

February 1, 2021

The City Council of Scott City met in regular session on the above date at 7:30 p.m. in City Hall.

Present were Mayor Everett Green, Council members Craig Richards, Josh Gooden, Bo Parkinson, Barb Wilkinson, Adam Winter, Armando Tarango, City Attorney Rebecca Faurot, and City Clerk Brenda Davis.

The Council and others recited the Pledge of Allegiance.

The minutes of the January 18, 2021 regular council meeting were presented.

Motion by Josh Gooden seconded by Armando Tarango to approve the minutes of the January 18, 2021 regular council meeting. Vote – Unam.

Appropriation Ordinances #977A & 977A-M20 were presented.

Motion by Adam Winter seconded by Josh Gooden to approve Appropriation Ordinances #977A & 977A-M20. Vote – Unam.

Ordinance #1209, an ordinance changing the zoning classification of certain land within the City, was presented.

City Attorney Faurot explained that on February 26, 2015 the lots listed in this ordinance were recommended by the Scott City Planning & Zoning Commission for a change in zoning from R-1 to R-2 in the Eastridge Subdivision. Two applications with lots in the Eastridge Subdivision were reviewed & recommended by the Planning & Zoning at that meeting, but only the lots from one applicant were presented in an ordinance that was approved by the City Council.

Ordinance #1209 includes the lots from the second applicant that were not in the ordinance that was approved by the Council in 2015 to change the zoning from R-1 to R-2 and these lots are under consideration for construction of new duplexes.

Motion by Armando Tarango seconded by Barb Wilkinson to approve Ordinance #1209. Vote – Unam.

Mayor Green thanked council members for their assistance in providing names of individuals for the Mayor to consider appointing to fill the unexpired council member term in Ward 3. He stated that he talked at great length with city resident Jeff Allen and found him to be well informed.

Mayor Green appointed Jeff Allen to fill the unexpired term, ending November 2023, of former Ward 3 Council Member Perry Nowak.

Motion by Barb Wilkinson seconded by Craig Richards to confirm the Mayor's recommendation of Jeff Allen as Ward 3 Council Member. Vote – Unam.

City Clerk Brenda Davis proceeded with the swearing in of the newly elected official. Jeff Allen repeated & signed the Official Oath.

Mayor Green & council members congratulated & welcomed Mr. Allen to the City Council.

Mayor Green presented the following appointments, commissions, and committee:

### **Appointments**

City Attorney	Rebecca J. Faurot
City Clerk	Brenda K. Davis
City Inspector	Lloyd Foster
Interim Fire Chief	Jeff Mayer
Municipal Judge	Colton Eikenberry
Parks	Terence Appel
Police Chief	David Post
Street, Water, Sewer	Terence Appel

## **Commissions**

### **Airport Commission**

Jeff Allen  
Adam Winter  
Andy Hineman  
Pat Ryan  
Randal Loder  
Kyle Spencer

### **Police and City Inspector Commission**

Armando Tarango  
Kelly Funk

### **Street and Parks Commission**

Barb Wilkinson  
Craig Richards

### **Water and Sewer Commission**

Bo Parkinson  
Josh Gooden

## **Committee**

### **Transient Guest Tax**

Barb Wilkinson  
Adam Winter  
Craig Richards

Motion by Bo Parkinson seconded by Adam Winter to confirm the Mayor's appointments, commissions, and committee as presented. Vote - Unam.

Mayor Green stated the need for the Council to elect a Council president.

Motion by Barb Wilkinson seconded by Armando Tarango for Josh Gooden to serve as Council President. Vote – Unam.

Mayor Green designated *The Scott County Record* as the City of Scott City's official newspaper. Motion by Craig Richards seconded by Jeff Allen to approve the Mayor's recommendation of designating *The Scott County Record* as the official newspaper for the City of Scott City. Vote - Unam.

City Treasurer Renee Cure recommended First National Bank, Security State Bank, and Western State Bank, all of Scott City, be the depository banks for the City of Scott City. Security State Bank will have the City of Scott City's checking account, and all recommended banks will have savings accounts.

Motion by Bo Parkinson seconded by Josh Gooden to approve the City Treasurer's recommendations for the depository banks for the City of Scott City. Vote - Unam.

Mayor Green asked City Treasurer Renee Cure to comment on the request of Ardith Scammehorn, Pine Village Apartments (PVA) Property Manager & employee of Scott City Housing Authority (SCHA) to add her daughter Kasey Jacobs, the employee she hired to work at PVA, to be added as an authorized signer on the SCHA checking account.

City Treasurer Cure stated that the SCHA bank statements will now be mailed to City Hall to be copied & reviewed, before mailing the originals to Mrs. Scammehorn. She stated that with Mrs. Scammehorn's daughter being able to sign checks there are concerns of nepotism, so internal controls need to be in place.

City Treasurer Cure explained that Everett Green and Josh Gooden are listed as owners on the SCHA accounts, as they serve as President & Secretary of the SCHA Board. She further stated that by adding Kasey Jacobs on the SCHA checking account, she would be an authorized signer, just like Mrs. Scammehorn.

Motion by Josh Gooden seconded by Adam Winter to approve Kasey Jacobs as an authorized signer on the Scott City Housing Authority checking account #5001358 only, at First National Bank. Vote - Unam.

The subject of requiring the SCHA to have a financial audit performed each year was discussed again.

Mayor Green stated that he has had several discussions with City Treasurer Cure. He indicated that the bookkeeping reports provided by SCHA need to provide more detail.

City Treasurer Cure reported that the financial reports provided to the SCHA Board do not have enough information, as the reports do not include a general ledger, an actual-to-budget comparison, or a profit & loss statement. The balance sheet does not list assets or debt and the tenant deposits & payables do not balance.

Mayor Green stressed that there is no indication that anything is being done improperly in the way of handling funds, only the way that the SCHA Board would like to see more detailed reports.

Mayor Green stated that he would like to work with City Treasurer Cure to come up with some alternatives in the use of accounting software that he can present to Mrs. Scammehorn as options & to talk to her about what the SCHA Board would like to see in way of detail reporting. He stated that recommendations will be presented at the March 1, 2021 regular council meeting for options on the SCHA financial reporting.

Regarding audits for the SCHA, Mayor Green stated that city auditors need to see more information from the SCHA financial records, if they were included in the City's audit, in order to give the City a good financial audit report.

City Treasurer Cure explained that more detail, in the way of transactions, need to be seen and that possibly "Agreed Upon Procedures", in lieu of a full audit, may be requested to test some transactions of the SCHA, at an additional cost. She explained that this would be for the protection of Mrs. Scammehorn, as well as the City.

The difference between "Agreed Upon Procedures" and a full audit was described by City Treasurer Cure. No financial reporting, such as a listing of debt, age of buildings, or how much maintenance was being done would be provided with "Agreed Upon Procedures". She stated that this is why the City needs more information from an audit, to make decisions & to be informed.

Also discussed was the future cost of an audit, the cash flow of the SCHA to pay for the audit, and possible financial assistance from the City to require an audit of the SCHA.

When asked, City Treasurer Cure stated that if the requested detail is provided by SCHA and "Agreed Upon Procedures" with the City's auditors was performed, this would be sufficient.

Consensus of the Council was for Mayor Green & City Treasurer Cure to determine the financial reporting that would be requested of Mrs. Scammehorn.

Mayor Green thanked City Treasurer Cure for the extra time she has spent on this issue.

Mayor Green reintroduced the subject of the Highway 96 & Chestnut Street Intersection Project and reminded the Council that bids for this project were opened at the last regular council meeting. He stated that the low bid was from Lee Construction, Inc. of Garden City in the amount of \$111,095.50 but a bid was not accepted at that time.

Discussion included that the Council let the project out for bids to find out what the intersection was going to cost in comparison to the cost of developing 8<sup>th</sup> Street between Jefferson & Oak Streets, as only one of these options would be chosen.

Mayor Green distributed a *Final Plat of Jefferson Oak Addition* prepared by Earles Engineering & Inspection, Inc. He stated that the proposed plat on land previously owned by Steve & Kay Schmitt, and currently owned by Russell & Linda Tilton, was paid for by the Schmitts, for future consideration of presenting to the City for approval.

Mayor Green stated that he met with Linda Tilton earlier in the day & she indicated interest in developing this area. He stated that Mrs. Tilton is wondering what kind of agreement they could come to with the City, in terms of cost share & participation for paving the one block of 8<sup>th</sup> Street.

Mayor Green also stated that the City typically charges special assessments for all street paving that is done, with the exception of the City having received a grant to fund the construction of a street in the 500 block of Chestnut. He mentioned that the Council had previously discussed that the extension of 8<sup>th</sup> Street in the proposed plat could be a benefit to more than just the people in the one block, as it would provide a second entrance in & out of the Eastridge Addition.

Further discussion included construction costs of 8<sup>th</sup> Street, in 2018 the Council agreeing to pay 10% of 8<sup>th</sup> Street construction costs, safety of kids riding bicycles on 8<sup>th</sup> Street vs. Highway 96 into Scott City, the Planning & Zoning Commission recently reviewing the City's Comprehensive Plan & setting a goal to communicate to the Council to consider developing 8<sup>th</sup> Street between Jefferson & Oak Streets, and an additional section of 8<sup>th</sup> Street needing developed to the east of Oak Street.

Mayor Green figured that construction of 8<sup>th</sup> Street would be about \$175,000 if the cost to construct the 650' street with curb & gutter was still at \$250 a running foot. Council member

Allen stated that street construction cost has probably increased, as it changes with oil prices & futures.

Consensus of the Council was to explore the option of constructing 8<sup>th</sup> Street between Jefferson & Oak versus the Highway 96 & Chestnut Street intersection, by authorizing Mayor Green and Council members Gooden & Allen to discuss with Russell & Linda Tilton & come up with a cost share split for a possible solution on paying for the one block of street construction costs.

Mayor Green stated that the committee would come back with a recommendation hopefully at the next regular council meeting.

Mayor Green stated he will contact Dave Frisch, GMS Engineer about the City not accepting a bid for the Highway 96 & Chestnut Street intersection project. He also commented that the Council will need to proceed with caution about letting projects out for bid & not accepting a bid, as the City could lose credibility with contractors who might become less excited to bid on future City projects.

Under the open agenda, Council member Wilkinson mentioned trailer houses on Glenn St. needing to be skirted. Discussion followed about the City now having an ordinance that does require skirting. City Inspector Lloyd Foster stated that this has been an issue for a very long time. Mayor Green stated that enforcement of this code is part of the City Inspector's job and suggested that Mr. Foster work with City Attorney Faurot on this issue.

Council member Wilkinson informed the Council that there were a couple of topics in *The League News* that could be a concern for the City. One topic being considered in the legislature was to shift the payment of the county-wide sales tax collected to the counties, who would make the decision if any of the funds would be given to the cities in their county. The other topic under consideration was the forgiveness of property taxes after a natural disaster, which would cause cities to not be able to fund police, fire or rebuild the city.

Mayor Green reported that he received several phone calls about the walking/bike trail on the south side of 9<sup>th</sup> Street being slushy, icy, & slick during the melting/freezing of snow and several people falling in this area. He mentioned that he has had conversations with Public Works Superintendent Terence Appel about the possibility of hauling snow off of 9<sup>th</sup> Street.

Scott County Development Director Katie Eisenhour was present to invite the Governing Body to the Community Visioning Session on February 11<sup>th</sup>, 5:30 p.m., at the Events Center at Scott City Middle School. She stated that a reveal of the Housing Study would also occur. Mrs. Eisenhour stated that a pre-application had been submitted for more senior housing by the same developers & same investors. If a full application is allowed, she stated that there will be some effort by the City & herself to get information sent in that is required.

Mayor Green encouraged Council members to attend the Community Vision Session, stating if there was a quorum of the Council this would constitute a meeting.

Mayor Green stated that the City received one application for pool manager and two applications for assistant pool manager.

Provided in the packets again was *Pool Manager Hours - 2020* for the Council's review in determining hourly wages for pool managers.

Mayor Green asked Street & Parks Commission members Richards & Wilkinson to review the applications, possibly meet with the applicants, and make a recommendation to the Council for the hiring of pool managers at the next regular council meeting, at which time hourly wages would be set.

Building Inspector Lloyd Foster reported that all is going well & that construction is starting to get more active. He agreed to report on the skirting of trailer houses at the next regular council meeting.

Mayor Green stated that the pickup, previously used in the police department, has been detailed and is in the process of getting decals to be put on the pickup for the City Inspector's use.

Police Chief David Post reported that Police Officer Tad Eubanks attended advanced training in Dodge City for DUI's that focused on drug impairment. Police Chief Post also reported that Police Officer Michael McEachern, USD 466 Superintendent Jamie Rumford, & he went to Sublette & Satanta to meet with school administration & the School Resource Officer (SRO) at each location. Police Chief Post stated that he is looking to sending Police Officer McEachern to shadow the SRO's for a couple of days during his normal scheduled shift, as they look to the possibility of the City getting a grant to put him in the local schools full time.

Police Chief Post stated that Police Officer McEachern did a good job of putting together a case on the recent string of auto burglaries. He reported that the arrests & warrants involves multiple law enforcement agencies.

The SCPD 2020 Annual Report was mentioned by Police Chief Post to be presented at the next council meeting. He stated that it will also be on the City's website & have highlights on Facebook.

Park Superintendent Terence Appel had nothing to report.

Mayor Green opened the following bid for crack sealing:

B & H Paving, Scott City	45,000 lbs. @ \$1.25 per pound
	Total estimate of \$56,250

Street, Water, & Sewer Superintendent Terence Appel stated that the bid would crack seal approximately 90 blocks.

Council member Allen inquired about which streets would be crack sealed. A map will be emailed to council members later in the week.

Motion by Josh Gooden seconded by Jeff Allen to accept the bid for crack sealing from B & H Paving in the amount of \$56,250, with work to be completed while the weather is still cold. Vote - Unam.

Provided in the packet was a 1-year *Hach Service Partnership Quotation* in the amount of \$5,592 for servicing the City's specialized equipment at the Water Treatment Plants.

Public Works Superintendent Appel recommended the City enter into this agreement.

Motion by Armando Tarango seconded by Barb Wilkinson to approve for the City to enter into the 1-year service agreement with Hach, finding it impracticable to bid, in the amount of \$5,592 for servicing specialized equipment in the Water Treatment Plants. Vote - Unam.

Public Works Superintendent Appel presented offers for the 1965 Ford & 1989 Ford 2-ton trucks that the City had advertised to accept bids in November 2020.

Mayor Green reminded the Council that there were no bids for the above-mentioned trucks, but someone recently has submitted sealed offers for the trucks.

Consensus of the Council was to open the bids for consideration.

Daniel McMillan, Garden City, KS	\$ 450.00	1965 Ford Truck
“ “	\$3,250.00	1989 Ford Dump Truck

Motion by Armando Tarango seconded by Jeff Allen to accept offers from Daniel McMillian in the amount of \$450 for the 1965 Ford Truck and \$3,250 for the 1989 Ford Dump Truck. Vote – Unam.

Consensus of the Council was to accept a certified check for payment or wait to release the titles when the check clears the bank, for the purchase of the trucks & completing the transaction by picking up the trucks by February 10, 2021.

Mr. Appel reported that he replaced tires on a vehicle earlier in the day & stated that there are three other vehicles that need tires replaced by the end of the year if there is money in the budget.

Provided in the packet was an email from Kansas Department of Transportation (KDOT) informing the City of a large highway construction project on Highway 96, allowing for utilities to be relocated prior to the *Storm Water Pollution Prevention Plan*.

Public Works Superintendent Appel stated he had heard about this project in previous years but was surprised of the quick response times in which the City is expected to respond to their requests for information. He stated that KDOT would need to be notified of any waterlines to be moved by April 20, 2021. Submitting a relocation plan and estimate in compliance with their guidelines for purchases would be required, stating that he is unaware of any reimbursement rates.

On May 18, 2021, a utility reimbursement agreement for the project must be executed by KDOT & the City. January 27, 2022 was listed as the date that the utilities would need to be relocated. Two 4” cast iron waterlines, in a total of 6 blocks, was recommended by Mr. Appel to be replaced & upgraded to a 6” or 8” waterline. He indicated that GMS, Inc. has been contacted about the waterlines & an estimate of the project will be determined.

Mayor Green remarked that improving storm drains could be helpful with drainage issues in the City & asked that the City be updated at the next regular council meeting on the project.

City Clerk Brenda Davis reminded the Council that the 2<sup>nd</sup> regular council meeting in February will be on Tuesday, February 16, 2021, due to the observance of President’s Day.

City Attorney Faurot reported on recommendations from the Planning & Zoning Commission, after reviewing the Comprehensive Plan in January, that she wanted to pass on to the Council.

The list of items to prioritized by the Planning & Zoning Commission were:

- 1) Deal with abandoned & junk vehicles
- 2) Condemn uninhabitable houses
- 3) Encourage landlords to do sidewalk maintenance
- 4) Encourage more businesses to build or inhabit in the business district
- 5) Develop 8<sup>th</sup> Street between Jefferson & Oak Streets
- 6) Require the parcel of property owned by First Baptist Church where they had considered building off of Jefferson Street, platted prior to parceling off any more property, also stating that the property is still zoned Agricultural.

Mayor Green stated that in light of the announcement at the last regular council meeting of City Clerk Brenda Davis's retirement, he wanted to discuss the prospect of hiring a City Administrator, with a brief discussion of that in executive session about current employees' performances.

Motion by Adam Winter seconded by Armando Tarango to recess into executive session to discuss individual employees' performances pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), retaining the City Attorney, with the open meeting resuming in the council room at 8:52 p.m. Vote – Unam.

Mayor Green called the meeting back to order.

No action was taken.

Mayor Green stated that serving as Mayor since September of 2017, the job of oversight of City department heads & the day-to-day operations of the City it is no longer practical for a part-time Mayor to do that adequately. With the number of City employees and a 10-million-dollar budget, he stated that this is a large growing concern that needs to have a little more daily management.

Mayor Green recommended that the Council look at hiring a city administrator for the City of Scott City. He stated that he has been available as much as he could be, and tried to be involved, but it has almost made it more difficult for department heads, because he has a full-time career & a business that he is responsible to and his job has to be his first responsibility. Mayor Green acknowledged that his being available has been inconsistent & this could almost make it more difficult for all department heads. He stated that he thought the City would get along better with a city administrator on staff.

Mayor Green reported that Council President Gooden & he met with Matt Allen, the individual that consulted with the City on the structured pay plan, about the prospect & the right way to go about hiring a city administrator. He stated that Mr. Allen strongly recommended the City look at hiring a consultant to help the City with a search for that process. One of the things Mr. Allen pointed out is not only wanting to get good, qualified applicants to come to the City, but the way the City is presented to the field of candidates would dictate the kind of response the City would get. A firm with experience was mentioned as having the possibility of doing better to present the City to the candidates.

A \$20,000 to \$25,000 price range was listed by Mayor Green for a firm to do this type of work. Mr. Allen recommended retired City of Hutchinson City Manager John Deardoff who has done part-time consulting of this type. Mayor Green stated that other quotes could also be obtained.

Mr. Allen's suggestion for a process would be for a consultant to meet with the Council to get a good idea of what they have in mind for a city administrator role and might also be able to help with that description. A job profile & a profile of the City and the town to be presented publicly would then be developed. Advertising in key publications & actively recruiting individuals in their known network, that they believe would be a good fit for the job, as well as reviewing, screening, and checking references would be a part of their duties.

Assisting in presenting a list of what they feel would be the top candidates to the Governing Body, to select candidates to interview, and then to assist with organizing, scheduling, & conducting the interviews, to make sure the right questions were being asked, would also be conducted by the consultant.

Mr. Deardoff had suggested to Mayor Green that all of this work would take about 60-90 days to complete and \$10,000 to \$11,000 plus expenses would be the consultant fee. He did not project expenses to be super high, but would include some advertising costs & mileage.



Mayor Green acknowledged that this selection process takes time & expertise, and the right person needs to be chosen so this would not fail.

Motion by Josh Gooden seconded by Barb Wilkinson to enter into an agreement with John Deardoff for consultation services to hire a city administrator for the City of Scott City.

Mayor Green acknowledged that the City had not sought competitive bids but there is a level of trust developed with Matt Allen & his recommendation was valued to him.

Vote – Unam.

Mayor Green thanked the Council for their support, stating that this was a critical move for the City.

Mayor Green proposed that the Council tentatively schedule a special meeting on Monday, February 8, 2021 at 6:00 p.m. to get this process started. He stated that the Council will be getting information to confirm the meeting.

The Council took a short break.

Mayor Green called the meeting back to order.

Motion by Adam Winter seconded by Armando Tarango to adjourn at 9:12 p.m. Vote – Unam.

Everett M. Green  
Mayor

Brenda K. Davis, MMC  
City Clerk