

March 7, 2022

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 February 22, 2022 regular council meeting were presented.

Motion by Armando Tarango seconded by Barb Wilkinson to approve the minutes of the February 22, 2022 regular council meeting. Vote – Unam.

Appropriation Ordinance #990A was presented.

Motion by Barb Wilkinson seconded by Adam Winter to approve Appropriation Ordinance #990A. Vote – Unam.

Mayor Green welcomed EBH Engineer Darin Neufeld. Provided in the packet was *City Connecting Link Improvement Program (CCLIP) Application* as completed by Mr. Neufeld. It was explained that the CCLIP grant had not been awarded to the City of Scott City for the last several years for which it was applied, so the application has not been submitted for the past few years in hopes of giving the appearance of a fresh application. The areas listed on the application for pavement restoration include approximately 1,200 feet of 50' wide driving lanes from Church Street to Court Street on K96 highway and from 5th Street to 7th Street and 100' feet at 12th Street on US83 highway. The projected overall cost of the project for engineering fees, inspection fees and construction costs total \$945,300.00. If approved, KDOT's 95% share percentage of \$898,035.00 would leave a 5% City share cost of \$47,265.00. Mr. Neufeld noted that the CCLIP projects to be awarded during this round could affect the City of Scott City's 2023 budget or the 2024 budget as there is some flexibility with the type of project being requested. KDOT's FY2024 award would affect the City's 2023 budget while their FY2025 awards affect the City's 2024 budget. The deadline to file the CCLIP application is March 17, 2022.

EBH Engineer Darin Neufeld also informed the Council that he has been looking at a separate KDOT Cost Share grant that could be used for inlets and curb & gutter. He explained that this application can be used to incorporate improvements that are not eligible for other grant projects. Street, Water, & Sewer Superintendent Terence Appel indicated that there is a great need to repair several of the inlets along the highway. Mr. Neufeld explained that the applying entity needs to commit to a minimum local match of 15% but noted that he has never seen a project awarded that committed to less than a 20% match. Therefore, he proposed that if the City of Scott City applies for the KDOT cost share grant, that a minimum of 20% (or \$74,000) be submitted as the local cost share portion of the project. The deadline for this grant application is also March 17, 2022. This grant, if awarded, would be available as early as July 2022. Concern was expressed by Mayor Everett Green that if both grants are awarded, that would be approximately \$122,000.00 that needs to be budgeted in upcoming years. City Administrator Brad Pendergast asked if both grants were awarded to the City of Scott City, whether both must be accepted. Mr. Neufeld indicated that there is no requirement to accept an award, but he cautioned that denying an award may negatively

impact the potential to receive future grants. Mr. Neufeld explained he can note on each application the preferred award dates to potentially avoid having both projects awarded in the same budget year.

Motion by Bo Parkinson seconded by Jeff Allen to authorize EBH Engineer Darin Neufeld to submit the *KDOT Cost Share Application* with a local cost share of approximately \$74,000.00 and the *City Connecting Link Improvement Program (CCLIP) Application* with a local cost share of approximately \$47,265.00 to the Kansas Department of Transportation, noting on the CCLIP application the preference of a KDOT FY2025 project date. Vote – Unam.

EBH Engineer Darin Neufeld also informed the Council that he had met with the Airport Commission earlier that morning to discuss the awarding of funds to Scott City Municipal Airport via the Bipartisan Infrastructure Law (BIL) grant. Scott City Municipal Airport will receive \$159,000.00 per year for 5 years in addition to the \$150,000.00 per year already received from the Federal Aviation Administration (FAA). The City is expected to receive funds for the first two years of the program (\$318,000.00) in the next few weeks since the bill was passed in 2021. BIL funds can be used for the same types of improvements that are already listed in the Airport Improvement Plan (AIP) and will be subject to the same local match of 10%, but several “corrective action items” have been brought to Mr. Neufeld’s attention by FAA Central Region staff for Scott City Municipal Airport. Mr. Neufeld noted that these items, likely totaling \$250,000.00 (with a cost match of \$25,000.00), includes overtime, ag production needing to be moved away from the safety zones, changing concrete configuration, painting of concrete surfaces, and other smaller improvements. Based on experience, Mr. Neufeld recommended to the Airport Commission that he be authorized to create a new project to be called “Corrective Action Items” to be placed at the top of the priority project list to be submitted to the FAA, followed by the Apron Expansion project and Construct T-Hangar project which were previously listed as priorities #1 & #2 with the FAA.

Mayor Green thanked Mr. Neufeld for his report.

Mayor Green welcomed Mark Hornberger, GMS Resident Project Representative. Mr. Hornberger presented the materials for the 2nd drawdown request from the Kansas Department of Health & Environment (KHDE) Revolving Loan Program under the Kansas Public Water Supply Loan Fund (KPWSLF) Project No. 2982 in the amount of \$217,702.02, consisting of \$197,850.32 in invoices from Pate Construction Co., Inc. from the start of construction, January 31, 2022, through February 25, 2022, and \$19,851.70 in invoices from GMS, Inc. for the month of January 2022. City Clerk Ruth Becker indicated that these invoices were received as part of this drawdown packet and will be paid with the March 15, 2022 appropriations. Mr. Hornberger updated the Council and all present on the progress on the K96 project and thanked the Scott City Police Department for the added traffic control.

Included in the packet were *Paving Petition* and accompanying *Resolution #2022-02 and Ordinance #1234*. City Administrator Brad Pendergast informed the Council that the two parties affected by the paving of Crescent Avenue (Lonnie & Colleen Dearden and Eric & Tomara Schwindt) have signed the petition, agreeing to the terms outlined in the document. The *Paving Petition* defines the benefit district as follows:

Tract 1: Lots 11 and 14, Block 5, Webster’s Third Addition

Tract 2: A tract of land in the Northwest Quarter (NW/4) of Section Twenty-four (24), Township Eighteen (18) South, Range Thirty-three (33) West of the Sixth Principal Meridian, Scott County, Kansas, more particularly described as follows: Starting at the Northwest corner of said Quarter Section, thence going South 1o15' West along the Section Line a distance or 635.0 Feet; thence going South 89o40' East for a distance of 605.0 Feet; thence going South 30o58' East for a distance of 460.36 Feet for the true Point of Beginning; thence continuing South 30o58' East for a distance of 115.6 Feet; thence going North 85o06' East for a distance 182.55 Feet; thence going North 6o43 West for a distance of 114.70 Feet; thence Westerly on a circular curve with a control angle of 29o04' and a radius of 452.0 Feet for a distance of 229.30 Feet to the Place of Beginning.

The petition also provides a cost estimate of \$62,600.00 for the project and outlines the responsibilities of the City of Scott City and of the benefit district. City Administrator Brad Pendergast indicated that the next step is for the Council to pass Resolution #2022-02 to begin the bonding process for special assessments for the street improvement.

Resolution #2022-02, a resolution determining the advisability of making certain internal improvements in the City of Scott City was presented for approval.

Motion by Jeff Allen seconded by Adam Winter to approve *Resolution #2022-02*, a resolution determining the advisability of making certain internal improvements in the City of Scott City was presented for approval. Vote – Unam.

Mr. Pendergast explained that the final step in the bonding process was to pass the accompanying ordinance.

Ordinance #1234, an ordinance authorizing the construction of certain internal improvements in the City of Scott City, Kansas was presented for approval.

Motion by Adam Winter seconded by Jeff Allen to authorize the Mayor's signature on *Ordinance #1234*, an ordinance authorizing the construction of certain internal improvements in the City of Scott City, Kansas. Vote – Unam.

Scott Rec Commission (SRC) Director Kylie Stoecklein was in attendance to present the SRC's Water Conservation Plan, which was included in the packet. She noted that the plan for 2022 is very similar to previous plans. The goal is to use fewer than 10 million gallons of water for the year. Mrs. Stoecklein noted that the SRC had exceeded 10 million gallons in the previous year because 2021 had exceptionally low rainfall amounts and the SRC had planted 26 new trees around the complex. The additional trees required that water be applied later into the season than usual. Also, the maintenance crew discovered, and began using, two sprinkler zones of which they were previously unaware. The SRC will continue to aerate the ground increasing the absorption of water into the soil and will continue to conduct weekly sprinkler head checks to catch leaks more quickly. Mrs. Stoecklein informed the Council that Assistant Director Jordan Carter had attended *Rain Bird Academy* last fall, where he learned about sprinkler repair and maintenance, system operation and more.

Also included in the packet was *SRC Report for City Council Meeting Mar. 7, 2022*. Mrs. Stoecklein announced that plans have been made for pickleball tournaments for both middle school-aged students and adults. Ladies Volleyball games will be held on Sundays in April & May, Youth softball and baseball will start the week of April 27, and Men's/Women's softball will be Wednesdays in June. Youth soccer will begin this week, with games starting at the end of

March. SRC plans to offer a tennis camp along with daily/weekly camps for badminton, pickleball, and ultimate frisbee. Fitness Center membership is up to 215 as of February 28. They are adding 2 evening group fitness classes with group fitness participation steadily increasing. Mrs. Stoecklein proposed the following improvements/projects: New or repaired batting cages, the creation of sand volleyball pits (perhaps behind the swimming pool), and new bathrooms and concession stand. Mayor Green thanked Mrs. Stoecklein for her report.

Council member and ½% Sales Tax Committee member Kelly Funk presented the ½% Sales Tax Funding 2022 recommendations as follows:

Chamber of Commerce	\$15,000.00
Golden Rule Preschool	\$ 5,400.00
Scott Community Foundation-Historical School	\$ 3,500.00
Scott Community Foundation-Patton Park Restrooms	\$26,000.00
Scott Community Foundation-SCHS All-School Reunion	\$10,000.00
Scott Community Foundation-Walking Trail	\$ 5,000.00
Scott Community Golf Course	\$30,000.00
Scott County Arts Council	\$20,000.00
Scott County Development Committee	\$ 5,000.00
Scott County Free Fair	\$30,000.00
Scott County Historical Society	\$45,000.00
Scott County Indoor Arena & Activity Center	\$ 9,100.00
Scott County V.I.P.	\$29,000.00
Scott Rec Commission	\$30,000.00
Spencer Flight & Education Center	\$ 7,000.00
Stepping Up, Inc.	\$10,000.00
Western Kansas Child Advocacy Center	\$20,000.00

City Clerk Ruth Becker reported that one-half of the total funds approved for each organization will be distributed in each of the April 1 and October 1 appropriations.

Motion by Bo Parkinson seconded by Armando Tarango to accept the 2022 recommendations of the ½% Sales Tax Committee for the total funding in the amount of \$300,000.00, as listed above.
Vote – Unam.

Council member Barb Wilkinson expressed appreciation on behalf of the V.I.P and Historical Society and noted that without these funds, their entities would likely not survive.

City Administrator Brad Pendergast informed the Council that he is preparing to write a letter of support regarding an extension for the Moderate-Income Housing (MIH) project through the Kansas Housing Resources Corporation (KHRC) with the assistance of Scott County Development Committee Director (SCDC) Katie Eisenhour. Mrs. Eisenhour indicated that the letter of support needs to include a timeline for the expected completion of the homes to be built. She noted that she has been working with Gary Greely with Premier Homes and East Cambridge, LLC to provide a timeline for the scope of work remaining to be completed. SCDC Director Katie Eisenhour indicated that the original agreement only allows for a one-year extension to the project, but that the agreement was made before Covid-19 became reality. Mrs. Eisenhour indicated that because the economic effects of Covid-19 (lack of materials, delays in obtaining utilities, etc.), Premier

Homes & East Cambridge, LLC are requesting a two-year extension and Mrs. Eisenhower requests City of Scott City follow suit in their letter of support by mentioning the Covid-specific caveats in the letter. The letter of support is due to KHRC by March 11, 2022.

There was nothing to report under the open agenda.

Pool Manager Marci Patton was not in attendance. Nothing was reported on her behalf.

Building Inspector Lloyd Foster was not in attendance. Nothing was reported on his behalf.

Police Chief David Post provided a Lexipol invoice for *Annual Law Enforcement Policy Manual & Daily Training Bulletins* in the packet. Because the expense is above the \$5,000.00 purchasing threshold, Police Chief Post requested that the Council approve the expenditure. The Council was reminded that Lexipol created the Police Department policy manual that is used by the police department in addition to the City of Scott City Personnel Policy Manual. Police Chief Post noted that there have been open records requests made to obtain the police department's policy manual, and that Lexipol-written policy manual has been distributed to more than one individual. He stated that it has been a valuable resource for the department.

Motion by Jeff Allen seconded by Armando Tarango to authorize Police Chief David Post to renew the annual support agreement with Lexipol at a cost of \$5,454.06. Vote – Unam.

Police Chief David Post announced that he had promoted Detective Jason (Jay) Poore to the rank of Sergeant. Police Chief Post noted that there has been an opening, and a need, for a second Sergeant position for a while, and he feels that Detective/Sergeant Poore is ready for the promotion. It was noted that each Sergeant will supervise his own shift. He announced that Detective/Sergeant Poore was excited about the promotion even though the promotion does not bring an increase in pay.

Police Chief David Post touched briefly on training that is happening in the department, focusing on Officer Luke Hayes and Officer Baily White. While Officer White is in the final stages of her education at the Kansas Law Enforcement Training Center (KLETC), Officer Hayes is just beginning his K9 Handler training in Topeka. Both officers will graduate from their courses on April 8, 2022.

Police Chief Post noted that the police department has been hosting a high-school intern for 1 ½ hours a day. After visiting with high school students, he found that there were at least 10 high school students that expressed an interest in law enforcement careers after graduation. He also mentioned that he has been approached by two college students wishing to do unpaid internships for college credit over the summer. Because the department does not have the resources to host two full-time interns, Police Chief Post will have them each go through the application/selection process for the hiring of police officers to determine which student will be awarded the internship.

The last item discussed by Police Chief Post was to announce that the pickup truck that was ordered last September arrived earlier in the day, but that it was Satin Steel Metallic (Gray) instead of the Summit White exterior color as ordered. After a brief discussion and recommendation from Police Chief David Post, consensus of the Council was to keep the truck as delivered and to use it as an unmarked vehicle for Detective/Sergeant Poore. As stated in the motion on September 20, 2021, \$15,000.00 of the \$30,831.50 cost will be paid using PSO funds and the remainder paid using police funds. The cost will be encumbered back into 2021.

Parks Superintendent Terence Appel informed the Council on the progress being made on the new concession area at the pool and the area of the old concession stand which will now house the pool's new filtration system. Superintendent Appel noted that he would like to keep the outer bathrooms at the pool open year-round to be used by visitors to Palmer Park and the sports complex, but currently the 4" line that serves both the pool and the bathrooms requires the water to be shut down in the winter months. Mr. Appel indicated that he would like to have a dedicated 6" line for the pool which would allow the bathrooms to remain open year-round.

Mr. Appel also commented on the progress of the restroom project at Patton Park. The City crew should be pouring the sidewalks around the building soon.

The final item discussed under the Parks department was to mention that the tennis courts at the pool (intended to be turned into pickleball courts) might be able to be completed this summer depending on the remaining expense for the pool filtration system and the availability of materials.

Street, Water, & Sewer Superintendent Terence Appel noted that the City crews are exercising valves in preparation to shut down K96 on the east side of town for the Water System Improvements. At the time that water tie-ins are completed, neither restaurant in the area should be affected for more than 15 minutes.

Mr. Appel informed the Council that he has an employee who will likely retire in July so, in addition to the ad placed in the Scott County Record for a Parks employee, he has placed an ad that covers the entire western half of the state of Kansas to reach more potential candidates. He also plans to announce on the City's facebook page that applications can be obtained by emailing the City Clerk's office.

City Clerk Ruth Becker informed the Council of the League of Kansas Municipalities' Governing Body Institute and Mayors Conference to be held in Manhattan, Kansas on April 29-30, 2022. Mrs. Becker offered to register any Council members wishing to attend and make reservations on their behalf. She also informed the Council that she would be in Manhattan the following week from March 16-18, 2022 to attend the CCMFOA Spring Conference & Vendor Fair.

City Administrator Brad Pendergast informed the Council that he has approved a request to reserve Patton Park by Security State Bank for the mornings of April 9 and April 16, 2022 for their Annual Easter Egg Hunt. The April 16 date was reserved in case of inclement weather on the actual event date of April 9.

Mr. Pendergast reminded the Council that when Sewer rates were recently set, that new sewer rates include not only a base rate, but an additional component based on water usage for the months of December, January, and February each year. He is working on a policy that covers instances in which customers have had severe water leaks heavily affecting their winter-month average and, in turn, their year-long sewer rate. He proposes a complaint-based policy which will have a set threshold for average water use rates for sewer. Before the City would work with a customer on adjusting any water bills, it must first become evident that all leaks have been repaired. He will present his proposed policy at the next regular Council meeting.

City Administrator Brad Pendergast informed the Council that he and SCDC Director Katie Eisenhower had submitted the Building a Stronger Economy (BASE) grant in hopes of raising additional funding for the construction of infrastructure in SCIP North. He mentioned that there

were over 1,000 applications submitted and, therefore, is not incredibly optimistic that the City of Scott City will be awarded a grant.

Mr. Pendergast noted that GMS, Inc. Engineer David Frisch will be in Scott City on March 21, 2022, and will attend the next Council meeting in person.

City Attorney Rebecca Faurot informed the Council that the City has received another opportunity to participate in a drug-related class action settlement for Daraprim. She notified the Council that she had directed City Clerk Ruth Becker to contact the City's Blue Cross & Blue Shield representatives to obtain a list of claims paid for Daraprim. Mrs. Faurot requested the Council's direction on whether to opt-in to the class action settlement.

Motion by Adam Winter seconded by Craig Richards to authorize City Attorney Rebecca Faurot to move forward with the Daraprim class action settlement. Vote – Unam.

Mayor Green addressed the Council regarding the Mayor's Proclamation earlier this week declaring the City of Scott City's support for the people of Ukraine. He expressed appreciation to Council member Barb Wilkinson for representing the City Council as well as the City employees who attended the reading of the proclamation. He thanked City Administrator Brad Pendergast and City Attorney Rebecca Faurot for their help and support which enabled him to be able to make this proclamation.

The Council took a short break.

Mayor Green called the meeting back to order.

Motion by Adam Winter seconded by Jeff Allen to adjourn at 8:56 p.m. Vote – Unam.

Everett M. Green
Mayor

Ruth Becker
City Clerk