

October 18, 2021

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

Pastor Kyle Evans was present to lead the Council and others present in prayer.

The Council and others recited the Pledge of Allegiance.

Present were Mayor Everett Green, Council members Craig Richards, Jeff Allen, Kelly Funk, Josh Gooden, Bo Parkinson, Barb Wilkinson, Adam Winter, Armando Tarango, City Attorney Rebecca Faurot, City Administrator Brad Pendergast, and City Clerk Ruth Becker.

The minutes of the October 4, 2021, regular council meeting were presented.

Motion by Jeff Allen seconded by Barb Wilkinson to approve the minutes of the October 4, 2021, regular council meeting. Vote – 6, yes – 2, abstain, Josh Gooden and Armando Tarango.

The minutes of the October 13, 2021, special council meeting were presented.

Motion by Josh Gooden seconded by Armando Tarango to approve the minutes of the October 13, 2021, special council meeting. Vote – Unam.

Appropriation Ordinance #985B was presented.

An inquiry was made by Council member Jeff Allen about the expense of \$3,859.58 for signature coins for the Police Department. Police Chief David Post responded that the signature coins were only part of the total charges of \$3,859.58 on the City's First National Bank credit card. On the claims report produced by the software, if there are multiple invoices for a vendor, only one of the items is displayed. Mayor Everett Green confirmed this statement.

Motion by Adam Winter seconded by Jeff Allen to approve Appropriation Ordinance #985B. Vote – Unam.

City Administrator Brad Pendergast introduced Ordinance #1224, an ordinance relating to demolition and moving of buildings and repealing the existing section of the codification of the ordinances of Scott City, Kansas. Mr. Pendergast noted that this ordinance was a section that was pulled from the draft building code ordinances that he has been working on. He has put together this section in ordinance form, to move forward with amending the building codes regarding demolition and moving of structures, at the request of the City Council. There are multiple changes to the proposed ordinance:

- For commercial or industrial structures subject to demolition or relocation, a \$1 million certificate of liability naming the City of Scott City as additionally insured will be required. The applicant may petition the City Council for the requirement to be waived or the amount of insurance reduced.
- For residential structures subject to demolition or relocation, the building official will determine the amount of insurance needed and whether the City of Scott City needs to be named as additionally insured. The applicant may petition the City Council for the requirement to be waived or the amount of insurance reduced.

- When relocation or moving of a structure is requested, the building official will designate the route by which the structure will be moved and will document the need to interfere in any way with wires, cable, or other aerial equipment of any public or municipally owned utility. The building official will also note the name of the public or municipally owned utility and the time and location that the applicant's operations shall necessitate the interference with such aerial facilities.

Council members thanked City Administrator Pendergast for his efforts in revising this part of the building codes.

Motion by Josh Gooden seconded by Jeff Allen to authorize the Mayor's signature on Ordinance #1224, and ordinance relating to demolition and moving of buildings and repealing the existing section of the codification of the ordinances of Scott City, Kansas. Vote – Unam.

Provided in the packet was *Personnel Policies and Guidelines, City of Scott City, Kansas*, a draft document of revisions to approximately the first half of the existing *Employee Handbook*. City Administrator Brad Pendergast noted that he has been working to create a personnel policy that not only reflects the values of the City of Scott City, but also follows the structure of personnel policies laid out by the League of Kansas Municipalities. The main topics noticed and discussed by Council members were the proposed changes to the number of hours required to designate a person as a "full-time" employee, the proposed scale for awarding vacation time, the reduction to the number of days automatically given for funeral leave, and the much-more-detailed section on harassment in the workplace including what constitutes harassment and updated complaint procedures. Mr. Pendergast noted that he intends to also gain input from department heads before presenting a more-finalized version of the personnel policy to the Council for approval. He intends to have the second half of the personnel policy presented as a draft for discussion at the next regular Council meeting.

Scott City Municipal Airport Manager John Holzmeister, A+ Aviation employee, provided an update as the City's Fixed Base Operator (FBO). Mr. Holzmeister reported that the recent airshow was a big success with more people in attendance than in the prior year. Plans are to continue to hold an airshow at least every other year.

Mr. Holzmeister informed the Council that two A+ Aviation employees recently quit, leaving quite a bit of pressure on the other pilots. Airport Assistant Manager Ben McNary has also resigned effective at the end of October. The airport also lost a mechanic and the office administrative assistant a short while ago. However, Mr. Holzmeister informed the Council that he has found a new mechanic and that this person has over 25 years of experience in aviation, including space travel. He is an aeronautical engineer who was originally from California, but currently lives in Nebraska. He and his wife have been looking for a small town in which to settle, and Scott City seems to be that fit for them. His wife will be running the FBO office at the airport. Mr. Holzmeister is very enthusiastic about the clientele that this gentleman will be bringing to our area and indicated that he also has the drive to build the business of small-town airports in our area.

Mr. Holzmeister asked the Council how they felt about the rates being charged for the hangars at the airport. Council member Josh Gooden indicated that he felt that the rent seemed low, but Mr. Holzmeister noted that Scott City hangars are comparable to other area airport hangars, stating that Oakley charges between \$85.00 and \$90.00 for hangar rent. There was some discussion as to why there in only one tenant is the old T-hangars. Mr. Holzmeister indicated that they are not well

sealed allowing pests and debris to enter the hangar space. His hope was that this structure would someday be removed so a new hangar could be built in its place. When asked by Mayor Green what the Airport Commission thought about the price of the hangar rent, it was noted that the commission had not met in quite some time. Mayor Green recommended that the Airport Commission discuss hangar rent rates at their next meeting and report back to the Council on any rate-change recommendations.

Mayor Green welcomed David Frisch, GMS Inc. Engineer, via Zoom. Mr. Frisch provided updates on the City's ongoing projects:

- **Eighth Street Extension** – GMS Project Representative Tim Mancuso is currently in Scott City doing some survey work on the Eighth Street Extension corridor. Utility locates have been called in and surveying on this project is expected to be completed by Wednesday.
- **Viola/Crescent Avenue** – While GMS staff is in town, they will stake the right-of-way limits of the street and the center line of the proposed driving surface.
- **Glenn Street Improvements** – KDOT is expected to let their project out for bids in February 2022, which lends itself well to the City's project timeline.
- **Sewer Rate Evaluation** – Mr. Frisch confirmed that he had been working with City Administrator Brad Pendergast, and he feels that the rate plan proposed by Mr. Pendergast includes everything that GMS would like to see in the new sewer rates. He indicated that Mr. Pendergast plans to finalize the sewer rate analysis for presentation to the City Council at a later meeting.
- **Water System Improvements**
  - **K96 Project** – It was noted by Mr. Frisch that the advertisement for bids on the K96 Project, which ran/will run in the October 7, 14, and 21<sup>st</sup> editions of the Scott County Record, initially stated that bids would be opened at the November 1 regular Council meeting. KDHE statutes requires advertisements for bids to be published for at least 30 days before bid opening, so an addendum to the original bid documents now states that the bids will be opened at the November 15, 2021 regular Council meeting. In addition to publishing the advertisement for bids, GMS has contacted 10 general contractors who may be interested in bidding the project, but so far only two Kansas contractors have pulled plans for construction—Lee Construction and Nowak Construction. Another Colorado contractor has expressed interest in obtaining the plans.
  - **2022 Water Project** – Mr. Frisch informed the Council that he would be present for the bid opening at the November 15, 2021, meeting, and while he is here, he will be presenting an alternative design for the water storage tank (water tower) that will be erected on the north end of town next summer. He noted that, while this tank is not as attractive as the previously proposed tank, that its construction would require less maintenance and would, therefore, be a cheaper alternative.

Mr. Frisch closed his report by indicating that the remaining work will be completed in phases and that those phases may overlap with each other, which is an okay situation to be in. Mayor Everett Green expressed his appreciation of Mr. Frisch and his detailed reports.

Under the open agenda, former police officers Charles Semenko and Tad Eubanks were present to speak to the Council. Mr. Semenko began by mentioning that he was not going to be delivering

the remarks that he had prepared because it had been pointed out to him that this was not the proper forum to share his concerns. He wanted it stated for the record that he did not leave his position as a police officer in pursuit of more money or better training and that, in his experience, people do not leave organizations when there is a positive leadership environment. Mr. Eubanks also addressed the Council and inquired as to why he was given no reason for being asked to leave without working the two-weeks' notice that he had offered in his resignation letter. Mayor Green announced that because that discussion would involve personnel matters, that discussion could only be discussed in an executive session. Mayor Green also informed those in attendance that he had spoken with Mr. Semenko and City Administrator Brad Pendergast regarding exit interviews, and that they would schedule an exit interview with anyone wishing to be heard. Mr. Eubanks closed his remarks by stating that he has a strong passion for the job he was doing with the police department, and when other officers considered leaving, he was supportive of their decisions, but not instrumental in them. He thanked the Mayor and Council for the past 5 ½ years but announced that he was happy to leave.

Pool Manager Marci Patton was in attendance to present the *2021 Scott City Municipal Swimming Pool End of the Year Report* which was included in the packet. Mrs. Patton was accompanied by Assistant Pool Manager Jessica Berry. Mrs. Patton remarked how awkward it was to “close up the pool” in October, but this was the first meeting she was able to attend due to her role as a volleyball coach. Mrs. Patton was excited to announce that this had been a very successful pool season and that numbers were up in attendance, admissions, and concessions. The pool pass sponsorship program was very well received. The number of Red Cross lessons given was about the same as in previous years, but the guards taught many more private lessons this year, helping the pool staff in their desire to educate safe swimmers. Mrs. Patton felt that the family night swims were well received and that the moonlight swims were a hit, especially the Christmas in July-themed moonlight swim. They would really like to do that again next year, as well as offer several other themed special events such as sidewalk chalk contests and a splash for cash event.

Pool Manager Marci Patton indicated that the main issue that they faced this year was the lack of availability of training opportunities. Mrs. Patton inquired if the Council would consider hiring pool staff at least one month earlier than in prior years. By having staff in place one month earlier, there are more opportunities for employees to receive training that do not interfere with sports and end of the school year activities such as prom. Consensus of the Council was to advertise for Pool Manager positions and Lifeguard positions one month earlier than usual. Mayor Green asked City Clerk Ruth Becker to note this change on her calendar.

Mrs. Patton explained to the Council that the dumpster at the pool is overflowing each week by pick-up day. She requested to have an extra pick-up day. Council member Jeff Allen recommended that, instead of an extra pick-up day, another dumpster be ordered for the pool during the months that the pool is in operation. Parks Superintendent Terence Appel indicated that he would order an extra dumpster to be placed at the pool during the time the pool is in operation.

Parks Superintendent Terence Appel indicated that there is a need for a new pool filter system. Discussion involved safety issues and length of time spent in the pit backwashing. Mr. Appel noted that there would be a company in town in the next couple of weeks to provide guidance and feedback on our existing pool filter.

Building Inspector Lloyd Foster had nothing to report.

Fire Chief Jeff Mayer was not in attendance.

Police Chief David Post presented a quote for \$9,374.00 for J R Audio to outfit the recently ordered 2022 Chevrolet 1500 Crew WT (Silverado) police vehicle. Police Chief Post noted that he will continue to work with J R Audio to try to bring the cost down but would like to ask for Council approval to spend up to the quoted amount to outfit the new vehicle. When asked about transferring equipment from the Impala to the new vehicle, Police Chief Post replied that none of the emergency equipment will transfer over and that trade-in value of the equipment would not be much. In the future, vehicles that might be sold on Purple Wave would probably bring in a better price if the equipment remained intact for the sale. Police Chief Post noted that he does have enough funds in his budget to cover the cost of the quote and that he considers this purchase impracticable to bid because of the proximity of the company to Scott City and the fact that they have outfitted the other vehicles in the fleet so the product would match the equipment in the other vehicles.

Motion by Josh Gooden seconded by Adam Winter to authorize the expenditure of up to \$9,374.00 to outfit the new 2022 Chevrolet Silverado police vehicle. Vote – Unam.

Police Chief David Post informed the Council that an interview had been conducted with a police officer candidate during the previous week. A conditional offer was made pending the results of the required psychological exam. Police Chief Post noted that he hoped to make an announcement at the next regular Council meeting.

Parks Superintendent Terence Appel reported that he had ordered a pump for the pool in June and still has not received it. United Industries out of Sterling, Kansas will be in town to look at the filter system at the pool within the next week or so to see if they can replace the existing system. If so, the cost of the new system is expected to be approximately \$37,000.00. Mr. Appel will report back to the Council once he has their recommendation.

Mr. Appel noted that a leak had been fixed at Patton Park. A 10” pipe has been run to aid in drainage adjacent to a neighboring resident who has expressed concern that the pipe will not be large enough to address the drainage issue. Park Superintendent Appel indicated that he assured the resident that he will monitor the pipe and, if it does not turn out to be sufficient, he will do whatever it takes to make it right.

Street, Water, and Sewer Superintendent Terence Appel informed the Council of a water leak in the 300 block of Myrtle Street. He indicated that a 4” cast iron line had a 14” stress fracture that needed to be repaired. He estimated the age of the pipe to be 60 years old.

Mr. Appel expressed that he has no preference in the style of water tower the Council chooses. Council member Jeff Allen noted the concrete at the base of the alternate-style tower could be stained prior to installation and would not need to be painted. Mayor Green noted that he was curious about the difference in cost between the originally proposed tower and the alternative option that will be presented at a later meeting.

Street, Water, and Sewer Superintendent Terence Appel informed the Council of another drainage issue that has been brought to his attention at Starr Avenue and College Street. Mr. Appel has had conversations with EBH Engineer Darin Neufeld regarding this issue.

Mayor Green announced that he had received a notice of retirement letter from Street employee Mike Mooney.

Motion by Barb Wilkinson seconded by Jeff Allen to accept the notice of retirement letter from Mike Mooney, expressing best wishes and thanks for his service. Vote – Unam.

City Clerk Ruth Becker announced that she would be attending City Clerks and Municipal Finance Officers Association (CCMFOA)/International Institute of Municipal Clerks (IIMC) Academy on November 9-10, 2021 in Wichita.

Mrs. Becker also asked for clarification regarding the Council's decision during the prior meeting about the City giving \$50.00 in Chamber Bucks in lieu of having a Christmas party. She reminded the Council that each year the City of Scott City has gifted each regular City employee Chamber Bucks (a taxable benefit) based on their years of service. Mrs. Becker asked the Council to verify that they still intended to gift Chamber Bucks as they have in the past, but with an *additional* \$50.00 in lieu of the Christmas Party. Consensus of the Council was that it was the intention of the Council to continue to gift the traditional Chamber Bucks based on years of service, but to include an additional \$50.00 in lieu of having a Christmas Party.

City Administrator Brad Pendergast reported that since the last meeting, he and Mayor Green attended the League of Kansas Municipalities' Annual Conference. He and Mayor Green both noted that it was a positive experience and that they had both attended a workshop discussing Rural Housing Incentive Districts (RHIDs) and will consider what was learned when looking at expansion in the Eastridge Subdivision.

City Attorney Faurot had nothing to report.

The financial, investment, and quarterly reports were presented.

Mayor Green had nothing additional to report.

The Council took a short break.

Mayor Green called the meeting back to order.

Motion by Armando Tarango seconded by Jeff Allen to recess into executive session to discuss personnel issues pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), retaining the Mayor, Council members, City Attorney, City Administrator, Police Chief David Post, and Police Sergeant Colton Schmitt, with the open meeting resuming in the Council Room at 9:15 p.m. Vote – Unam.

The Council came out of executive session.

Mayor Green called the meeting back to order.

No action was taken.

Mayor Green presented a letter of resignation from Jason Wolfe, Scott City Fire Department Deputy Fire Chief effective retroactively to September 1, 2021.

Motion by Craig Richards seconded by Barb Wilkinson to accept the retroactive letter of resignation from Scott City Fire Department Deputy Fire Chief Jason Wolfe, effective September 1, 2021. Vote – Unam.

Motion by Adam Winter seconded by Armando Tarango to adjourn at 9:18 p.m. Vote – Unam.

Everett M. Green  
Mayor

Ruth Becker  
City Clerk