

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

__Brislin __Cokeley __Nisly __Scofield __Griffin __Vacant

B. **PLEDGE OF ALLEGIANCE**

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

D. **CITIZEN COMMENTS**

E. **CONSENT AGENDA**

1. Approval of Minutes – Regular Council Meeting, April 28, 2025
2. Approval of Invoices
3. Approval of Cereal Malt Beverage License (Plaza Go)
4. Approval of Cereal Malt Beverage License (Love’s Travel Center)

Motion _____ Second _____ Vote _____

F. **ACTION ITEMS**

1. Appoint Matt Elliott to city council replacing Robert Wylie

Motion _____ Second _____ Vote _____

2. Approve Resolution 25-02, intent for industrial revenue bond

Motion _____ Second _____ Vote _____

3. Approve purchase of new UTV for Fire Department

Motion _____ Second _____ Vote _____

4. Approve allocation of funds to support Chamber of Commerce new strategic plan

Motion _____ Second _____ Vote _____

G. **DISCUSSION ITEMS**

1. Land Bank Property at 310 East 3rd Avenue
2. Replacing the server and office 365 government licensing

H. **CITY ADMINISTRATOR’S REPORT**

I. **GOVERNING BODY COMMENTS**

J. **ADJOURNMENT**

SUBMITTED BY: Jeff Schenk, City Administrator

MEETING DATE: April 28, 2025

AGENDA ITEM: Consent Agenda

BACKGROUND:

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.

DESCRIPTION:

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.

PROPOSED ITEMS:

- Approval of Minutes from the following meetings:
 - April 14, 2025, Regular Council Meeting
- Approval of Invoices

RECOMMENDATION:

Motion to approve the consent agenda as presented.

ATTACHMENTS:

Exhibit A – Minutes from April 14, 2025, Regular Council Meeting

Exhibit B – AP Invoices

A. **CALL TO ORDER/ROLL CALL 6:00 p.m.**
_X_Brislin _X_Cokeley _X_Nisly _X_Scofield _X_Griffin __Vacant

B. **PLEDGE OF ALLEGIANCE**

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

D. **CITIZEN COMMENTS**

E. **CONSENT AGENDA**

1. Approval of Minutes – Regular Council Meeting, March 24, 2025
2. Approval of Invoices
3. Approval of Temporary Event Permit Our Lady Fireworks June 7th
4. Appoint Michael Blackburn to Planning Board (114 Marshall St)

The City Clerk mentioned that there were a few errors on the invoice approval list. The total is correct, however a few funds needed to be changed. She will have an amended invoice approval list for 04/28/2025.

Motion **NISLY** Second **SCOFIELD** Vote **4-0**

F. **ACTION ITEMS**

1. Approve moving forward with Voluntary Dismissal of Water Right and re-allocation to existing wells.

Motion **NISLY** Second **COKELEY** Vote **4-0**

2. Approve Resolution 25-01 Showing support for Petra Investment Partners

Motion **NISLY** Second **COKELEY** Vote **4-0**

3. Approve Rezoning of Broadacres from C-2 Commercial District to I-2 Medium Industrial District.

Discussion about what the use of the property was going to be for and what types of businesses will be allowed to move into those lots will be. Was informed by Dan Garber that there should only be businesses that meet the industrial zoning requirements. Need to make sure that all the businesses have the proper permits whether that be through the city or through the Kansas Department of Health and Environment.

Motion **COKELEY** Second **NISLY** Vote **4-0**

4. Approve Conditional Use Permit for Property at 3 Williams Avenue to use the property as a commercial\residential property.

The front operates as a commercial business and back is set up to be a living space. It is a contract business, and the owner would like to live there as well. If approved and the owner moved, or the business stopped operating as a commercial business then the conditional use permit is no longer valid.

Motion COKELEY

Second GRIFFIN

Vote 4-0

5. Approve Final Plat of Broadacres Commercial Park II

Motion COKELEY

Second NISLY

Vote 4-0

G. DISCUSSION ITEMS

1. Potential Council Candidate – Discuss potential candidate Matthew Elliott. No issues among council members. Move to action item for meeting on 04/28/2025.
2. House Bill 2134 – passed last week by the state. Restricting KORA Fee Structure – May need to update our ordinance due to the verbiage that was passed by the state about printing guidelines.
3. Pay Window – Drawer on window is broken due to individual pulling the drawer open, the window is now leaking during storms and is very drafty. It would be very expensive to replace the entire window to address the issues that we have. Nisly requests that we put out a notice on our social media to explain the issues.
4. Code enforcement officer – Rhiannon Bruse is working part time for us as code enforcement. She is fully certified to do Code Enforcement and is up to date with the 2018 codes. Working to get her computer fully set up for her to take over the paperwork for code enforcement. Matt Mock stated that we have had a lot of people contact the city about their abatement notices and have been working to clean up their properties in a timely manner. Cokeley would like to see the yard open more on weekends so that people who work during the week are able to dump their limbs. Discussion occurred on how to make that happen efficiently. No action taken today.
5. Nisly Trash Service Contract – Council advised to send out for bid to see if we have any interested parties.
6. Jeff Schenk states he would like to create a façade improvement program. Hutchinson has one that they operate but Jeff thinks that the program Wichita has that is viable long term, and Jeff would recommend, façade improvement and fire suppression system installs, allowing them to form a CID inside of their own parcel. They could request a CID, give us a quote for price, install the sprinklers and façade improvements and the city would specially assess their property taxes over the next 20 years. Most of the work is done by Gilmore Bell and the county. Valerie asks if we could only do facades and fire suppression or if there were other items that could be incorporated. Jeff stated he has only spoken with Hutch and Wichita, but he could call more cities to see what they offer.
7. Discussion of interest totals from moving our bank from Simmons to First National Bank. Working on quarterly and annual financial reports to report to counsel. We will be adjusting our reserve requests due to the amount of unspent money as we found some budgeting miscues from prior administration. We will be working to get our budget figures closer to what we are spending yearly. Nisly asks if the special highway fund could be used for the chip seal project. Jeff states that it can be utilized for any street projects. There is also the street economic development sales tax which is what Jeff wishes to utilize these funds to cover our match if we get the cost share for the grant that will redo Main Street. This will cover from bridge to bridge, mill and overlay, higher grade asphalt, and striping. Jeff is working to find out if we need a resolution or ordinance so that we can implement a joint service agreement, get Hutchinson to sign and then Circle C can begin work on the project.

H. **CITY ADMINISTRATOR'S REPORT**

Jeff needs to talk to the council members individually when everyone has some time throughout the next week. Also, KU will be reaching out to everyone that they have not yet spoken to.

I. **GOVERNING BODY COMMENTS**

Cokeley – Was told by Todd Walker that he wasn't moving until we move him. Mock states that he spoke with him and that he was informed that he bought property and was working on moving all the roll offs. Mock stated he will do a follow-up with Mr. Walker.

Would like to see the pickup and snowplow numbers on the agenda soon.

Did we get Daryl into the CDL program? The plan is to have Rhyan complete his through HCC and then enroll Daryl, then Logan.

Brislin – Do we have a plan like the fire department to roll over vehicles and do new purchases?

J. **ADJOURNMENT**

Cokeley made a motion to adjourn the meeting at 7:44 p.m.

Motion **COKELEY**

Second **NISLY**

Vote **4-0**

INVOICE APPROVAL LIST

4/28/2025

Gen Gov	Description	Vendor	Inv. Amt
101-101-6000	Gas Service	Kansas Gas Service	\$105.13
101-101-6000	Cable TV	Cox	\$16.78
101-101-6002	Postage	UMB Card Services	\$12.54
101-101-6002	Insurance Premiums	Freedom Claims Management	\$4,210.53
101-101-6002	IT Services	Leading Edge Technology Partners	\$323.13
101-101-7000	Postage	Pitney Bowes	\$200.00
101-101-7001	Food, Fuel, Hotel (Conferences)	UMB Card Services	\$1,327.08
			\$6,195.19

Police	Description	Vendor	Inv. Amt
101-102-6000	Gas Service	Kansas Gas Service	\$380.84
101-102-6000	Cable TV	Cox	\$50.36
101-102-6002	Prime Membership, Postage, Evidence Supplies	UMB Card Services	\$95.38
101-102-6002	Copier Repair	Better Image	\$245.50
101-102-6002	Video Cloud Storage	Digital Ally	\$792.00
101-102-6002	IT Services	Leading Edge Technology Partners	\$403.37
101-102-6004	Ink Cartridge	UMB Card Services	\$24.29
101-102-6005	Cell Service, Jetpacks	Verizon	\$404.63
101-102-6007	Intake Manifold, Fuel In O Rings	Advance Professional	\$332.51
101-102-6007	Vehicle Alignment	Cooper Tire Service	\$103.05
101-102-6007	Veh Insp, Oil Change, Tire Rotation, Brake Pads, Rotors	Daniel Soto	\$880.00
101-102-6007	Turn Rotors	Rose Motor Supply	\$40.00
101-102-6007	Tires	Tom & Dan's Tire Service	\$683.48
101-102-6029	Jacket	Galls	\$178.59
101-102-7000	Toner Cartridge	Better Image	\$185.00
101-102-7000	Pens, Envelopes, Notepads	Office Plus	\$89.96
101-102-7001	Meals	UMB Card Services	\$24.44
101-102-7009	Holster, Duty Pants	Godfrey's	\$816.89
			\$5,730.29

Street	Description	Vendor	Inv. Amt
101-103-6000	Gas Service	Kansas Gas Service	\$260.75
101-103-6002	IT Services	Leading Edge Technology Partners	\$323.13
101-103-7000	Postage	Pitney Bowes	\$200.00
101-103-7002	Expanding Pole Saw	Fairview Service	\$672.99
101-103-7002	Towels, Bath Tissue	Janitorial Supply	\$44.22
101-103-7002	Synthetic Oil	Prairieland Partners	\$12.80
			\$1,513.89

Fire	Description	Vendor	Inv. Amt
101-104-6000	Gas Service	Kansas Gas Service	\$197.09
101-104-6002	Turnpike Tolls	Kansas Turnpike Authority	\$4.96
101-104-6002	IT Services	Leading Edge Technology Partners	\$323.13
101-104-6002	15% Fire Relief Fund	SH Fireman's Relief Association	\$364.65
101-104-6004	Active 911 Subscription	UMB Card Services	\$441.00
101-104-6005	Cell Service	Verizon	\$144.37
101-104-7000	Stepstool, Batteries	UMB Card Services	\$323.87
101-104-7000	Postage	Pitney Bowes	\$100.00
101-104-7001	Hotel	UMB Card Services	\$459.75
101-104-7002	Absorbent	UMB Card Services	\$149.95

101-104-7002	Power Steering Fluid, Oil, Filter	Rose Motor Supply	\$346.34
101-104-7004	Clock, Gloves, Soap, Batteries, Towels	UMB Card Services	\$189.26
101-104-7009	Boots, Work Gloves	UMB Card Services	\$982.09
			\$4,026.46

Park	Description	Vendor	Inv. Amt
101-105-6001	Irrigation Insurance	Chubb	\$5,255.00
			\$5,255.00

Court	Description	Vendor	Inv. Amt
101-106-6002	Translation Services	Alex Lizalde	\$40.00
101-106-6004	Bond Refund	Nicholas Sanchez	\$65.00
101-106-7000	Postage	Pitney Bowes	\$200.00
			\$305.00

Non-Departmental	Description	Vendor	Inv. Amt
101-109-6026	Trash Service	Nisly Brothers Trash Services	\$9,770.32
101-109-7004	SH On Call Land Use	Professional Engineering Consultants	\$1,665.00
101-109-7004	2025 Event Marketing	Plot	\$4,500.00
101-109-7004	Postage	Pitney Bowes	\$200.00
101-109-7014	Inflatable Rentals - Freedom Fest	IOF Entertainment	\$1,320.00
			\$17,455.32

GENERAL TOTAL **\$40,481.15**

Water	Description	Vendor	Inv. Amt
201-000-6002	Postage	UMB Card Services	\$9.70
201-000-6002	IT Services	Leading Edge Technology Partners	\$323.13
201-000-6002	Concrete	Mid America Redi-Mix	\$1,436.55
201-000-6005	Cell Service	Verizon	\$130.21
201-000-6011	Certification for Ferguson	KDHE Bureau of Water	\$20.00
201-000-7000	Postage	Pitney Bowes	\$100.00
201-000-7001	RWA Conference Registration	UMB Card Services	\$180.00
201-000-7002	6in Water Valve	Core & Main	\$1,777.11
201-000-7002	Bolts, Drill Bits	Fastenal Company	\$99.11
201-000-7002	Towels, Bath Tissue	Janitorial Supply	\$44.23
201-000-7002	Synthetic Oil	Prairieland Partners	\$12.80
201-000-7002	Gasket Material	Rose Motor Supply	\$33.45
201-000-7002	Red / Blue Paint - Hydrants	Sherwin - Williams	\$329.70
			\$4,495.99

Sewer	Description	Vendor	Inv. Amt
301-000-6002	Expansion Valve, Service	Decker & Mattison	\$300.49
301-000-6002	IT Services	Leading Edge Technology Partners	\$323.12
301-000-6002	OSHA Inspections - Cranes	Nelson, Inc	\$2,037.00
301-000-6002	Wastewater Grit	Reno County Solid Waste	\$84.00
301-000-6003	Waders, Cleaning Supplies	UMB Card Services	\$122.16
301-000-6005	Lift Station Service	Verizon	\$300.60
301-000-7000	Postage	Pitney Bowes	\$100.00
301-000-7002	Towels, Bath Tissue	Janitorial Supply	\$44.23
301-000-7002	Synthetic Oil	Prairieland Partners	\$12.80
301-000-7002	Electrical Relay	Ray Lindsey Company	\$352.70
301-000-7002	Wastewater Blower Tubs	Sherwin-Williams	\$239.75

301-000-7002	Fuses	Sunflower Electric Supply	\$5.14
			\$3,921.99
ASAP	Description	Vendor	Inv. Amt
801-000-6004	Bond Refund	Adan Garcia	\$627.00
801-000-6004	Apply Bond - Garcia, Merino, Reed, K Sanchez, N Sanct	South Hutchinson Municipal Court	\$1,523.00
			\$2,150.00
ARPA	Description	Vendor	Inv. Amt
808-000-7004	SH Chip Seal Planning	JEO Consulting Group	\$3,365.00
			\$3,365.00
Community Center	Description	Vendor	Inv. Amt
811-000-6000	Gas Service	Kansas Gas Service	\$149.10
			\$149.10
Equipment Reserve	Description	Vendor	Inv. Amt
901-000-8024	2025 Defender HD7 UTV	Agri Center	\$13,526.08
			\$13,526.08
		GRAND TOTAL	\$68,089.31

RESOLUTION NO. ____

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF SOUTH HUTCHINSON, KANSAS DETERMINING THE ADVISABILITY OF ISSUING INDUSTRIAL REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF ASSISTED LIVING FACILITIES TO BE LOCATED IN THE CITY; AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS

WHEREAS, the City of South Hutchinson, Kansas (the "Issuer") desires to promote, stimulate and develop the general economic welfare and prosperity of the Issuer, and thereby to further promote, stimulate and develop the general economic welfare and prosperity of the State of Kansas; and

WHEREAS, pursuant to the provisions of the Kansas Economic Development Revenue Bond Act, as amended and codified in K.S.A. 12-1740 *et seq.* (the "Act"), the Issuer is authorized to issue revenue bonds for such purposes, and it is hereby found and determined to be advisable and in the interest and for the welfare of the Issuer and its inhabitants that revenue bonds of the Issuer in a principal amount not to exceed \$[REDACTED] be authorized and issued, in one or more series, to provide funds to pay the costs of the acquisition, construction and equipping of senior living facilities (the "Project") to be located in the corporate limits of the Issuer and to be leased by the Issuer to Petra Development Partners, or an affiliate entity of Petra Development Partners. (collectively, the "Tenant").

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

Section 1. Public Purpose. The governing body of the Issuer hereby finds and determines that the Project will promote, stimulate and develop the general economic welfare and prosperity of the Issuer, and thereby further promote, stimulate and develop the general economic welfare and prosperity of the State of Kansas.

Section 2. Authorization to Acquire Project; Intent to Issue Bonds. The Issuer is hereby authorized to proceed with the acquisition, construction and equipping of the Project and to issue its revenue bonds, in one or more series, in a principal amount not to exceed \$[REDACTED] (the "Bonds") to pay the costs thereof, subject to satisfaction of the conditions of issuance set forth herein.

Section 3. Conditions to Issuance of Bonds. The issuance of the Bonds is subject to: (a) the passage of an ordinance authorizing the issuance of the Bonds; (b) the successful negotiation of a Trust Indenture or Bond Agreement, Site Lease, Project Lease, Bond Purchase Agreement or other legal documents necessary to accomplish the issuance of the Bonds, the terms of which shall be in compliance with the Act and mutually satisfactory to the Issuer and the Tenant; (c) the successful negotiation and sale of the Bonds to a purchaser or purchasers yet to be determined (the "Purchaser"), which sale shall be the responsibility of the Tenant and not the Issuer; (d) the receipt of the approving legal opinion of Gilmore & Bell, P.C. ("Bond Counsel") in form acceptable to the Issuer, the Tenant and the Purchaser; (e) the obtaining of all necessary governmental approvals to the issuance of the Bonds; and (f) the commitment to and payment by the Tenant or Purchaser of all expenses relating to the issuance of the Bonds, including, but not limited to: (i) expenses of the Issuer and the Issuer Attorney; (ii) any underwriting or placement fees and expenses; (iii) all legal fees

and expenses of Bond Counsel; and (iv) all recording and filing fees, including fees of the Kansas Board of Tax Appeals.

Section 4. Sales Tax Exemption. The Governing Body hereby determines that pursuant to the provisions of K.S.A. 79-3601 *et seq.* (the “Sales Tax Act”), particularly 79-3606(b) and (d) and other applicable laws, sales of tangible personal property or services purchased in connection with construction of the Project and financed with proceeds of the Bonds are entitled to exemption from the tax imposed by the Sales Tax Act; provided proper application is made therefore. In the event that the Bonds are not issued for any reason, the Tenant will not be entitled to a sales tax exemption under the terms of the Sales Tax Act and will remit to the State Department of Revenue all sales taxes that were not paid due to reliance on the sales tax exemption certificate granted hereunder.

Section 5. Reliance by Tenant; Limited Liability of Issuer. It is contemplated that in order to expedite acquisition of the Project and realization of the benefits to be derived thereby, the Tenant may incur temporary indebtedness or expend its own funds to pay costs of the Project prior to the issuance of the Bonds. Proceeds of Bonds may be used to reimburse the Tenant for such expenditures made not more than 60 days prior to the date this Resolution is adopted, and as provided by §1.150-2 of the U.S. Treasury Regulations. The Bonds herein authorized and all interest thereon shall be paid solely from the revenues to be received by the Issuer from the Project and not from any other fund or source. The Issuer shall not be obligated on such Bonds in any way, except as herein set out. In the event that the Bonds are not issued, the Issuer shall have no liability to the Tenant.

Section 6. Execution and Delivery of Documents. At such time as the Tenant has demonstrated compliance with the provisions of this Resolution, the Mayor and City Clerk are authorized to execute a bond purchase agreement with the Purchaser and the Tenant for the sale of the Bonds in a form satisfactory to the City Attorney and Bond Counsel.

Section 7. Further Action. The Mayor, Clerk and other officials and employees of the Issuer, including the City Attorney and Bond Counsel, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Resolution, including, but not limited to: (a) cooperate with the Tenant in filing an application for a sales tax exemption certificate with the Kansas Department of Revenue with respect to Bond-financed property; [and](b) execution on behalf of the Issuer of the information statement regarding the proposed issuance of the Bonds to be filed with the State Board of Tax Appeals pursuant to the Act.

Section 8. Effective Date. This resolution shall become effective upon adoption by the Governing Body.

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ADOPTED by the governing body of the City of South Hutchinson, Kansas on April 28, 2025.

[SEAL]

Mayor

Attest:

Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the Issuer adopted by the governing body on April 28, 2025, as the same appears of record in my office.

DATED: _____ April 28, 2025.

Clerk

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF SOUTH HUTCHINSON, KANSAS
HELD ON APRIL 28, 2025**

The governing body met in regular session at the usual meeting place in the City on April 28, 2025, at 6:00 p.m., the following members being present and participating, to wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

Thereupon, there was presented a Resolution entitled:

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF SOUTH HUTCHINSON, KANSAS DETERMINING THE ADVISABILITY OF ISSUING INDUSTRIAL REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF ASSISTED LIVING FACILITIES TO BE LOCATED IN THE CITY; AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS

Thereupon, Councilmember _____ moved that the Resolution be adopted. The motion was seconded by Councilmember _____. The Resolution was duly read and considered, and upon being put, the motion for the adoption of the Resolution was carried by the vote of the governing body, the vote being as follows:

Aye: _____.

Nay: _____.

Thereupon, the Mayor declared the Resolution duly adopted and the Resolution was then duly numbered Resolution No. _____ and was signed by the Mayor and attested by the Clerk.

* * * * *

(Other Proceedings)

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On motion duly made, seconded and carried, the meeting hereupon adjourned.

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of South Hutchinson, Kansas held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

[SEAL]

Clerk

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Greg Henke, Fire Chief

DATE: 4/28/2025

RE: Purchase of new UTV

BACKGROUND:

The fire department has a 2010 Polaris Ranger with 409 hours on it. They use the UTV to access the river area for grass and brush fires, medical calls for other UTV riders or individuals using the river, and help search for missing people on the riverway. It is also used for mutual aid with the county for the mentioned items.

PROJECT DESCRIPTION:

This project will replace the current UTV with a new 2025 Can Am Defender. This will come with the emergency package. The old Polaris will be transferred to the Police Department. This will be for them to use in assisting on the river and for community events such as Freedom Fest.

PROPOSED PURCHASE:

Equipment Reserve Account	Agri Center	Wichita Tractor
\$261,009.11	\$24,817.94	\$31,057.00

RECOMMENDATION:

City staff recommends the council approve the purchase of the 2025 UTV with Agri Center in the amount of \$24,817.94 and authorize the mayor to sign.