

January 17, 2022

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

Pastor Bill Geurin from the Gospel Fellowship Church in Shallow Water was present to lead the Council and others present in prayer.

Present were Mayor Everett Green, Council members Craig Richards, 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 Council and others recited the Pledge of Allegiance.

The minutes of the January 3, 2022 regular council meeting were presented.

Motion by Barb Wilkinson seconded by Armando Tarango to approve the minutes of the January 3, 2022 regular council meeting. Vote – Unam.

Appropriation Ordinance #988B was presented.

Motion by Adam Winter seconded by Josh Gooden to approve Appropriation Ordinance #988B. Vote – Unam.

Police Chief David Post introduced Officer Whitney Savolt to all those in attendance. Officer Savolt's daughter Madaelyn was also in attendance. Police Chief Post informed the Council that Officer Savolt had recently been dispatched on three separate occasions during which her extraordinary community service was evident. During an unattended death call, Officer Savolt threw out old food, cleaned the area, took out the trash, and offered to do drive-bys of the area until the family arrived. She also provided pizza for the family upon their arrival. The family was so grateful for Officer Savolt's assistance that they donated a portion of the memorials to the police department's funds at the Scott Community Foundation. During other calls involving domestic disturbances, she washed dishes, vacuumed floors, and even cleaned out a litter box to deescalate tense situations. For this type of service, which Officer Savolt is recognized, Police Chief Post awarded her with the *Distinguished Community Service Award*. He noted that Officer Savolt had also recently been appointed to the Board of Directors for the Western Kansas Child Advocacy Center for her work with the community. The Council extended their gratitude to Officer Savolt and Mayor Everett Green stated that this is a perfect example of the positive policing that the Scott City Police Department strives to provide.

Mayor Green opened the *Public Hearing for Vacating Easements*. Provided in the packet was *Letter of Intent* from Woodrow Fanning, F3 Agrow, Inc., requesting that the City of Scott City release the easements for the lots listed in the request for the betterment of the Scott community. Also presented in the packet was *Ordinance # 1231*, an ordinance vacating the following locations:

- Myrtle Street – Between lots 25 & 26, Block 8 of Hall's First Edition and Lots 1 & 2, Block 11 of Hall's First Addition.

- Antelope Street - Between lots 25 & 26, Block 11 of Hall's First Edition and Lots 1 & 2, Block 14 of Hall's First Addition; as it crosses Franklin Avenue; and between Lots 13 & 14, Block 12 and Lots 11 & 12, Block 13 of Hall's First Addition.
- Monroe Street - Between lots 25 & 26, Block 14 of Hall's First Edition and Lots 1 & 2, Block 17 of Hall's First Addition; as it crosses Franklin Avenue; and between Lots 13 & 14, Block 13 and Lots 11 & 12, Block 18 of Hall's First Addition.
- Madison Street - Between lots 25 & 26, Block 17 of Hall's First Edition and Lots 1 & 2, Block 20 of Hall's First Addition; as it crosses Franklin Avenue; and between Lots 13 & 14, Block 18 and Lots 11 & 12, Block 19 of Hall's First Addition.
- Alley - Between Lots 1 & 2 AND Lots 24 & 25 of Block 20 of Hall's First Addition.
- Jefferson Street – To the east of Lots 25 & 26, Block 20 of Hall's First Addition; as it crosses Franklin Avenue; and to the east of Lots 13 & 14, Block 19 of Hall's First Addition.
- Franklin Avenue – From Antelope Street east to Jefferson Street.

Michael Deines had planned to attend via Zoom to discuss the request, as he and Mr. Fanning are joining together to form a new company, Dei-Fan Logistics which will take the place of F3 Agrow, Inc., but did not attend via Zoom as planned. Mayor Green explained that Mr. Deines and Mr. Fanning own these lots and are interested in vacating a portion of the streets and alley specified because of their proximity to the railroad. City Administrator Brad Pendergast and Mayor Green asked Public Works Superintendent Terence Appel if there were any utilities in the easements that would be cause for concern. Mr. Appel mentioned that there are some water lines in the area but that they would not be affected by vacating the areas requested as they are on the City's side of the easements. Mr. Pendergast also mentioned that the areas being requested for vacation are currently just being used as a "junk yard," and that vacating these easements and allowing F3 Agrow, Inc./Dei-Fan Logistics to utilize the area, would help to clean out the area making it more attractive.

Motion by Josh Gooden seconded by Barb Wilkinson to authorize the Mayor's signature on *Ordinance # 1231*, an ordinance vacating the street easements and alley easement listed above, and to direct the City Clerk to file a certified copy of the ordinance with the County Clerk and the Register of Deeds of Scott County, Kansas. Vote – Unam.

Mayor Green closed the public hearing portion of the council meeting.

Ordinance # 1232, an ordinance amending Title 10, Chapter 9, Section 10-9-6, subsection C of the Municipal Code of the City of Scott City, removing the limit of only one person conducting the activity of hairdresser/barber was presented in the packet. City Attorney Rebecca Faurot reminded the Council that several months ago it was recommended by the Planning & Zoning Commission to remove the limitation of only one hairdresser/barber at a location for a home occupation because that occupation was singled out as limiting the number of personnel to one. The proposed ordinance removes that limitation allowing hairdressers/barbers to follow the same allowance as all other home occupations regarding the number of persons allowed to conduct the activity.

Motion by Josh Gooden seconded by Adam Winter to authorize the Mayor's signature on *Ordinance # 1232*, an ordinance amending Title 10, Chapter 9, Section 10-9-6, subsection C of the Municipal Code of the City of Scott City, removing the limit of only one person conducting the activity of hairdresser/barber. Vote – Unam.

Lonnie & Colleen Dearden were present to request a streetlight at the intersection of Viola, Crescent, & Park Avenues. Mrs. Dearden mentioned that the area is extremely dark at night. Street Superintendent Terence Appel mentioned that he had spoken with Walt Lovins with Wheatland Electric, and he determined that there would be no overhead wires associated with a new streetlight.

Motion by Armando seconded by Barb Wilkinson to approve the installation of a streetlight at the intersection of Viola, Crescent, & Park Avenues. Vote – Unam.

Included in the packet was *Planning Commission Appointments 10-2-1 (as amended 01/03/22)*. Mayor Green made the following appointments:

- 3-year term: January 2020 – January 2023 Richard Crist
 Art Gomez
- 3-year term: January 2021 – January 2024 Clint Pearson
 Tony Sieck
 Roger Winter
- 3-year term: January 2022 – January 2025 Howard Fisher
 Les Spangler
- Alternates:
 2-year term: January 2021 – January 2023 Tim Graff
 2-year term: January 2022 – January 2024 To Be Determined

Mayor Green stated that he would be prepared to make his appointment for an alternate commissioner by the February 7, 2022 regular council meeting.

Motion by Armando Tarango seconded by Barb Wilkinson to approve Mayor Green's appointments to the Planning Commission. Vote – Unam.

Provided in the packet was an excerpt from the minutes from August 4, 2014 and March 16, 2015, setting the current rates and current amount of water credits, and *Scott Rec Commission, Water Usage*. Scott Recreation Commission Director Kylie Stoecklein and Jordan Carter were present to answer any questions. After a brief review of the packet items, Mayor Green noted that the Scott Recreation Commission was doing a great job at water conservation.

Motion by Armando Tarango seconded by Craig Richards to extend up to \$34,000 of water credits for 2022 to the Scott Recreation Commission in exchange for an updated water conservation plan for 2022. Vote – Unam.

Included in the packet were two marketing brochures from ArchiveSocial: *Comprehensive Social Media Archiving Compliance* and *Overview: Protecting Scott City with Social Media Archiving*. City Administrator Brad Pendergast noted that with social media being used by the City to communicate with its residents, and with those social media accounts being subject to the Kansas Open Records Act, it is important that the City of Scott City has a way to archive anything that is posted on any social media accounts. The City currently has four Facebook pages (the Mayor's page, City Hall page, Police Department page, and Swimming Pool page) whose contents

could be the subject of an open records request. Because social media accounts are not easily searchable in their current formats, the assistance of a social media archive solution would save time for personnel being asked to fulfil this type of open records request. Also, having easy access to archived discussions in a searchable format means less likelihood for a lawsuit because all content is saved as it is posted, keeping records of all items – even those items that have been removed because they violated social media policies. Mr. Pendergast informed the Council that he worked with ArchiveSocial while working in Oakley, and that their services were needed twice to fulfil open records requests. A quote was also provided in the packet. A one-year subscription for up to twelve accounts and up to 1,500 records per month was quoted at \$2,988.00. Mr. Pendergast noted that ArchiveSocial has proven to be flexible in the number of records archived each month as they understand that some months may have an unusually large amount of activity while most months will not. ArchiveSocial has a reputation of not taking advantage of clients who have a short-term spike in activity. Mayor Green informed the Council that this archive solution also appears to be more cost effective than options that were presented when City of Scott City went through its recent “social media” lawsuit. Mr. Pendergast recommended that the Council approve this expenditure, noting that the cost is below the threshold for council approval, and pointed out that he wanted the Council to be involved in the decision.

Consensus of the Council was to approve the expenditure of a social media archiving solution from ArchiveSocial in the amount of \$2,988.00 for a one-year subscription for up to twelve social media accounts.

Scott City Municipal Airport Fixed Base Operator (FBO) John Holzmeister, Frontier Ag, was present to update the Council about the airport. He began by introducing Al and Natalie Sibi, the new airport manager/mechanic, and his wife, who is working in the office at the airport. Council members welcomed the couple. Mr. Holzmeister noted that the generator at the airport suffered some damage during the recent windstorm; the generator did not kick on as it should have. Foley Equipment out of Wichita came out to look at it and determined that the generator needs a new board panel. Also, the heater to heat the water in the unit is not functional and needs to be replaced. Mr. Holzmeister noted that he had received a quote of \$3,281.00 for the cost of the repairs and wants to proceed with the repairs. Mr. Holzmeister would also like to procure an annual service agreement with Foley Equipment to lessen the likelihood of the generator failing in the future. The cost of the annual service agreement, which includes three on-site visits, is \$1,800.00.

The airport is also having problems with the reel on the Jet A fuel pump leaking. He feels that the reel needs to be completely replaced because the current reel is so old that they cannot find replacement parts.

The pump for the low lead fuel has slowed to the point where it is barely pumping. Mr. Holzmeister has reached out to P B Hoidale out of Garden City for assistance. It has been determined that this pump is also outdated, and parts cannot be obtained for it. The current pump is a single-phase where most pumps today are three-phase so there are now electrical issues that need to be dealt with. He has asked P B Hoidale for a bid to determine the cost of a replacement low lead fuel pump.

Mr. Holzmeister also informed the Council that a nozzle on the fuel hose is leaking. He would like to purchase a new hose so that the old one can be rebuilt and used as a backup as needed. Mr. Holzmeister will provide updated numbers to the Council as he receives them.

New airport manager Al Sibi reported that he has been doing some painting and remodeling in the shop to get things cleaned up and made functional. He mentioned that there is currently only

one plane in the old T-hangars. He indicated that he had been made aware that the City is wanting to replace these hangars, but he believes that he can work on these hangars to make them functional in the meantime. Mr. Sibi would like to present a proposal to the Council that would include cleaning and sealing the hangars to make them usable for not only transient aircraft, but for resident aircraft. He even mentioned a possibility that he would like to rent one for himself. He feels that the hangars, as they are now, are wasted space that have the potential to generate more revenue for the City.

Michael Deines joined via Zoom, and Mayor Green informed him that the public hearing had already concluded and that the ordinance to vacate the requested areas had been passed. Mr. Deines thanked the Council for approving the request. Mayor Green asked for Mr. Deines to share his plans for Scott City. Mr. Deines stated that he sees Scott City as the “beacon of Western Kansas,” the economic center of everything agricultural in this part of the state. Their vision is to “build the Port of Scott.” He noted that goods and materials need to be brought in to supply our farmers, and everything that the farmers produce needs to be able to be sent out. They wish to build out a rail-head facility so that businesses from all over the region can use Scott City to access the world. They wish to facilitate all goods coming in and all goods going out and to open this part of Kansas as if Scott City were a port city on a gulf. They need the streets vacated so that they can build out their infrastructure to meet the needs of the region.

Mayor Green noted that it is exciting to think that they can develop something Scott City hasn't had before. He also noted that it is the intent of Michael Deines and Woodrow Fanning to create jobs in the area. Mayor Green stated that he has had the opportunity to speak with both men and that they have done their due diligence, and that their plan has been well thought out. Mayor Green thanked Mr. Deines for joining the meeting.

Presented in the packet were two letters from Hay, Rice, & Associates which accompanied a copy of the 2019-2020 Scott City Housing Authority (SCHA) Audit. SCHA Manager Ardith Scammehorn inquired if anyone had any questions. No one had any questions regarding the audit. Mrs. Scammehorn indicated that her attention was immediately focused on the audit's indication that the SCHA has a loss of \$11,000 in 2020 and she wanted to point out that this was due in large part to an abundance of vacancies – 56 total for the year. Several of the vacancies occurred when tenants moved to the new Senior Housing units at Eastridge Villas, while one tenant was moved to a nursing home and one tenant was evicted. Mrs. Scammehorn noted that 56 vacancies translated into the number of units that were vacant times the number of months they were vacant. For example, one unit that was vacant for 4 months is the equivalent of 4 vacancies. Council member Craig Richards stated that he noticed that the rental assistance amount had gone down during the period of the audit and inquired if the rate of rental assistance was moving back up. Mrs. Scammehorn confirmed that the rental assistance is again headed in the right direction. She confirmed that in 2021, there were only 4 vacancies for the entire year.

Mrs. Scammehorn added that she currently has one vacant unit. This unit is one of two handicapped units. However, now that this unit has become vacant, upgrades to the unit need to occur to remain compliant as a handicapped unit. The primary upgrade would be to replace a bathtub with a walk-in shower. The other features of the unit remain in compliance. She indicated that she received a plumbing bid of approximately \$2,500.00 to convert the bathtub to a shower. The quote does not include the replacement of the drywall. Mrs. Scammehorn asked the Council,

acting as the SCHA board, for permission to proceed with the upgrade to the bathroom, making the unit fully handicapped accessible.

Motion by Craig Richards seconded by Josh Gooden to allow SCHA Manager Ardith Scammehorn to pursue the renovation of a handicapped unit at Pine Village Apartments by replacing a bathtub with a walk-in shower at an approximate cost of \$2,500.00. Vote – Unam.

Mrs. Scammehorn mentioned that since 2020 a washing machine, a clothes dryer, a flooring unit, and several water heaters have been replaced as part of regular maintenance.

Mayor Green thanked Mrs. Scammehorn for her report.

Ken White, GMS Inc. Engineer, was not in attendance via Zoom as expected.

There was nothing to report under the open agenda.

Mayor Green noted that lifeguard applications were due by 5:00 p.m. that evening and asked how many had been received. City Clerk Ruth Becker informed the Council that 19 applications had been received, and that 12 of those applications were from individuals who would potentially be returning lifeguards. Copies of the applications will be given to Pool Manager Marci Patton who will conduct interviews with Assistant Pool Manager Jessica Berry. They will make hiring recommendations at the February 7, 2022 Council meeting.

Included in the packet were *Pool Salaries 2005-2021* and *2021 Pool Management Hours Worked*. Hourly wages for pool managers were set at the January 3, 2022 Council meeting, but no monthly salaries were set. Traditionally, pool managers have been paid an hourly rate for the months of May and August, those months in which the pool is open for only part of the month, and a salary for the fully opened months of June and July. After a brief discussion, the consensus of the Council was to pay an hourly rate all season long.

Motion by Barb Wilkinson seconded by Adam Winter to pay pool managers an hourly rate for the entire 2022 season. Vote – Unam.

Building Inspector Lloyd Foster was not in attendance.

Scott County Fire Chief Jeff Mayer was not in attendance.

Police Chief David Post began by informing the Council that he and Officer Savolt had attended training in Oakley the previous Monday, and that he would be attending the Sheriff's Association Conference and other conferences in Topeka the following Monday through Wednesday.

Police Chief Post requested to open bids for two police vehicles. Mayor Green opened the following sealed bids, both received from J & R Car & Truck Center, Scott City:

- 2022 Chevrolet 1500 Crew LT
Rebates \$ 9,100.00
Total \$49,256.00
\$40,156.00

- 2022 Chevrolet Traverse 1LS
Rebates \$ 6,300.00
Total \$35,752.80
\$29,452.80

Police Chief Post noted that both vehicles met the specifications provided. He noted that each of the vehicles would need to be ordered and that it would likely be Spring before the vehicles would be available. He requested that the 1500 Crew LT be purchased using ARPA funds, as approved at the October 4, 2021 council meeting, and that the Traverse 1LS be purchased using funds from the Police Department budget. The Traverse would replace the Chevy Colorado. Council members asked whether the Colorado would be used as a trade-in option. Police Chief Post indicated that the Colorado (120,000 miles) is listed in Kelley Blue Book at a \$5000-\$8000 range, but because it is already outfitted for law enforcement use, he would like to try to sell it on Purple Wave, believing it would return more money than using it as a trade-in.

Motion by Josh Gooden seconded by Adam Winter to approve the purchase of the 2022 Chevrolet 1500 Crew LT at a final cost of \$40,156.00 to be paid using ARPA funds as approved at the October 4, 2021 council meeting. Vote – Unam.

Motion by Armando Tarango seconded by Craig Ramsey to approve the purchase of the 2022 Chevrolet Traverse 1LS at a final cost of \$29,452.80 to be paid out of the Police Department budget. Vote – Unam.

Parks Superintendent Terence Appel reported that the snow that had been removed and relocated to the asphalt at Palmer Park was going to be left to melt . . . it would not be further moved.

Street, Water, & Sewer Superintendent Terence Appel requested to advertise for bids for a 1-ton flatbed dump truck to replace the 1986 1-ton flatbed truck that they currently have. The current vehicle is having issues with the clutch and transmission. He noted that in researching availability of a new flatbed dump truck, it looks as if it will take between 6 – 8 months before a new truck could be available. Mr. Appel informed the Council that the truck would be paid for out of the Municipal Equipment Fund, which currently has a balance of \$129,000. He noted that he is interested in listing the current vehicle (50,000 miles) on Purple Wave.

Motion by Josh Gooden seconded by Adam Winter to allow Street, Water, & Sewer Superintendent Terence Appel to advertise for a new 1-ton flatbed dump truck with sealed bids to be due to City Hall by 5:00 p.m. on February 7, 2022. Vote – Unam.

City Clerk Ruth Becker had nothing to report.

City Administrator Brad Pendergast noted that he had been working on a Rural Housing Incentive District (RHID). He feels that with a community the size of Scott City that the entire City should be established as the RHID district. One item that is required when establishing an RHID is a complete legal description of City boundaries. Mr. Pendergast plans to reach out to Evans, Bierly, and Hutchison (EBH) engineers to see if they can assist with a metes and bounds description, since they have done the most recent work on the City's zoning map, or if we need to utilize GMS for this project as well.

City Attorney Faurot had nothing to report.

The financial, investment, and quarterly reports were presented.

Mayor Green had nothing to report.

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 9:03 p.m. Vote – Unam.

Everett M. Green
Mayor

Ruth Becker
City Clerk