service	Kansas Gas	\$52.23
101-104-6004	Repaired Rescue 86	Runyan Diesel	\$260.64
101-104-6004	Hydrostatic test	Pye Barker	\$585.50
101-104-6004	Replace blower and capacitor	Decker Mattison	\$254.51
101-104-6005	Cell phone and tablets	Verizon	\$144.37
101-104-7002	Pest control	Bugsbros	\$149.00
101-104-7002	Towels	Carquest	\$48.72
101-104-7002	Water	Culligan	\$16.80
101-104-7002	Lights	Sunflower Electric	\$15.64
101-104-7003	Diesel	Bridgman	\$624.10
101-104-7003	Fuel	Bridgman	\$110.89
101-104-7004	Sledge handle	Rose Motor	\$46.95
101-104-7009	Shirts	Finchers	\$621.14
101-104-7009	Pants	Galls LLC	\$26.40
101-104-7009	Embroidery Fire Chief	Apollo	\$13.00
101-104-7011	Oil	Rose Motor	\$15.95
101-104-8000	Boots	Witmer	\$802.69
			<b>\$4,559.00</b>
<b>Park</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
101-105-6000	Electric Billing	Evergy	\$525.82
101-105-6003	Cleaning contract	FreshCo	\$100.00
			<b>\$625.82</b>
<b>Court</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
101-106-6004	Retrievals	Underground Vaults	\$34.75
101-106-6015	Court fees to State	KS State Treasurer	\$2,809.50
101-106-6017	July Jail fees	Reno County Sheriff	\$3,360.00
101-106-6018	Court Appointed Attorney	Benjamin Fisher	\$225.00
101-106-7001	Conference registration	KS Assoc Court Mgt	\$100.00
			<b>\$6,529.25</b>
<b>Non Dept</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
101-109-6000	Electric Billing & Street Lights	Evergy	\$6,233.17
101-109-6026	Refuse payment	Nisly	\$8,819.17
			<b>\$15,052.34</b>
		<b>GENERAL TOTAL</b>	<b>\$38,829.16</b>
<b>Water</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
201-000-6000	Electric Billing	Evergy	\$9,052.81
201-000-6000	Locates	Kansas One Call	\$30.60
201-000-6002	Water rights application	PEC	\$1,600.00
201-000-6005	Cell phones	Verizon	\$145.89
201-000-7002	Seat cover	Carquest	\$242.14

**Invoice Approval List  
August 22, 2022**

201-000-7002	Water	Culligan	\$14.00
201-000-7002	Gaskets, couplings, curbs, meter lid	Core & Main	\$2,706.11
201-000-7002	Cement for water line repair	Mid America	\$1,095.61
201-000-7002	Blue flags	USA Bluebook	\$70.74
201-000-7003	Diesel	Bridgman	\$466.97
201-000-7003	Fuel	Bridgman	\$326.84
			<b>\$15,751.71</b>
<b>Sewer</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
301-000-6000	Electric Billing	Evergy	\$12,466.07
301-000-6000	Locates	Kansas One Call	\$30.60
301-000-6000	Phone service	Verizon	\$320.98
301-000-6002	Annual AVEVA Support	Logic Inc	\$1,920.00
301-000-6002	Lab analysis	SDK	\$299.00
301-000-6002	Repair blower motor	Eck Services	\$463.00
301-000-6002	Remove catwalk at WWTP	Stainless Systems	\$4,500.00
301-000-6002	Repair drive	Zenor Electric	\$1,932.09
301-000-6003	Grit removal	Reno County Solid Waste	\$41.00
301-000-6005	Cell phones	Verizon	\$105.88
301-000-7002	Belt	Rose Motor	\$11.32
301-000-7002	Seat cover	Carquest	\$242.14
301-000-7002	Green flags & Solution	USA Bluebook	\$74.31
301-000-7002	Water	Culligan	\$14.00
301-000-7003	Diesel	Bridgman	\$466.97
301-000-7003	Fuel	Bridgman	\$305.27
			<b>\$23,192.63</b>
<b>Conv/Tour</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
701-000-6004	Transient Guest Tax	Market South Hutch	\$15,141.93
			<b>\$15,141.93</b>
<b>Donations</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
702-000-6004	Bounce house for Hutch 150	Tara Nicewander-Sugar Sweet	\$550.00
			<b>\$550.00</b>
<b>ASAP</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
801-000-6004	Restitution	SH Municipal	\$100.00
801-000-6004	Restitution	Roby Saret	\$50.00
			<b>\$150.00</b>
<b>Comm Ctr</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
811-000-6000	Electric Billing	Evergy	\$606.70
811-000-6000	Gas Service	Kansas Gas	\$60.49
811-000-6004	Cleaning Contract	FreshCo	\$550.00
			<b>\$1,217.19</b>

**Invoice Approval List  
August 22, 2022**

<b>Equip Res</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
901-000-8021	Outfit 2022 Durango	Superior Emergency	\$15,265.18
901-000-8023	Booster hose	Danko	\$584.15
			<b>\$15,849.33</b>
		<b>Grand Total</b>	<b>\$110,681.95</b>

**Meeting Date:** August 22, 2022  
**Department:** Administration  
**Prepared By:** Joseph Turner, City Administrator  
**Agenda Title:** Council Meeting Schedule Change

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**Background/Analysis** – The city council currently meets on the first and third Mondays of each month.

I have previously expressed my general dislike for Monday council meetings because:

- Every year a couple of meeting dates land on holidays and they need to be moved
- Monday Night Football conflicts potentially impact residents wanting to attend meetings
- Potential extended weekend/vacation conflicts

My preference is to move meeting dates to Tuesdays to avoid those holiday conflicts. It would also give council an extra day to study/review agenda packets because the packets would still have to go out ahead of the weekend.

Additionally, our city attorney may have a potential schedule conflict in the future based on our current meeting schedule. This would be alleviated with either the recommended change above or by switching to the second and fourth Monday of each month.

The options are as follows:

1. 1st and 3rd Tuesday
2. 2nd and 4th Monday
3. Keep current schedule as is

**Financial Impact** – None.

**Recommendation** – Staff recommends the council approve Ordinance 22-04 and move meetings to either of the first two options listed above.

**Exhibit C** – Ordinance No. 22-04 Council Meeting Schedule

**ORDINANCE NO. 22-04**

**AN ORDINANCE AMENDING CHAPTER 1, ARTICLE 1, SECTION 1-110 OF THE CODE OF THE CITY OF SOUTH HUTCHINSON, KANSAS, RELATED TO CITY COUNCIL MEETING TIMES**

WITNESSETH:

WHEREAS, the Governing Body of the City of South Hutchinson, Kansas, has determined that Chapter 1, Article 1, Section 1-110 of the Code of the City of South Hutchinson, Kansas, establishing regular meeting times of the governing body should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SOUTH HUTCHINSON, KANSAS, AS FOLLOWS:

SECTION 1. Chapter 1, Article 1, Section 1-110 of the City Code of the City of South Hutchinson, Kansas is hereby amended to read as follows:

**1-110. Meetings.**

(a) Regular meetings of the governing body shall be held at 6:00 p.m. on the \_\_\_\_\_ and \_\_\_\_\_ of each month. In the event the regular meeting day shall be a legal holiday, the governing body shall meet on the next regular working day at the same place and time.

(b) Special meetings may be called by the mayor at any time upon written request of three members of the council. The request shall state the matters to be discussed at such special meeting and no other matters may be considered at such meeting.

SECTION 2. All other ordinances, or parts thereof, or City policies inconsistent with Section 1 hereof, are hereby repealed and held for naught.

SECTION 3. This Ordinance shall be effective October 1, 2022 following its passage and publication on the South Hutchinson City website, [www.southhutch.com](http://www.southhutch.com), the official city newspaper.

PASSED, APPROVED AND ADOPTED by the governing body of the City of South Hutchinson, Kansas, this 22<sup>nd</sup> day of August, 2022.

\_\_\_\_\_  
Matt Nisly, Mayor

ATTEST:

\_\_\_\_\_  
Denise McCue, City Clerk

**Meeting Date:** August 22, 2022  
**Department:** Administration  
**Prepared By:** Joseph Turner, City Administrator  
**Agenda Title:** Standard Traffic Ordinance – (Ordinance No. 22-05)

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**Background/Analysis** – The City of South Hutchinson annually adopts revisions to the Standard Traffic Ordinance (STO) which is published annually by the League of Kansas Municipalities (LKM). The STO is a uniform code derived from Kansas statutes and may include local amendments pertinent to traffic laws adopted by the City Council each year.

The proposed ordinance (Draft Ordinance attached as Exhibit D) has been reviewed by our city attorney and city prosecutor.

**Financial Impact** – Minimal.

**Recommendation** – Staff recommends the Council approve the proposed ordinance (No. 22-05) adopting the 2022 edition of the Standard Traffic Ordinance.

**EXHIBIT D** – Ordinance No. 22-05

**ORDINANCE NO. 22-05**

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF SOUTH HUTCHINSON, KANSAS; INCORPORATING BY REFERENCE THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, 49<sup>th</sup> EDITION, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE NUMBERED 21-11.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SOUTH HUTCHINSON, KANSAS:

SECTION 1. INCORPORATING STANDARD TRAFFIC ORDINANCE. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of South Hutchinson, Kansas, that certain standard traffic ordinance known as the Standard Traffic Ordinance for Kansas Cities, 49<sup>th</sup> Edition, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. One copy of said Standard Traffic Ordinance shall be marked or stamped "Official Copy as Adopted by Ordinance No. 22-05," and to which shall be attached a copy of this ordinance and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city such number of official copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient.

SECTION 2. TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.

(a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118.

(b) All traffic violations that are included within this ordinance, and are not ordinance traffic infractions, as defined in subsection (a) of this section, shall be considered traffic offenses.

SECTION 3. PENALTY FOR SCHEDULED FINES. The fine for violation of an ordinance traffic infraction or any other traffic offense in which the municipal judge establishes a fine in a fine schedule shall not be less than \$10.00 nor more than \$100.00, except for speeding, which shall not be less than \$15.00 nor more than \$500.00. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense in which a fine has not been established in a schedule or fines shall pay a fine fixed by the court not to exceed \$500.00.

SECTION 4. REPEAL. Ordinance numbered 21-11 is repealed.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect and be in force upon its passing.

PASSED, APPROVED AND ADOPTED by the governing body of the City of South Hutchinson, Kansas, this 22<sup>nd</sup> day of August, 2022.

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Matt Nisly, Mayor

ATTEST:

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Denise McCue, City Clerk

**Meeting Date:** August 22, 2022  
**Department:** Administration  
**Prepared By:** Joseph Turner, City Administrator  
**Agenda Title:** Uniform Public Offense Code – (Ordinance No. 22-06)

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**Background/Analysis** – – The City of South Hutchinson annually adopts revisions to the Uniform Public Offense Code (UPOC) which is published annually by the League of Kansas Municipalities (LKM). The UPOC is a uniform code derived from Kansas statutes and may include local amendments pertinent to traffic laws adopted by the City Council each year.

The proposed ordinance (Draft Ordinance attached as Exhibit E) has been reviewed by our city attorney and city prosecutor.

**Financial Impact** – Minimal.

**Recommendation** – Staff recommends the Council approve the proposed ordinance (No. 22-06) adopting the 2022 edition of the Uniform Public Offense Code.

**EXHIBIT E** – Ordinance No. 22-06

**ORDINANCE NO. 22-06**

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF SOUTH HUTCHINSON, KANSAS; INCORPORATING BY REFERENCE THE UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES, 38<sup>th</sup> EDITION, PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE NUMBERED 21-12.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SOUTH HUTCHINSON, KANSAS, AS FOLLOWS:

SECTION 1. INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of South Hutchinson, Kansas, that certain code known as the Uniform Public Offense Code, 38<sup>th</sup> Edition, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. One official copy of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 22-06," and to which shall be attached a copy of this Ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

SECTION 2. REPEAL. Ordinance numbered 21-12 is hereby repealed.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect and be in force upon its passing.

PASSED, APPROVED AND ADOPTED by the governing body of the City of South Hutchinson, Kansas, this 22<sup>nd</sup> day of August, 2022.

\_\_\_\_\_  
Matt Nisly, Mayor

ATTEST:

\_\_\_\_\_  
Denise McCue, City Clerk

**Meeting Date:** August 22, 2022  
**Department:** Administration  
**Prepared By:** Joseph Turner, City Administrator  
**Agenda Title:** Sunday Alcohol Sales (Ordinance 22-07)

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**Background/Analysis** – At the previous meeting, Councilman Brian Garretson expressed a desire to allow the sale of alcohol on Sundays. City Attorney Mark Tremaine drafted the attached ordinance (Exhibit F) in response to this request.

Sunday alcohol sales were a topic of discussion in the City of South Hutchinson back in 2019. On April 1<sup>st</sup>, the council passed Ordinance 19-908 explicitly prohibiting the sale of alcohol on Sundays. This appears to have been in response to a local business owner's request to sale alcohol.

An article in the Hutchinson News published in October of 2019 read:

“This spring, Greg Dovel, part-owner of 505 Tobacco & Liquor, 328 N. Main St. - the zip code for South Hutchinson is 67505 - asked the South Hutchinson City Council to authorize Sunday sales. When the council didn't, Dovel spearheaded a petition drive to put the issue on the ballot.

Dovel had to collect 50 signatures of registered voters for the ballot question. He collected more than twice that number.”

The matter went before voters on November 5, 2019. Reno County's elections website indicates the measure failed on a vote of 321 to 361.

The council has the following options:

1. Do nothing and keep Ordinance No. 19-908 in effect
2. Approve Ordinance No. 22-07 and allow for the sale of alcohol on Sundays
3. Place the matter back on the ballot to be voted on

**Financial Impact** – Potential increase in sales tax revenues generated by the additional Sunday sales.

**Recommendation** – Staff does not have a recommendation.

**Exhibit F** – Ordinance No. 22-07 Sunday Alcohol Sales

**ORDINANCE NO. 22-07**

**AN ORDINANCE AMENDING CERTAIN PROVISIONS OF CHAPTER 3 –  
BEVERAGES OF THE CODE OF THE CITY OF SOUTH HUTCHINSON, KANSAS,  
RELATED TO SUNDAY SALES OF CEREAL MALT BEVERAGES AND  
ALCOHOLIC LIQUOR**

WITNESSETH:

WHEREAS, the Governing Body of the City of South Hutchinson, Kansas, has determined that certain provisions of Chapter 3 of the Code of the City of South Hutchinson, Kansas, related to Sunday sales of cereal malt beverages and alcoholic liquor should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SOUTH HUTCHINSON, KANSAS, AS FOLLOWS:

SECTION 1. Chapter 3, Article 2, Section 3-213 of the City Code of the City of South Hutchinson, Kansas is hereby amended to read as follows:

**3-213. Business regulations.**

It shall be the duty of every licensee to observe the following regulations.

- (a) The place of business licensed and operating under this article shall at all times have a front and rear exit unlocked when open for business.
- (b) The premises and all equipment used in connection with such business shall be kept clean and in a sanitary condition and shall at all times be open to the inspection of the police and health officers of the city, county and state.
- (c) Except as herein provided, no cereal malt beverage may be sold or dispensed:
  - (1) Between the hours of 12 midnight and 6 a.m.;
  - (2) in the original package not earlier than 9 a.m. and not later than 8 p.m. on Sunday;
  - (3) on Easter Sunday; or
  - (4) for consumption on the licensed premises on Sunday, except in a place of business which is licensed to sell cereal malt beverage for consumption on the premises, which derives not less than 30% of its gross receipts from the sale of food for consumption on the licensed premises.
- (d) On days the licensed establishment may operate, the premises must be cleared of customers by 12:30 a.m. It shall be unlawful for any licensed cereal malt beverage establishment to knowingly or unknowingly permit or allow any person to consume cereal malt beverage between the hours of 12:30 a.m. and 6:00 a.m. on licensed premises.

(e) Cereal malt beverages may be sold at any time alcoholic liquor is allowed by law to be served on premises which are licensed pursuant to K.S.A. 41-2701 et seq., and licensed as a club by the State Director of Alcoholic Beverage Control.

(f) The place of business shall be open to the public and to the police at all times during business hours, except that premises licensed as a club under a license issued by the State Director of Alcoholic Beverage Control shall be open to the police and not to the public.

(g) It shall be unlawful for any licensee or agent or employee of the licensee to become intoxicated in the place of business for which such license has been issued.

(h) No licensee or agent or employee of the licensee shall permit any intoxicated person to remain in the place of business for which such license has been issued.

(i) No licensee or agent or employee of the licensee shall sell or permit the sale of cereal malt beverage to any person under 21 years of age.

(j) No licensee or agent or employee of the licensee shall permit any gambling in the place of business for which such license has been issued.

(k) No licensee or agent or employee of the licensee shall permit any person to mix alcoholic drinks with materials purchased in said place of business or brought in for such purpose.

(l) No licensee or agent or employee of the licensee shall employ any person under 21 years of age in dispensing cereal malt beverages. No licensee shall employ any person who has been judged guilty of a felony.

SECTION 2. Chapter 3, Article 3, Section 3-304 of the City Code of the City of South Hutchinson, Kansas is hereby amended to read as follows:

**3-304. Hours of sale.**

No person shall sell at retail any alcoholic liquor in the original package:

- (a) On Sunday not earlier than 9 a.m. and not later than 8 p.m.;
- (b) on Easter Sunday, Thanksgiving Day or Christmas Day; or
- (c) before 9 a.m. or after 11 p.m. on any day when the sale is permitted.

SECTION 3. All other ordinances, or parts thereof, or City policies inconsistent with either of the above sections are hereby repealed and held for naught.

SECTION 4. This Ordinance shall be published once each week for two consecutive weeks on the South Hutchinson City website, www.southhutch.com, the official city newspaper.

SECTION 5. This Ordinance shall take effect 61 days after final publication, unless a sufficient petition for referendum is filed, requiring a referendum to be held on the Ordinance as provided in K.S.A. 41-2911, in which case this ordinance shall become effective upon approval by a majority of the electors voting thereon.

PASSED, APPROVED AND ADOPTED by the governing body of the City of South Hutchinson, Kansas, this 22<sup>nd</sup> day of August, 2022.

\_\_\_\_\_  
Matt Nisly, Mayor

ATTEST:

\_\_\_\_\_  
Denise McCue, City Clerk

## Monthly Water Rights Perfection Report

<b>2022 Water Usage (gal.)</b>				
	Well #3	Well #4	Well #5	Total
January	3,901,600	10,857,400	5,757,600	20,516,600
February	274,300	12,465,100	6,934,000	19,673,400
March	60,500	13,965,900	7,496,700	21,523,100
April	38,500	14,306,200	9,280,400	23,625,100
May	51,000	14,855,200	9,563,700	24,469,900
June	1,290,300	15,354,200	10,942,800	27,587,300
July	87,100	18,206,500	14,646,000	32,939,600
August	0	0	0	0
September	0	0	0	0
October	0	0	0	0
November	0	0	0	0
December	0	0	0	0
	5,703,300	100,010,500	64,621,200	170,335,000
Auth. Qty.	139,610,000	144,310,000	148,110,000	349,433,000
Amt. to Perfect	n/a	44,299,500	83,488,800	n/a

**CITY OF SOUTH HUTCHINSON, KANSAS**  
**JULY 1 - JULY 31, 2022**  
(THIS FORM MEETS THE REQUIREMENTS OF KSA 12-1608)

Fund	FUND NAME	OLD	RECEIPTS	DISBURSEMENTS	NEW	WARRANTS	DESCRIPTION
		BALANCES		(Warrants Pd)	BALANCES	OUTSTANDING	check number
101	General Operating	2,087,421.11	144,214.07	167,577.26	2,064,057.92		
201	Water Utility	138,888.08	61,098.75	40,668.98	159,317.85	80.00	114938
202	Principle & Interest	0.00	0.00	0.00	0.00	23.00	115389
204	Water Reserve	783,232.04	8,333.33	0.00	791,565.37	96.38	115646
301	Sewer Utility	334,162.34	96,742.44	46,495.56	384,409.22	100.00	116327
303	Sewer Reserve	1,213,261.58	8,333.33	0.00	1,221,594.91	334.28	116497
401	Special Highway	132,330.57	17,277.61	14,280.00	135,328.18	350.00	116522
402	Flood Control Maintenance	19,305.24	0.00	0.00	19,305.24	522.02	116536
403	St/Econ Dev-Sales Tax	397,518.81	11,393.53	0.00	408,912.34	75.00	116563
501	Employee Benefit	35,366.33	0.00	402.06	34,964.27	350.00	116616
502	Employee Health Insurance	202,579.90	4,061.17	3,619.51	203,021.56	92.00	116647
601	Bond & Interest	552,517.17	0.00	0.00	552,517.17	5,000.00	116654
701	Convention/Tourism	0.00	0.00	0.00	0.00	412.24	116673
702	Donations	6,243.24	10,000.00	10,745.00	5,498.24	12,795.10	116678
703	Special Park	3,757.94	0.00	0.00	3,757.94	283.83	116716
705	CID Love's	6,983.80	2,132.92	6,983.80	2,132.92		
801	ASAP	31,291.30	270.00	2,025.00	29,536.30		
802	Diversion	11,699.49	250.00	0.00	11,949.49		
805	Special Events	837.48	0.00	0.00	837.48		
806	Special Law Fund	2,953.12	0.00	0.00	2,953.12		
808	ARPA	379,691.58	0.00	0.00	379,691.58		
810	Neighborhood Revitalization	0.00	0.00	0.00	0.00		
811	Community Center	19,517.80	1,200.00	933.49	19,784.31		
812	Technology	5,547.44	200.00	0.00	5,747.44		
901	Equipment Reserve	747,534.68	14,583.01	5,000.00	757,117.69		
902	Capital Improvement Reserve	1,456,559.40	24,978.19	9,220.51	1,472,317.08		
911	2021 Temp Notes	0.00	0.00	0.00	0.00	(406.43)	Cr Card OSD
912	Bond Cost of Issuance	0.00	0.00	0.00	0.00		
913	Insurance Proceeds	0.00	5,000.00	0.00	5,000.00		
	<b>TOTALS</b>	<b>8,569,200.44</b>	<b>410,068.35</b>	<b>307,951.17</b>	<b>8,671,317.62</b>	<b>20,107.42</b>	<b>8,691,425.04</b>
<b>AVAILABLE CASH:</b>							
	Petty Cash				450.00		
1001	SIMMONS BANK - CHECKING ACCOUNT #100366				380,244.24		
1000	SIMMONS BANK - MMDA ACCOUNT #603570				4,381,295.19		
1008	SIMMONS BANK - CHECKING RESERVE # 1725				1,700,293.79		
1006	FARMERS BANK - FREEDOM CLAIMS MANAGEMENT INC				204,141.56		
1020	MUNICIPAL INVESTMENT POOL FUND 0203-01				0.26		
1050	SIMMONS BANK - Certificate of Deposit 06-02-2022 - Cap Equip 197818529				300,000.00		
1055	SIMMONS BANK - Certificate of Deposit 05-18-2022 General 197817117				500,000.00		
1056	SIMMONS BANK - Certificate of Deposit 06-02-2022 - General 197818420				200,000.00		
1057	SIMMONS BANK - Certificate of Deposit 06-02-2022 - General 197818503				250,000.00		
1075	SIMMONS BANK - Certificate of Deposit 06-02-2022 - Water 197818511				275,000.00		
1076	SIMMONS BANK - Certificate of Deposit 11-05-2021 - Water 197789886				200,000.00		
1080	Temporary Notes 2021				300,000.00		
	<b>TOTAL AVAILABLE CASH (TO AGREE WITH TOTAL FUNDS)</b>				<b>8,691,425.04</b>		
I, SHEILA STEVENS, DO HEREBY CERTIFY THAT THE ABOVE STATEMENT IS CORRECT.							
<i>Sheila Stevens</i>					CITY TREASURER		8/9/2022

**2022 Monthly Water and Sewer Accounts**

<b>Month</b>	<b>Res Acct.</b>	<b>Com Act</b>	<b>Total</b>	<b>New</b>	<b>Disconnect</b>	<b>Late</b>
January	851	213	1064	9	9	112 Res 11 Comm
February	848	211	1059	8	10	115 Res 12 Comm
March	849	212	1061	9	13	114 Res 11 Comm
April	849	211	1060	11	9	127 Res 4 Comm
May	848	211	1059	8	15	113 Res 7 Comm
June	846	211	1057	13	18	130 Res 12 Comm
July	844	213	1057	19	10	129 Res 16 Comm
Aug						
September						
October						
November						
December						

## Activity Report Aug. 22nd, 2022

- Chief Barajas attended Girls Firefighter Camp in New Britain Connecticut from Aug. 12-14, teaching young women about the firefighter profession.
- Attended Renewable Energy Training with Evergy and Wichita Fire on Aug. 4<sup>th</sup>.
- Having combined training over the use of vehicle stabilization struts on 08/23 in Arlington.
- Attending training with Burton Fire Dept. on Aug. 17<sup>th</sup> over hazards with BNSF.
- Annual Pump and Aerial Testing will be in Sept.
- Working on Hydrant flushing and flow testing.
- Our 2<sup>nd</sup> Annual 9/11 Memorial Walk for Sept. 10<sup>th</sup> will begin at 08:30 and the trail will lead people around the City of South Hutchinson, for 4.1 miles.
- Waiting for a response from OneOk on grant.
- Working with Hutchinson Fire over responding to calls on the Arkansas River.
- South Hutchinson had 2 structure fires in the month of July.

July 4<sup>th</sup> Residential Fire SHFD response time: 4 min and 38 sec.

July 18<sup>th</sup> Commercial Fire, SHFD response time: 3 min and 46 sec.

### Calls for July 2022

Person in Distress	1
EMS Incident	42
Gas/Flammable Spill	1
False Alarm	4
Assist Invalid	6
Canceled En Route	1
Assist other Govt Agency	1
Medical Assist	1
Smoke Odor Scare	1
MVA w/Injuries	1
Water Flow Issues	1
Building Fire	2
Good Intent	1
Arcing Electrical Equip.	1
Citizen Complaint	1

**65 Calls**

**Total for 2022: 375 Jan-July**



## PUBLIC WORKS REPORT

To: Honorable Mayor and City Council

From Ronnie Pederson, Public Works Superintendent

Re: Public Works Superintendent report for August 22, 2022 City Council Meeting

Date: August 18, 2022

### Streets

- Mowed irrigated city property.
- Mowed rough cut city property.
- Tractor mowing.
- Potholes west Des Moines.
- Serviced mowing tractor.
- Ordered driveshaft boot for bush hog repair.
- Poured curb and road at B and Poplar after water valve replacement.
- Poured concrete patch at Walnut and Des Moines after water main repair.
- Started the asphalt removal at E and Adams and began pouring concrete.

### Water

- Weekly checks and inspections completed.
- Changed chlorine cylinders at water wells.
- Monthly KDHE water samples collected.
- Completed monthly dead-end line flushing.
- One call utility locates.
- Ordered splash park controllers. (Splash pad is out of service.)
- Replaced 3 water main valves at B and Poplar.
- Water main break repair at Walnut and Des Moines.
- Meter repair 15 E 5<sup>th</sup>.
- Meter repair 18 James way.
- Replaced water meter setter and pit at 24 W Ave F.
- Checked multiple water meters.
- Continued cleaning water meter pits and documenting line material.

## PUBLIC WORKS REPORT (CONT.)

### Wastewater

- Daily and weekly checks and inspections completed.
- Monthly KDHE state test completed.
- Wasted sludge at facility.
- Rodded city sewer line (408 South Adams.)
- One call utility locates.
- Cleaned clarifiers and UV bulbs/channels.
- Stainless steel Inc. removed the failed barrel diffuser and catwalk from digester #2 and reinstalled safety handrailing.
- Sara Unruh with PEC engineering firm met with me about the digester aeration system upgrade. We discussed options to change out the failed barrel diffusers to coarse bubble diffusers like we began years back on digester #4. Since this isn't the same style of aeration and it's been many years since we retrofitted #4 digester KDHE must approve the changes like they did with digester #4.
- Pulled both submersible pumps at Manor lift station and unplugged.
- Unplugged the grit king in our headworks building.
- New belts on air compressor.

Zoning questions.

Inspections.

Bulk water request.

Customer concern questions/issues.

Code enforcement/ building permit questions/Flood plain questions.

Building permits.

## **CITY ADMINISTRATOR'S REPORT**

**To:** Honorable Mayor and City Council

**From:** Joseph Turner, City Administrator

**Re:** City Administrator Report for August 22<sup>nd</sup> Regular City Council Meeting

**Date:** August 19, 2022

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### **IdeaTek/Broadband Project Update**

A developer's agreement is still being drafted by the attorneys and I hope to have something for your review by the end of next week. Also, at the September 6<sup>th</sup> council meeting, there should be a resolution authorizing the sale of bonds placed on the agenda for this project.

### **Scott Blvd Bridge**

Bridge construction continues and I have not received any information that would suggest an extension of the timeline is necessary.

### **Reno County/Hutchinson 150<sup>th</sup> Sesquicentennial Celebration**

Representatives from our police and fire departments participated in the celebratory event. We also provided three bounce houses for the children by way of donations from Market South Hutchinson.

### **Adams St. Reconstruction**

Our public works team has begun replacing sections of the torn-up asphalt with concrete. The intersection of Adams & E should be finished by the end of next week. The team will soon thereafter begin work on the intersection of Adams & F.

### **Voss Park Splashpad Out of Service**

An electrical controller component that runs the splash pad failed the weekend of August 6<sup>th</sup> and it remains out of service. We have been told it will take several weeks to get the replacement part shipped to us. Note that the splashpad is nine years old and we have no reason to suspect anything other than ordinary wear and tear for the failure.

### **Fire Hydrant Flow Testing Continues**

The South Hutchinson Fire Department will be conducting their annual fire hydrant inspections and flow testing. Most residents should not be impacted by this. However, it is possible that this important work may cause some temporary discoloration and add some turbidity to the water.

Please check the schedule below. Residents are advised to let their water run for a little bit to clear their line, especially before any usage of your washing machine to prevent potential damage to clothing. The schedule is attached to the end of this report.

## 2022 Hydrant Flow Testing and Inspection Schedule

### South Hutchinson Hydrant Schedule

Date		Areas Affected
Aug. 1st - Aug. 5 <sup>th</sup>	R	West side of Blanchard, from outer City limits to Ensign Drive.
Aug. 8th - Aug. 12 <sup>th</sup>	P	Main street West to Ensign, including Friendship communities, Savannah, Bluestem Dr. and Tyson's.
Aug. 15 <sup>th</sup> – Aug. 19 <sup>th</sup>	B	North end south to 4 <sup>th</sup> street, North of Blanchard stopping at Main, including Morton Salt, Apollo's, Sunrise Acres, and Riverside Apt.
Aug. 22nd – Aug. 26th	O	3 <sup>rd</sup> east to west and south stopping at Ave. C, including areas of Dollar General, Bogey's Jr, Simply Overstocked
Aug. 29 <sup>th</sup> – Sept. 2 <sup>nd</sup>	B	Ave. D east to west and south to Ave F, including all hydrants on Scott Blvd, and Wilbeck Drive
Sept. 5 <sup>th</sup> to Sept. 16th	G	Everything South of Forest Ave., including Love's, Agri Center, Plaza Go