

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

\_\_Nisly \_\_Schmidt \_\_Schenk \_\_Garretson \_\_Fairbanks \_\_Scofield

**B. PLEDGE OF ALLEGIANCE**

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

**D. CITIZEN COMMENTS**

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

1. Appointment of Becky Bevilacqua as City Clerk with an effective date of December 30, 2022.

**F. CONSENT AGENDA**

1. Approval of Minutes – Regular Meeting, August 29, 2022
2. Approval of Invoices
3. Approval of Cereal Malt Beverage License (Kwik Shop – 8 N Main St.)
4. Approval of Cereal Malt Beverage License (Kwik Shop – 1006 S Main St.)
5. Approval of Cereal Malt Beverage License (Dollar General – 501 N Main St.)
6. Approval of Commercial Trash Hauler’s License (Stutzman Refuse Disposal)
7. Approval of Commercial Trash Hauler’s License (Nisly Brothers)
8. Approval to add City Administrator Joseph Turner and Becky Bevilacqua as authorized signer on accounts at Farmers Bank & Trust, Simmons Bank, and all certificates of deposit.
9. Approval to remove City Clerk Jeanelle Simpson as an authorized signer on all banking accounts, including Simmons Bank, and certificates of deposit with an effective date of December 30, 2022.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**G. ACTION ITEMS**

1. Ordinance No. 22-09 Wastewater Utility Rates

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

2. Ordinance No. 22-10 Water Utility Rates

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**H. DISCUSSION ITEMS**

1. Miscellaneous Items

I. **CITY ADMINISTRATOR'S REPORT**

J. **GOVERNING BODY COMMENTS**

K. **EXECUTIVE SESSION**

1. Attorney-Client Privilege

2. Non-elected personnel

L. **ADJOURNMENT**

**Meeting Date:** December 12, 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 November 29, 2022 regular meeting
- Approval of Invoices
- Appointment of City Clerk Becky Bevilacqua

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

**Exhibit A** – Minutes from November 29, 2022 Regular Meeting

**Exhibit B** – AP Invoices

A. **CALL TO ORDER/ROLL CALL**  
X Nisly \_\_ Schmidt X Schenk X Garretson X Fairbanks X Scofield

B. **PLEDGE OF ALLEGIANCE**  
C. **APPROVAL OF AGENDA (ADDITIONS/DELETIONS)**

Mayor Matt Nisly added Non-Elected Personnel session to Item K. Executive Session.

D. **CITIZEN COMMENTS**

Don Tolbert with the High Rise/Public Authority was here to speak on having issues with the upper management, and whether the Housing Authority was being managed as a private entity.

E. **HEARINGS, PRESENTATIONS, PROCLAMATIONS & RECOGNITIONS**  
F. **CONSENT AGENDA**

1. Approval of Minutes – Regular Meeting, November 14, 2022
2. Approval of Invoices

Motion Paul Scofield                      Second Fairbanks                      Vote 4-0

G. **ACTION ITEMS**

H. **DISCUSSION ITEMS**

1. Utility Rates
2. Woodie Seat Bridge Update

I. **CITY ADMINISTRATOR'S REPORT**

J. **GOVERNING BODY COMMENTS**

K. **EXECUTIVE SESSION**

Councilman John Fairbanks motioned to go into executive session concerning Non-elected Personnel for eight minutes, starting at 6:43 pm and returning at 6:51 pm. Meeting is to include only the council members.

Councilman Brian Garretson motioned to put the regular session council meeting back to order at 6:51 pm. Motion was seconded by Councilman Jeff Schenk. Motion passed 4-0.

L. **ADJOURNMENT**

Councilman John Fairbanks motioned for meeting to adjourn. Councilman Paul Scofield seconded the motion. Motion passed 4-0. Meeting adjourned at 6:52 pm.



**Invoice Approval List  
December 12, 2022**

<b>Fire</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
101-104-6000	Electric Billing	Evergry	\$405.20
101-104-6000	Internet Services	IdeaTek	\$27.50
101-104-6002	PM Service	Daniel Soto	\$2,326.00
101-104-6003	Tank Repair	Daniel Soto	\$761.00
101-104-6004	Fees	First Bank Card	\$59.96
101-104-6004	Property Tax	RN Cty Treasurer	\$106.00
101-104-6005	Cell Phones & Tablets	Verizon	\$144.27
101-104-6014	Training Lunch	First Bank Card	\$106.00
101-104-7001	Hotel	First Bank Card	\$326.10
101-104-7002	Lumber, Screws, Sheeting, Glucose Test	First Bank Card	\$321.56
101-104-7002	Husky Cover	Witmer Public Saftey Group	\$180.59
101-104-7003	Fuel/Diesel	WEX Bank	\$97.60
101-104-7009	Embroidery	First Bank Card	\$39.00
101-104-8000	Swivel Clips with Metal Buckel	Witmer Public Saftey Group	\$334.49
			<b>\$5,235.27</b>
<b>Park</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
101-105-6000	Electric Billing	Evergry	\$156.07
101-105-6004	Property Tax	RN Cty Treasurer	\$636.00
			<b>\$792.07</b>
<b>Court</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
101-106-6004	Inmate Care	Diamond Drugs	\$14.05
101-106-6015	Court Fees To State	KS State Treasurer	\$876.00
101-106-6016	Judge Services	Larry Bolton	\$1,100.00
101-106-6016	Attorney Services	Rick Roberts	\$1,100.00
101-106-7001	Membership Renewal	KS Association for Court Mgmt	\$50.00
			<b>\$3,140.05</b>
<b>Non-Dept</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
101-109-6000	Street Lights	Evergry	\$5,761.77
101-109-6000	Electrical Billing	Evergry	\$563.35
101-109-6026	Refuse Service	Nisly Brothers Trash Serv	\$9,107.13
101-109-7004	Property Tax	RN Cty Treasurer	\$7,319.49
			<b>\$22,751.74</b>
		<b>GENERAL TOTAL</b>	<b>\$42,724.54</b>
<b>Water</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
201-000-6000	Electric Billing	Evergry	\$3,663.25
201-000-6000	Locates	Kansas One Call	\$32.40
201-000-6003	Uniform Cleaning	Unifirst	\$114.35
201-000-6004	Training Utility Clerk	Jamie Arneson	\$825.00
201-000-6004	Fees	First Bank Card	\$44.97
201-000-6004	Postage Machine	Pitney Bowes	\$59.37
201-000-6004	Property Tax	RN Cty Treasurer	\$6,513.38
201-000-6005	Cell Phones	Verizon	\$145.67
201-000-7001	Renewal of Water Operator Mock	KDHE	\$20.00
201-000-7001	Janitorial Supplies	Janitorial Supply	\$74.20
201-000-7002	Blue & Green Survey Marking Paint	Michael Todd & Com	\$87.47
201-000-7002	Utility Flush	Lowe's	\$485.91
201-000-7002	Cleaning Supplies	Dollar General	\$25.94
201-000-7002	Shipping for Samples	First Bank Card	\$114.59
201-000-7002	Bend PJ PVC No Lead	Core & Main LP	\$133.52
201-000-7003	Fuel	Bridgman Oil	\$117.17
			<b>\$12,457.19</b>

**Invoice Approval List  
December 12, 2022**

<b>Sewer</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
301-000-6000	Electric Billing	Everygy	\$12,448.94
301-000-6000	Locates	Kansas One Call	\$32.40
301-000-6000	Phone Service	Verizon	\$1,306.48
301-000-6003	Uniform Cleaning	Unifirst	\$114.35
301-000-6004	Postage Machine	Pitney Bowes	\$59.37
301-000-6004	Property Tax	RN Cty Treasurer	\$2,902.01
301-000-6005	Cell Phones	Verizon	\$120.65
301-000-7002	Blue & Green Survey Marking Paint	Michael Todd & Com	\$87.46
301-000-7002	Cleaning Supplies	Dollar General	\$25.93
301-000-7002	Belts	Carquest	\$9.23
301-000-7003	Fuel	Bridgman Oil	\$74.04
301-000-7004	Batteries	Sunflower Electric Supply	\$6.90
			<b>\$17,187.76</b>
<b>Special Hwy</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
401-000-6002	Concrete	MidAmerica Redi Mix	<b>\$3,015.28</b>
<b>Streets/Sales</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
403-000-6002	Sealing Cracks	Powered by Me	<b>\$57,120.00</b>
<b>Donations</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
702-000-6004	Trunk or Treat Candy	First Bank Card	<b>\$1,033.97</b>
<b>Com Ctr</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
811-000-6000	Electric Billing	Everygy	\$285.62
811-000-6004	Cleaning Services	Freshco Cleaning & Restoration	\$550.00
811-000-6026	Refund on Community Room Rent	Cecilia Lira	\$150.00
811-000-7002	Duplicate Key	Pat's Key Lock	\$2.35
			<b>\$987.97</b>
<b>Equip Res</b>	<b>Description</b>	<b>Vendor</b>	<b>Inv. Amt</b>
901-000-8027	Caterpillar Generator	Foley Equipment Co	\$39,700.00
901-000-8027	Scorpion Spray in Bed Liner	Tom's Detail Shop & Car Wash	\$1,200.00
901-000-8027	New Water Truck Accessories	The Truck Store	\$343.00
			<b>\$41,243.00</b>
		<b>GRAND TOTAL</b>	<b>\$175,769.71</b>

**Meeting Date:** December 12, 2022  
**Department:** Administration  
**Prepared By:** Joseph Turner, City Administrator  
**Agenda Title:** Ordinance 22-09 Wastewater Utility Charges

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**Background/Analysis** – All residential and commercial wastewater utility customers have paid the same rate since January 1, 2018, without any increase.

Over this period of time, accumulated annual rates of inflation total approximately twenty (20) percent.

At the last council meeting, the governing body consensus was to increase wastewater rates across the board by five (5) percent. This is reflected in the attached ordinance.

**Recommendation** – Staff recommends the council vote to approve Ordinance No. 22-09

**Exhibit C** – Ordinance No. 22-09

**ORDINANCE NO. 22-09**

AN ORDINANCE AMENDING CERTAIN PORTIONS OF CHAPTER 15, ARTICLE 3, SECTION 15-308 OF THE CODE OF THE CITY OF SOUTH HUTCHINSON, KANSAS, RELATED TO MONTHLY RATES FOR THE DISCHARGE OF WASTE WATER INTO THE CITY SEWER SYSTEM.

WITNESSETH:

WHEREAS, the Governing Body of the City of South Hutchinson, Kansas, has determined that Chapter 15, Article 3, Section 15-308 of the Code of the City of South Hutchinson, Kansas, establishing monthly rates for the discharge of waste water into the City sewer system, should be amended.

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

SECTION 1. Chapter 15, Article 3, Section 15-308 of the City Code of the City of South Hutchinson, Kansas is hereby amended to read as follows:

**15-308. Minimum charge; user rates.**

(a) Each user who is connected to the City water system shall pay a minimum charge of \$10.50 per month. In addition thereto and subject to Section 15-306, each such user shall pay a User Charge rate of \$.00526, for each gallon of water metered. In the case of multiple family dwellings having common meters or mobile home parks having common meters, a minimum charge of \$10.50 per month shall be paid for each apartment (unit) or mobile home hookup therein. In addition thereto, and subject to section 15-306, a rate charge of \$.00526 for each gallon of water metered by any such common meter shall be paid.

(b) Each user who is not connected to the city water system, but who contributes wastewater, shall pay a flat rate minimum charge of \$25.86 per month.

(c) Each non-resident of the city, who is not connected to the city water system, but who contributed wastewater to the sewer system shall pay a minimum of \$30.33, per month.

(d) Each new customer shall pay a flat rate of \$29.40 per month until such customer has established an average monthly water usage as stated in Section 15-306.

(e) Each owner of residential rental property shall pay a flat rate of \$13.65 per month or portion thereof, for each such property which is unrented and/or unoccupied.

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 upon 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 12<sup>th</sup> day of December, 2022.

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

ATTEST:

\_\_\_\_\_  
City Clerk

**Meeting Date:** December 12, 2022  
**Department:** Administration  
**Prepared By:** Joseph Turner, City Administrator  
**Agenda Title:** Ordinance 22-10 Wastewater Utility Charges

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**Background/Analysis** – All residential and commercial water utility customers with monthly usage exceeding the minimum monthly charge as outlined in Ordinance 17-886 have paid the same rate since January 1, 2018, without any increase.

This means that the overwhelming majority of our users have not had a rate increase, including our heaviest users.

Over this period of time, accumulated annual rates of inflation total approximately twenty (20) percent.

At the last council meeting, the governing body consensus was to increase wastewater rates across the board by twenty (20) percent and to increase the monthly base charge for standard residential customers by \$1.83. This is reflected in the attached ordinance.

A 5,000-gallon residential customer will see the following impact on their bill:

Monthly Base Charge: \$8.39 (increase from \$6.56)

Usage Charge: \$15.30 (increase from \$12.70)

Total Bill: \$23.69 (increase from \$19.26)

Net Change: \$4.43 or 23%

As discussed at our prior meeting, even with these rate increases, South Hutchinson's water customers are still paying some of the lowest rates in the entire region.

At this new rate, South Hutchinson would rank 16<sup>th</sup> out of 18 cities surveyed, with only Clearwater and Hesston having cheaper rates at \$23.28 and \$14.20, respectively. Note that Hesston has not raised their rates since 2007.

**Recommendation** – Staff recommends the council vote to approve Ordinance No. 22-10

**Exhibit D** – Ordinance No. 22-10

**ORDINANCE NO. 22-10**

AN ORDINANCE AMENDING CERTAIN PORTIONS OF CHAPTER 15, ARTICLE 1, SECTION 15-131 OF THE CODE OF THE CITY OF SOUTH HUTCHINSON, KANSAS, RELATED TO MONTHLY RATES FOR WATER

WITNESSETH:

WHEREAS, the Governing Body of the City of South Hutchinson, Kansas, has determined that Chapter 15, Article 1, Section 15-131 of the Code of the City of South Hutchinson, Kansas, establishing monthly rates for water furnished by the city should be amended.

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

SECTION 1. Chapter 15, Article 1, Section 15-131(a) of the City Code of the City of South Hutchinson, Kansas is hereby amended to read as follows:

(a) The following monthly rates are hereby established for water furnished by the City to premises located within the City:

There shall be a flat rate of \$.00306 per gallon for the calendar year 2023; a flat rate of \$.00359 per gallon for the calendar year 2024; and a flat rate of \$.00411 per gallon for the calendar year of 2025.

SECTION 2. Chapter 15, Article 1, Section 15-131(b) of the City Code of the City of South Hutchinson, Kansas is hereby amended to read as follows:

(b) The following monthly rates are hereby established for water furnished by the City to premises located outside the City:

There shall be a flat rate of \$.00337 per gallon for the calendar year 2023; a flat rate of \$.00406 per gallon for the calendar year 2024; and a flat rate of \$.00490 per gallon for the calendar year of 2025.

SECTION 3. Chapter 15, Article 1, Section 15-131(c) of the City Code of the City of South Hutchinson, Kansas is hereby amended to read as follows:

(c) In addition to the flat rate provided for in subsection (a) above, water users within the City limits of the City of South Hutchinson shall pay to the City a minimum monthly fee which shall be determined by the size of the meter as follows:

Meter size	2023	2024	2025
.625"	\$8.39	\$10.24	\$12.18

Meter size	2023	2024	2025
1"	\$14.00	\$14.21	\$14.43
2"	\$32.20	\$32.68	\$33.17
3"	\$49.48	\$50.22	\$50.97
4"	\$197.19	\$200.15	\$203.15
6"	\$394.39	\$400.30	\$406.31

**SECTION 4.** Chapter 15, Article 1, Section 15-131(d) of the City Code of the City of South Hutchinson, Kansas is hereby amended to read as follows:

(d) In addition to the flat rate provided for in subsection (b) above, water users which are outside the City limits of the City of South Hutchinson, Kansas shall pay to the City a minimum monthly fee to be determined by the size of the meter as follows:

Meter size	2023	2024	2025
.625"	\$14.62	\$14.84	\$15.06
1"	\$30.81	\$31.27	\$31.74
2"	\$70.84	\$71.90	\$72.98
3"	\$108.85	\$110.48	\$112.14
4"	\$433.82	\$440.33	\$446.94
6"	\$867.63	\$880.65	\$893.86

**SECTION 5.** Chapter 15, Article 1, Section 15-131(f) of the City Code of the City of South Hutchinson, Kansas is hereby amended to read as follows:

(f) All customers who purchase bulk water from the City shall each time of purchase, pay a minimum of \$50.00. Additionally, all customers who purchase bulk water, each time of purchase shall pay a bulk water rate of \$.00490 per gallon for each gallon, or portion thereof.

**SECTION 6.** Chapter 15, Article 1, Sections 15-131(h) and 15-131(i) are hereby repealed.

**SECTION 7.** All other ordinances, or parts thereof, or City policies inconsistent with Sections 1 through 4 hereof, are hereby repealed and held for naught.

**SECTION 8.** This Ordinance shall be effective upon 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 12<sup>th</sup> day of December, 2022.

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Matt Nisly, Mayor

ATTEST:

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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	500	19,710,000	14,597,800	34,308,300
September	2,011,800	16,887,700	12,412,700	31,312,200
October	7,030,300	5,488,300	13,864,300	26,382,900
November	9,806,300	2,213,500	10,926,000	22,945,800
December	0	0	0	0
	<b>24,552,200</b>	<b>144,310,000</b>	<b>116,422,000</b>	<b>285,284,200</b>
Auth. Qty.	139,610,000	144,310,000	148,110,000	349,433,000
Amt. to Perfect	n/a	0	31,688,000	n/a

\*Green columns are water files eligible for perfection

\*\*White columns are water files that need to be perfected

## **CITY ADMINISTRATOR'S REPORT**

**To:** Honorable Mayor and City Council

**From:** Joseph Turner, City Administrator

**Re:** City Administrator Report for December 12<sup>th</sup> Regular City Council Meeting

**Date:** December 9, 2022

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### **Water Issues & Water Perfection**

On December 20<sup>th</sup>, staff will attend the Equus Beds Groundwater Management District 2 meeting where our appeal to convert irrigated water rights to municipal use will be heard.

Additionally, we received our certificate of appropriation to perfect Water File No. 40,536. This document needs to be filed with the Reno County Recorder's Office.

We will follow the same process for Well #4, which we have perfected. We will work to perfect Well #5 in 2023 and should have our entire municipal water rights allocation perfected.

In the event our appeal mentioned above is granted, we would then need to develop a plan to perfect that additional allocation of water at later date.

### **South Hutchinson Public Housing Authority**

The South Hutchinson Housing Authority responded to our public information request, but I have not had time to review those documents due to other more pressing obligations.

### **Cell Tower Court Hearing**

I attended a court hearing today with our special counsel, Austin Parker, regarding the cell tower application. This matter has been postponed until Monday, December 19<sup>th</sup>. Our attorney is contesting the fact that the applicant did not first seek out a variance to the set-back requirements. Further updates will be provided as warrants.

### **Bond Rating**

Next week I will meet with a representative from Moody's to go over our financials and hopefully secure an upgrade at a later date. Last year, Moody's upgraded us by one grade, and I am cautiously optimistic we will enjoy a similar outcome early next year.