

February 7, 2022

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

Pastor Larry Danforth from First United Methodist Church was present to lead the Council and others present in prayer.

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

The Council and others recited the Pledge of Allegiance.

The minutes of the January 17, 2022 regular council meeting were presented.

Motion by Adam Winter seconded by Barb Wilkinson to approve the minutes of the January 17, 2022 regular council meeting. Vote – 6, yes – 1, abstain, Jeff Allen.

Appropriation Ordinance # 989A was presented.

Motion by Josh Gooden seconded by Adam Winter to approve Appropriation Ordinance #989A. Vote – Unam.

Mayor Green announced a slight change to the order of the agenda due to the next presenter having had a very early start to his morning in order to be here in Scott City for the K96 project. Mayor Green welcomed Mark Hornberger, GMS Resident Project Representative. Mr. Hornberger recently replaced GMS Resident Project Representative Riley Miller on the K96 Water Improvement project as the liaison among GMS, Pate Construction, the City of Scott City, and City residents. Mr. Hornberger was present to discuss the progress of the K96 project and to explain the process for requesting the initial drawdown from Kansas Public Water Supply Loan Fund (KPWSLF). Included in the packet was a letter signed by GMS Engineer David Frisch and supplemental documentation outlining the details of the \$425,579.77 drawdown request. Mr. Hornberger explained that all items, except the final invoice (#17) from GMS for 2021 engineering fees in the amount of \$33,223.62, have already been paid by the City of Scott City and that reimbursement of the funds are part of the KPWSLF loan. GMS invoice #17 will be paid during the upcoming accounts payable run. Mayor Green thanked Mr. Hornberger for his report.

Provided in the packet were the unapproved minutes for the January 26, 2022 Airport Commission meeting and the signed “Lease Agreement” between Robert Hoeme and the City of Scott City, Kansas, for the year beginning January 1, 2022. Council member and Airport Commissioner Adam Winter explained to the Council that Mr. Hoeme had sold his airplane and requested that the new owner of the plane be allowed to house the aircraft in Mr. Hoeme’s leased hangar at Scott City Municipal Airport. He mentioned that there is a long waiting list for space in the T-hangars; therefore, it is the recommendation of the Airport Commission to allow the new owner of Mr. Hoeme’s airplane to keep the plane in the hangar only through the end of February 2022 to allow him time to find other hangar space for his plane if he pays the February rent of \$110.00. City Clerk Ruth Becker confirmed that the payment has already been made. Mayor

Green indicated that the new owner of the plane has been offered space in the main hangar to allow additional time to find hangar space.

Motion by Adam Winter seconded by Jeff Allen to allow the early release of Robert Hoeme's hangar lease agreement, and to allow the new owner of Mr. Hoeme's plane to remain in the hangar through February 28, 2022. Vote – Unam.

City Administrator Brad Pendergast spoke to the Council about the changes known as the "Final Rule" for the American Rescue Plan Act (ARPA). Mr. Pendergast noted that a few weeks prior, the U.S. Department of the Treasury released a determination allowing any municipality to claim up to \$10 million of ARPA funds as lost revenue. City Administrator Pendergast recommends allocating all ARPA funds that have already been received, and those yet to be received, as lost revenue, noting that the Transient Guest fund had been especially hard hit due to a drop in travel since the beginning of the Covid-19 pandemic. This new determination still does not allow ARPA funds to be used to pay off existing debt. Mr. Pendergast explained that by using these funds for revenue replacement, the reporting process will be more streamlined and will take a lot less administrative time. He mentioned that Dirks, Anthony, and Duncan auditor Mathew Medill agrees that using funds for revenue replacement is a good plan. He recommends that all dollars received be deposited into a specific fund and that all ARPA related expenditures be expensed out of the same fund to make it easier to determine how ARPA dollars were spent in case of an audit. All projects that were previously approved to be paid for with ARPA funds can still use ARPA funds for their funding.

Motion by Josh Gooden seconded by Jeff Allen for all ARPA funds received by the City of Scott City to be used for revenue loss replacement as allowed by the "Final Rule" set by the U. S. Department of the Treasury. Vote – Unam.

Scott County Fire Chief Jeff Mayer was present to present *Change Order #1, Rev.1* from Weis Fire & Safety Equipment, LLC (Weis) for the purchase of the Wet Rescue Truck approved at the September 21, 2021 Council meeting. The change order, as presented, would increase the cost of the rescue truck by \$20,750.44. Two payments have been made to Weis against the original contract. The current fund balance of the Fire Equipment fund is \$224,137.82. With the balance remaining on the original contract, \$80,492.00, which is due upon completion of the build, and \$48,809.00 due upon receipt of the rescue tools recently ordered, \$74,086.38 remains to be spent out of the Fire Equipment fund, which needs to be spent down to \$0.00 by the end of 2022. Fire Chief Mayer mentioned that he had gone to Salina in November 2021 and viewed the same model of truck that the fire department had recently purchased, but with additional shelving, lighting, sound options, and winches on each end of the truck. Those additional items are addressed in the presented change order.

Motion by Josh Gooden seconded by Craig Richards to authorize Scott County Fire Chief Jeff Mayer to purchase the additional items from Weis Fire & Safety Equipment, LLC for the Wet Rescue Truck, increasing the cost of the truck by \$20,750.44. Vote – Unam.

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

Appointments

City Administrator

Brad Pendergast

City Attorney	Rebecca J. Faurot
City Clerk	Ruth Becker
City Inspector	Lloyd Foster
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 Jeff Allen seconded by Bo Parkinson to confirm the Mayor's appointments, commissions, and committee as presented. Vote – Unam.

Mayor Green announced that he would like to appoint Brenda Cejda as an alternate to the Planning & Zoning Commission to fill the vacant January 2022 – January 2024 term.

Motion by Josh Gooden seconded by Adam Winter to approve the appointment of Brenda Cejda as an alternate member of the Planning & Zoning Commission. Vote – Unam.

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

Motion by Barb Wilkinson seconded by Bo Parkinson 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 Jeff Allen seconded by Josh Gooden 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 that 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 Josh Gooden seconded by Adam Winter to approve the City Treasurer's recommendations for the depository banks for the City of Scott City. Vote – Unam.

Under the open agenda, Council member Bo Parkinson mentioned that Chris Holovach had reached out to him to request that the City purchase his well. City Administrator Brad Pendergast reminded the Council that GMS has recommended that the City purchase at least one more well as part of the ongoing water improvement projects. Consensus of the Council is to explore this and other options before making any decisions.

Pool Manager Marci Patton was present to recommend the following individuals as lifeguards for the 2022 pool season:

Co-Head Lifeguards

Connor Cupp
Cami Patton

Lifeguards

Malorie Cupp
Brooke Hoeme
Alli Patton
Alivia Noll
Paige Prewit
Tara Rose
Eric Shapland
Hailey Shapland
Brinlie Stevens
Kennedy Wasinger
Piper Wasinger
Emma Wheeler

Mrs. Patton notified the Council that most of the guards that she is recommending will not need additional training for 2022 because most of last year's employees had either lifeguard review

training certifications or full training certifications, both of which are valid for two years. Three returning guards will need recertification and three new hires will need to complete full certification training. Mrs. Patton informed the Council that training has not been finalized, and that training options are limited. She explained that guards may have to travel as far as Salina to receive training, especially if guards are wanting to become Water Safety Instructor (WSI) certified. She indicated that head lifeguards are required to hold WSI Certificates. Mayor Green inquired if mileage had ever been paid to those individuals traveling to obtain training. Council member Barb Wilkinson indicated that mileage for pool employees had never been provided. This was confirmed by City Clerk Ruth Becker. Consensus of the Council was to provide mileage for those traveling to obtain training.

Motion by Adam Winter seconded by Jeff Allen to approve Pool Manager Marci Patton's recommendations for lifeguards for the 2022 pool season and to approve training opportunities at the pool manager's discretion, with mileage being reimbursed for those who need to travel to obtain training. Vote – Unam.

Building Inspector Lloyd Foster was not in attendance. City Administrator Brad Pendergast indicated that he had nothing to report on his behalf.

Police Chief David Post presented a request from the City of Ulysses for the reimbursement of expenses paid for the time Officer Jaime Salazar was employed by the Ulysses Police Department and attended the KLETC, in accordance with K.S.A. 74-5609a. When the amount of the reimbursement was questioned by Council members, City Administrator Brad Pendergast indicated that all items on the \$19,499.88 invoice had accompanying documentation and noted that the amounts were reasonable. Mayor Everett Green added that competition to employ a KLETC trained police officer is fierce, and that this is a good investment in our police department to hire officers that are already trained. He also noted that this "is the cost of doing business." Police Chief Post noted that although the invoice is dated 1/17/22, the cost was actually incurred in 2021 with the hire of Officer Salazar. He inquired if the expense could be encumbered back into 2021. City Clerk Ruth Becker confirmed that that could be accomplished if it were the desire of the Council.

Motion by Josh Gooden seconded by Jeff Allen to pay the City of Ulysses for reimbursement of expenses paid for the time Officer Jaime Salazar was employed by the Ulysses Police Department and attended the KLETC, in accordance with K.S.A. 74-5609a, with expenses being posted back into 2021. Vote – Unam.

Police Chief Post reported to the Council that the Kansas Highway Patrol had conducted training for dispatchers and that staff from County/City Attorney Rebecca Faurot's office had participated. He also mentioned that during the prior week he had attended conferences and legislative sessions in Topeka where Police Chiefs and Sheriffs met with legislators to recommend several bills for lobbyists to pursue.

Due to recent illnesses in the dispatchers' department, Police Chief Post noted that he, City Administrator Brad Pendergast, and the Police Commission members had met to discuss the hiring of a part-time/emergency dispatcher to substitute when the department is in need. He informed the Council that he had hired Amber Poore who has 4-5 years of experience as a dispatcher in Dodge City. He indicated that Mrs. Poore has not been needed to cover dispatch duties since her hire, but she is now available if needed. Police Chief Post expressed his appreciation for his

dispatchers and their willingness to cover shifts as needed, despite their own previous illnesses and need for recovery time.

Police Chief David Post took a few moments to recognize Officer Jamie Salazar for some acts of community service. He mentioned that Officer Salazar had noticed a jailer having some difficulty walking on the ice, so he went home, got a pair of his own boots, and delivered them to the individual to make the walk easier. Also, while on patrol, Officer Salazar observed an individual moving into a new home, so he welcomed the gentleman by assisting with moving items into the home.

Police Chief David Post mentioned that he would like to have an auction in the spring to dispose of impounded vehicles. Council members inquired if any progress had been made in acquiring ground and fencing materials to move the impound lot as discussed several months prior. Police Chief Post indicated that the project had not been discussed recently but explained that Scott County has offered to pay half of the costs when the project moves forward.

Parks Superintendent Terence Appel reported that he has been working with Scott Community Foundation (SCF) Director Ryan Roberts. Mr. Roberts had indicated that SCF had some funding that could be used to enhance the parks, playgrounds, and other recreational areas. Ideas to use the money presented by Mr. Appel included planting trees and improving playground areas. Council member Jeff Allen inquired if funds could be used for the creation of pickleball courts in Palmer Park or for repairs/upgrades to the batting cages at the sports complex. Mr. Appel indicated that he would visit again with Mr. Roberts.

Council members inquired about the progress of the Patton Park restroom project. Superintendent Appel indicated that they are hoping to complete the project in late March; progress has been slowed due to the cold weather and snow.

Street, Water, & Sewer Superintendent Terence Appel requested that bids for the flat bed dump truck be opened. Mayor Green received and opened one bid from J & R Car & Truck Center:

2022 Chevrolet 3500HD Reg Cab	\$43,070.00
Less J & R Discount off MSRP	(\$1,200.00)
Less GM Municipality Discount	<u>(\$6,400.00)</u>
Total Selling Price	<u>\$35,470.00</u>
Knapheide 11' 6" Steel Dump Bed	<u>\$16,500.00</u>
Model KDBDS1116-B	
Combined Selling Price for Truck	<u>\$51,970.00</u>
Desired Extra Options as Quoted	<u>\$ 1,250.00</u>

Superintendent Appel confirmed that the bid met specification and requested for the Council to authorize the purchase of the truck, the dump bed, and the options which include: 6" rectangular assist step, 220-amp alternator, front mud flaps, 5 upfitter switches, and a high idle switch. He noted that the bid mentioned the possibility of not being able to secure a 2022 truck and having to order a 2023 model instead. The cost would not differ greatly. He also mentioned that the dump bed is expected to be delivered in 13-14 weeks.

Motion by Josh Gooden seconded by Adam Winter to authorize the purchase of the 2022 Chevrolet 3500HD Reg Cab vehicle at a cost of \$31,470.00 after discounts, the Knapheide Steel Dump Bed at a cost of \$16,500.00, and an options package at a cost of \$1,250.00, all from J & R Car and Truck Center, with a total cost of \$53,220.00 to be paid out of the Municipal Equipment Fund. Vote – Unam.

City Clerk Ruth Becker reminded the Council that the 2nd regular council meeting in February will be on Tuesday, February 22, 2022 due to the observance of President's Day.

Mrs. Becker also informed the Council that she had received the approval of City Administrator Brad Pendergast to attend the CCMFOA/IIMC Spring Conference in Manhattan, Kansas on March 16-18, 2022.

City Administrator Brad Pendergast informed the Council that he has been working on a BASE (Building a Stronger Economy) grant through the Department of Commerce. Any funding received could be used for infrastructure such as water & sewer and roads in new and/or existing industrial parks. He has been working with Scott County Development Committee Director Katie Eisenhower to build such infrastructure in SCIP North. The grant application is due by the end of the month, and if awarded would be a matching grant with 75% of costs covered by the grant and 25% covered by the City of Scott City. They have reached out to GMS Engineer David Frisch for assistance.

Mr. Pendergast noted that he is also working on a Minimum Housing Standard, as he has been receiving calls about homes that are not in good repair, with concerns for the safety of those occupying them. Currently, City Code does not deal with structures in terms of whether they are habitable, but rather unsafe. He anticipates having a document for Council review at an upcoming meeting.

City Administrator Pendergast mentioned that David Frisch would be in Scott City on March 21, 2022 not only for the Council meeting, but also to discuss the drainage at 9th Street & Crescent Avenue with Mr. Pendergast and Superintendent Appel.

Motion by Craig Richards seconded by Barb Wilkinson for the Council to recess into executive session to consult with the City Attorney on a legal matter, pursuant to the attorney-client privilege exception, K.S.A. 75-4319(b)(2), retaining the Mayor, Council, City Attorney, City Administrator, and City Clerk, and calling in the Public Works Superintendent as necessary, with the open meeting resuming in the Council Room at 8:52 p.m. Vote – Unam.

The Council came out of executive session.

Mayor Green called the meeting back to order.

Motion by Craig Richards seconded by Barb Wilkinson for the Council to recess into executive session to consult with the City Attorney on a legal matter, pursuant to the attorney-client privilege exception, K.S.A. 75-4319(b)(2), retaining the Mayor, Council, City Attorney, City Administrator, City Clerk, and Public Works Superintendent, with the open meeting resuming in the Council Room at 9:00 p.m. Vote – Unam.

The Council came out of executive session.

Mayor Green called the meeting back to order.

City Attorney Rebecca Faurot explained to the Council that an original cost estimate worked up by GMS for the Viola Street Extension Project, which included some items for which the City agreed to provide labor or funding, was estimated at a total cost of \$62,600.00 which included a 20% contingency cost of \$7,900.00. City Attorney Faurot noted that a petition had been prepared for the property owners adjacent to the area of the street extension and she requested guidance on which items of the cost estimate the City would agree to cover and which items are expected to be the responsibility of the property owners. After Council discussion, it was the consensus of the Council that the following items were deemed to be the responsibility of the City of Scott City:

Construction Surveying	\$ 1,500.00
Clearing and Grubbing	\$ 3,000.00
Grading and Earthwork	\$12,000.00
Preliminary Layout, Cost Estimates, Contract Administration, and Design	<u>\$12,200.00</u>
 Total City of Scott City Responsibility	 <u>\$28,700.00</u>

Councilman Jeff Allen inquired if the \$3,000.00 cost for geotechnical services could be eliminated from the cost estimate altogether as the street will likely not be heavily traveled. Mrs. Faurot indicated that she would visit with GMS engineers to inquire about having the geotechnical services removed from the cost estimate.

Mayor Green had nothing further to report.

The Council took a short break.

Mayor Green called the meeting back to order.

Motion by Adam Winter seconded by Craig Richards to adjourn at 9:10 p.m. Vote – Unam.

Everett M. Green
Mayor

Ruth Becker
City Clerk