

August 2, 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, Jeff Allen, Kelly Funk, Bo Parkinson, Barb Wilkinson, Adam Winter, Armando Tarango, City Attorney Rebecca Faurot, City Administrator Brad Pendergast, and City Clerk Ruth Becker.

The Council and others recited the Pledge of Allegiance.

The minutes of the July 19, 2021, regular council meeting were presented.

Motion by Jeff Allen seconded by Armando Tarango to approve the minutes of the July 19, 2021, regular council meeting. Vote – 5-yes, 2-abstain, Bo Parkinson, Barb Wilkinson.

Appropriation Ordinance #983A was presented.

Motion by Adam Winter seconded by Barb Wilkinson to approve Appropriation Ordinance #983A. Vote – Unam.

Presented in the packet was the final copy of *Municipal Water Conservation Plan for the City of Scott City, May 2021* (the Plan). City Administrator Brad Pendergast indicated that this revision was started before his arrival, but that it is important that the City of Scott City reviews this plan periodically and updates it as needed. He noted that the most recent revisions to the Plan authorize the Mayor, City Administrator, or Public Works Superintendent to implement any necessary water conservation measures, such as water watches, water warnings, or water emergencies, without Council approval. The City of Scott City plans to use social media to quickly alert the public of any of these stages of water shortage. Council member Barb Wilkinson noted that, since Pioneer Communications no longer supports a Community Access Television Station (CATS) channel, social media is likely the quickest way to reach out to the public. Council member Kelly Funk inquired about the dates of the “Watering Restriction” ordinance. Mayor Green reminded the Council that watering restrictions apply every year from May 1 through September 30 in an annual effort to remind residents to conserve water.

Motion by Bo Parkinson seconded by Kelly Funk to authorize the Mayor’s signature on *Municipal Water Conservation Plan for the City of Scott City, May 2021*. Vote – Unam.

Mayor Green informed the Council that David Frisch, GMS Inc. Engineer, who was planning to attend via Zoom, would not be able to join the meeting. Council member Barb Wilkinson stated that Mr. Frisch does a wonderful job of keeping the Council informed and that, even though he could not attend, he still finds a way to keep the Council updated on their progress. Mayor Green added that the *Engineer’s Report* that was provided for the packet was an example of the effort put forth by Mr. Frisch and his team to keep the Council and crews well-informed. Mayor Green asked for any further input into the GMS discussion. City Administrator Brad Pendergast noted that he and City Attorney are still working on the Crescent Street extension project and hope to be able to move forward soon.

City Administrator Brad Pendergast informed the Council that Scott County had requested that the City put a streetlight at the corner of 12th Street & Myrtle Street to provide for better lighting at the Assisted Living Center. Mr. Pendergast indicated that he will reach out to the City's contact at Wheatland Electric to pinpoint the best location for the streetlight.

Motion by Craig Richards seconded by Armando Tarango to authorize City Administrator Brad Pendergast to contact Wheatland Electric to erect a streetlight at the intersection of 12th Street & Myrtle Street. Vote – Unam.

Provided in the packet was *City of Scott City, Kansas Sewer Rate Brief* as prepared by City Administrator Brad Pendergast. Mr. Pendergast noted this document provides both projected revenues and expenditures for the City of Scott City's Sewer Fund. Mr. Pendergast reminded the Council that the last time the sewer rates were increased was in 2012 and that Scott City's rates are far below the average rates of comparable cities in western Kansas. He also mentioned that Scott City uses over 20 rate scales to figure sewer rates, noting that the number of current rate scales make things complicated. He indicated that collections are the only source of revenues for this fund, and that annual operating expenses have exceeded revenues three times within the last ten years. Mr. Pendergast would like the Council to consider increasing sewer collection rates to be able to create a Sewer Reserve fund. Ideally, the Sewer fund, which operates as an enterprise fund, should have no more than 6 months of operating expenses . . . all additional funds should be moved to a newly created reserve, non-budgeted, fund to allow for capital improvements or emergency expenditures, which would also give direction for savings.

City Administrator Pendergast spoke on surrounding communities' rate structures, noting that the average residential base rate is \$18.52 and the average business rate is \$29.12. Some communities use strictly flat base rates while others use a flat rate combined with a graduated rate scale. Mr. Pendergast proposed the following rate scale, which he noted had not yet discussed with GMS engineers.

Proposed City of Scott City Sewer Rates - January 2022			
Type	Rate	Rate Type	Rate Scale
Residential, Apartment or trailer house	\$ 14.00	Flat	
Business 1	\$ 27.00	Scale	\$1.00 per 1,000 of water used over 2,500 gallons
Business 2	\$ 17.00	Scale	\$1.00 per 1,000 of water used over 2,500 gallons
Residential, Apartment or trailer house - Outside City Limits	\$ 28.00	Flat	
Business 1 - Outside City Limits	\$ 54.00	Scale	\$1.00 per 1,000 of water used over 2,500 gallons
Business 2 - Outside City Limits	\$ 34.00	Scale	\$1.00 per 1,000 of water used over 2,500 gallons
Business 1 - Motel/Hotel, School, Fast Food, Restaurant, Service Station, Laundry Mat, Athletic Club, Grocery Store, Butcher, Hospital, Rest Home, Sports Complex & Car washes.			
Business 2 - All other businesses not specified			

Mr. Pendergast estimates revenues with this new rate scale to be \$330,000. Estimated revenues at the current rate are \$213,000. Anticipated expenditures for 2021 (not including funds used to pay off the Water Treatment Plant bond) are \$300,000. When applying the new rates, approximately \$150,000 would be retained in the Sewer Funds, with any remaining money being transferred into a new Sewer Reserve Fund.

When asked about the timeline, City Administrator Pendergast indicated that an ordinance would need to be published about a month prior to the effective date of new rates. Council member Barb Wilkinson inquired if the City needs to wait until January 2022 to make the new rates effective. Mr. Pendergast replied that the City would not need to wait until January 2022 if the Council desired to move forward more quickly. Consensus of the Council was to move forward with

discussions with GMS regarding increased sewer rates, giving direction to Mr. Pendergast to add additional Sewer Fund revenues to the 2022 budget before publication in the Scott County Record.

Under the open agenda, Council member Kelly Funk expressed continued concerns with draining issues relating to the Rail-to-Trail walking trail. Public Works Superintendent Terence Appel indicated that nothing will change regarding the “humps” along the walking trail at the intersections, that they will still be there. It was also noted that the construction along the new walking trail will likely improve drainage. Mr. Appel will continue to be in contact with GMS engineers throughout the construction of the walking trail to address any drainage concerns. GMS will also assist with drainage along Dunagan Lane.

Pool Manager Marci Patton was not in attendance. City Clerk Ruth Becker reported, on Mrs. Patton’s behalf, that the swimming pool will close on Thursday, August 12, 2021.

City Building Inspector Lloyd Foster was present to discuss the demolition liability coverage requirements as specified in City Code 9-1-6: *Demolishing, Altering or Moving; Permit, Fee Required*, as provided in the packet. City Code requires that anyone who is demolishing, moving, or substantially altering a structure within the city limits be required to possess liability insurance in the amount of \$1 million, insuring the City for any damage as a result of said activities. City Inspector Lloyd Foster indicated that he feels that this code, as established by Ordinance # 1161, provides a hardship for individuals who may otherwise be willing to move or demolish unsafe structures on their own. Mr. Foster indicated that he has been working with City Administrator Brad Pendergast on the removal of a mobile home in Scott City, and that the current owner informed Mr. Foster that he would have demolished the structure at his expense, had it not been for the requirement to hold a \$1 million liability certificate. The next logical step to remove a structure that the property owner is not willing to do on his/her own is for the City to move forward with demolition or removal of the structure, and bill the property owner for its removal. If the owner does not pay the cost to move or demolish, the cost will be applied to a property owners’ tax roll. According to City Administrator Brad Pendergast, if the cost is applied to a tax roll, it is unlikely that the City would ever recoup the loss. Some topics of discussion included proposing a different rate for residential structures vs. commercial/industrial structures, requiring proof of homeowners insurance in-lieu of certificate of liability, discrepancies between demolition and building insurance/bonding requirements, and the likelihood of damage for different types of structures, i.e. simple stand-alone garden shed vs. structure connected directly to another structure. Mayor Green recommended that the Council members give this issue some extra consideration and to address this issue at the next regular Council meeting on August 16. Consensus of the Council was favorable.

Interim Fire Chief Jeff Mayer was not in attendance.

Police Chief David Post provided bids for the repairs to the dog pound in the packet. Police Chief Post indicated that bids submitted by CJ Lee Construction and Goodman Construction have since been withdrawn, so there are only two bids for consideration—both provided by Forrest Gough dba Forrest’s Painting & Construction. Option #1 presented by Mr. Gough included raising the peak and creating one solid roof over the three separate sections of the structure and completely rebuilding the walls. The bid for Option #1 is \$23,262.97. Option #2 presented by Mr. Gough

included less truss-work with hidden walls and re-using existing wood and tin from the structure for repairs. The bid for Option #2 is \$17,962.21. Police Chief Post indicated that there is approximately \$4,900 left of the insurance claim after the \$5,000 deductible that would be applied to whichever option the Council chooses. Council members discussed the options. Consensus of the Council was that if repairs are simply made to the structure as it is currently, a similar storm would result in the same type of damage. The modification proposed in Option #1 seem to create a more stable and sturdy structure which would be able to withstand harsher weather conditions.

Motion by Kelly Funk seconded by Jeff Allen to accept the bid for Option #1 at the cost of \$23,262.97 with the City's cost, after insurance proceeds, to be paid out of Special City Projects. Vote – Unam.

Police Chief Post provided *Council Meeting/Dept Update, August 2nd, 2021* to update the Council of Police Department happenings since he was unable to attend the July 19, 2021 meeting. Highlights touched upon by Police Chief Post were: Officer Luke Hayes started as Public Service Officer on July 26th, 2021. Due to a tentative delayed start date for Kansas Law Enforcement Training Center (KLETC) training, Officer Hayes is starting his Field Training Officer (FTO) training immediately. It is anticipated that Officer Hayes will graduate KLETC in mid-January; a partnership with Western Kansas Child Advocacy Center (WKCAC) which will allow the WKCAC to employ two full-time, trained, medical staff from whom the Police Department can enlist assistance in sexual investigations; gun locks for 5 vehicles were purchased using funds from the Scott Community Foundation thanks to a donation from the Colter Berry Memorial Coyote contest; \$2,081.49 in seizure funds were received; Officer Michael McEachern entered an SCPD car in the Figure 8 races during the Scott County Fair, finishing 5th overall; Officers Michael McEachern and Whitney Savolt have been a big hit when engaging with kids at the pool; the Police Department hosted a BBQ on Sunday, July 25, 2021 at the pool for its employees and their families; an invoice was submitted to Garden City Police Department for \$15,955.27 for reimbursement for costs associated with training former Officer Charles Semenko.

Council member Barb Wilkinson inquired if Police Officers can please stop when they see transient vendors and ask if they have their license to sell.

Parks Superintendent Terence Appel noted that, in addition to the usual park maintenance, the crew has been working on the sprinkler systems on islands along Highway 83.

Street, Water, & Sewer Superintendent Terence Appel mentioned that his crew has been partnering with the Police Department to move trailers along the Glenn Street alley (the location of the new walking trail). Not all people have been happy to comply with moving their personal equipment out of the right-of-way in the alley now that the walking trail is under construction. Mr. Appel indicated that a Police presence has helped.

Mr. Appel informed the Council that they had put a camera down the storm drain at 12th Street. Several large tree roots are blocking the flow in the area around Kingsley and Jackson Streets. Approximately 40' of concrete will need to be removed in this area to allow the City crew access to remove roots and other obstructions.

Public Works Superintendent Terence Appel reported that he ordered a pump for the Nu-Life lift station from Enviro-line at a cost of \$5,300 after consulting with City Administrator Brad Pendergast. The pump that was pulled will be sent to Great Bend to be re-wound at an approximate cost of \$2,000, and it will be used as a backup pump for that same lift station. The Edwards pump also needs to be replaced; it also has no backup pump. The cost to replace that pump is estimated

to be \$2,100. Mr. Appel noted that the problem that they are having is that the lift stations all use different pumps, so they need to keep several different backups on-hand. He is working to get all lift stations to the point where they are all using similar pumps that can be interchangeable.

Mr. Appel inquired if the reserve fund mentioned earlier in the meeting by City Administrator Brad Pendergast would cover equipment. Mr. Pendergast replied that the City already has a Municipal Equipment Reserve Fund that can be used for Public Works equipment. Mr. Appel indicated that a Sewer Truck can run about \$300,000. Mr. Pendergast indicated that, based on fund balances, transfers can be made from the Water Fund or Sewer Fund into the Municipal Equipment Fund in anticipation of future equipment needs.

City Clerk Ruth Becker informed the Mayor and Council members that they have been invited to Earles Engineering & Inspection, Inc.'s Annual Appreciation Dinner to be held at 6:00 p.m. on Saturday, October 9, 2021, in Topeka. Details were provided in the council packet. Mrs. Becker offered to RSVP for those who would like to attend. The deadline to RSVP is Monday, September 27, 2021.

City Administrator Brad Pendergast reported that he and his family will be moving to Scott City on Monday, August 9, 2021.

Mr. Pendergast mentioned that he was pleased with Governor Kelly's visit to Scott City and Nu-Life. He was impressed with opportunity that Nu-Life has for expansion. He encouraged those in attendance to check it out if they hadn't already. Mayor Green added that the impact of an industry such as Nu-Life has outreach outside of Scott City and that Governor Kelly and Lieutenant Governor Toland seemed genuinely impressed and fascinated with the facility.

City Attorney Faurot had nothing to report.

Mayor Green informed the Council that he and City Administrator Brad Pendergast had attended the County Commissioner's meeting on July 20, 2021. He indicated that they attended the meeting to gauge the County's satisfaction level with Gilmore Solutions, the computer technical support company that contracts with both Scott County and the City of Scott City. Overall, the County Commissioners indicated that they felt that, overall, Gilmore Solutions provided a good value for the money that was paid to them, and that Scott County was not interested in exploring other options at this time. However, the Commissioners were empathetic to issues that the City of Scott City had experienced with Gilmore Solutions. Commissioner Jerry Buxton offered to set up a joint meeting with representatives from Gilmore Solutions, the City of Scott City, and Scott County. Mr. Buxton will reach out to Mayor Green or City Administrator Pendergast when that meeting has been set.

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 8:45 p.m. Vote – Unam.

Everett M. Green
Mayor

Ruth Becker
City Clerk

