

April 18, 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, Josh Gooden, Bo Parkinson, Barb Wilkinson, Adam Winter, 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 April 4, 2022, regular council meeting were presented.

Motion by Bo Parkinson seconded by Jeff Allen to approve the minutes of the April 4, 2022 regular council meeting. Vote – 6-yes, 1-abstain, Kelly Funk.

Appropriation Ordinance #991B was presented.

Motion by Barb Wilkinson seconded by Adam Winter to approve Appropriation Ordinance #991B. Vote – Unam.

Included in the packet were two documents to aid in a franchise fees discussion with the Council: *Franchise Agreements* and *Franchise Revenue*. City Administrator Brad Pendergast indicated that it is difficult to predict franchise revenue because some franchise fees are paid monthly, while others are paid semi-annually. He does, however, see a trend with gas and electric fees, that these utilities' fees have been consistently higher while phone and cable franchise fees are rapidly declining. Mr. Pendergast noted that, by law, cities are prohibited from charging franchise fees on Internet Service Providers (ISP), and since Pioneer Communications has moved to streaming their television content instead of providing cable service, the revenue will take a big hit. It was noted that the rate for electric franchise fees increased in 2015 from 2% to 4% of total revenue and that gas franchise fees increased from 2% to 3% + \$0.04/therm for transport gas in 2019. City Administrator Brad Pendergast recommended waiting until the terms of the franchise agreements are nearer to their expiration dates to consider making changes to the agreements. Consensus of the Council was to initiate no changes at this time.

Frontier Ag, Scott City Municipal Airport's Fixed Base Operator (FBO) Manager John Holzmeister and Assistant Manager Al Sibi were present to provide updates regarding the airport. Mr. Sibi's wife, and airport employee, Natalie, was also present. Mr. Sibi informed the Council that the Department of Weights and Measures had recently performed inspections at the airport; the inspection failed due to 2 leaks that were found, even though repair work had recently been completed by D & D Proves It, Inc. Mr. Sibi was informed that all hoses are required to be proofed and replaced every 10 years to pass inspection. He and City Administrator Brad Pendergast will work together if replacement hoses and reels exceed the \$5,000 purchasing threshold.

Mr. Sibi mentioned that clean up at the airport is going well, but that they are still having trouble getting people to do the work on the older T-hangars to bring them up to a level where people will once again consider leasing them. He indicated that he would do the maintenance/upgrades himself if no one is interested in performing the necessary work.

Assistant Manager Al Sibi also informed the Council that airport management had recently hired an inspection-authorized mechanic and service technician, which will reduce the burden on the current airport team.

The final item that was reported by Mr. Sibi is that they have been experiencing some problems with the Automated Weather Observing System (AWOS) at the airport. It has been reported that when pilots call in, the call goes straight to voicemail. Mr. Sibi has been given instructions on how to reboot the AWOS system and will do so after his Council report later in the evening. If the reboot is unsuccessful, the engineer who works on the system will need to be contacted. Mayor Green inquired about how much the system is used. Mr. Sibi replied that it is heavily used by pilots, but also by the public in general, needing to check area weather conditions.

Mayor Green thanked Mr. Sibi for his report and expressed appreciation for Mr. Holzmeister and Mrs. Sibi for their attendance as well.

Mayor Green welcomed David Frisch, GMS Inc. Engineer, via Zoom. Mr. Frisch updated the Council on the progress of the following projects:

- K-96 Water Improvement – Water line installation is complete, but Pate Construction will spend the next week or two completing the flatwork. Once all flatwork is complete, traffic control barriers will be removed. Asphalt will likely not be available until the end of May, so GMS is working with KDOT to ensure that millings can be used in place of the asphalt in the trenched areas so that traffic control barriers can be removed. Pate Construction is looking at the cost for paving with asphalt at a 6” depth.
- Water Storage Tank & Well – The distribution system design is complete, but DWA Structural Engineers (DWA) out of Wichita need more information to complete the foundation design. GMS is working to get that information to DWA. Mr. Frisch updated the Council regarding the realization that the Division of Water Resources has no record of the recently procured well that is currently in the process of being converted from an agricultural well to a municipal well. The well will need to be moved and re-drilled.
- Crescent Avenue – A draft of the street design was sent to Street Superintendent Terence Appel and City Administrator Brad Pendergast earlier in the day. The design is expected to be finalized soon.
- 8th Street Extension between Jefferson and Oak – The design is complete, and GMS is awaiting a response from KDOT before proceeding.
- Drainage Study / Stormwater Master Plan – GMS is still working to figure out the best time to begin the aerial photography portion of the study. Spring is still an option if it can be completed before the foliage fills in too much, but it will more likely occur in late fall after the leaves have fallen from the trees. GMS will likely spend at least a month doing survey work as every intersection within the mapped area will need to be surveyed.
- Senior Housing & Industrial Park – GMS has been working with Scott County Development Committee (SCDC) Director Katie Eisenhour to rework the budget for the proposed Senior Housing project to be eligible for grant funds. Mr. Frisch noted that they have heard nothing back on the Industrial Park grant.

Mayor Green thanked Mr. Frisch for his thorough report.

Under the open agenda, the Council briefly discussed water rights and the next steps needed to be taken to get the recently procured well moved and re-drilled.

Pool Manager Marci Patton and Assistant Pool Manager Jessica Berry were present to update the Council.

Included in the packet was *Pool Ad 2022* for Council's review and approval before publication in the Scott County Record. The ad included dates that the pool would be closed for the season as June 11, 2022 for the Scott City Stars Swim Meet and July 4, 2022 for Independence Day. Opening day is scheduled as Memorial Day, May 30, 2022. The ad also lists regular admission fees as well as fees for pool passes, special events, pool parties, Red Cross swim lessons, and aerobics classes. The rest of the ad remains virtually unchanged from last year. Mrs. Patton and City Administrator Brad Pendergast will work together to approve dates the pool will be used for events such as the Boat Regatta and hours the pool will be used by the swim team.

Motion by Craig Richards seconded by Jeff Allen to approve *Pool Ad 2022* and to publish it twice in the Scott County Record prior to opening day. Vote – Unam.

Also included in the packet was *2022 Pool Pass Sponsor Form*. Mrs. Patton reported that the sponsored pool passes last year were very well received and that many children who may not have otherwise had the opportunity to spend much time at the pool benefitted greatly from this program. Both sponsors and recipients were grateful for the opportunity to participate in the program. Mrs. Patton requested that the program continue this pool season. She indicated that if the Council approved, she would post the sponsor form on the *Scott City Municipal Swimming Pool* facebook page and publish it in the Scott County Record as opening day draws closer.

Motion by Barb Wilkinson seconded by Adam Winter to approve the continuation of the Pool Pass Sponsor program and the *2022 Pool Pass Sponsor Form*. Vote – Unam.

City of Scott City Swimming Pool Staff Manual 2022 was included in the packet. Pool Manager Marci Patton noted that no major changes were made to the prior year's manual, except to fix some typos and correct some grammatical errors.

Motion by Barb Wilkinson seconded by Adam Winter to approve the *City of Scott City Swimming Pool Staff Manual 2022*, as presented. Vote – Unam.

The last item that Mrs. Patton wished to discuss with the Council was school-sponsored pool parties. She indicated that, in the past, students swimming as part of a school-sanctioned pool party were charged only \$1.00 to swim, instead of the usual \$2.00 fee. Mrs. Patton requested the same benefit for those participating in school-related swim parties for the 2022 pool season.

Motion by Adam Winter seconded by Jeff Allen to charge a \$1.00 admission fee, instead of the regular \$2.00 fee, for students who are participating in school pool parties. Vote – Unam.

Building Inspector Lloyd Foster was not in attendance, and nothing was reported on his behalf.

Police Chief David Post was not in attendance. City Administrator Brad Pendergast reported in his absence.

Officer Luke Hayes completed his K9-Handler training on April 8, 2022, and has been promoted to the rank of Officer II.

Mr. Pendergast informed the Council that the tornado sirens had not been serviced since 2018, but that they are scheduled to be serviced and have batteries replaced soon since tornado season is looming.

City Administrator Brad Pendergast mentioned that Police Chief Post and his dispatchers received a lot of extra attention and accolades during Public Safety Communications Week. Many goodies were brought to the Law Enforcement Center in appreciation of the work that these men and women do for our community. It was very much appreciated.

Mayor Everett Green told the Council that he had the opportunity to attend Officer Bailey White's Kansas Law Enforcement Training Center (KLETC) graduation ceremony on April 8, 2022. He was pleased to see so much support for Officer White. He was grateful for the opportunity to attend.

Parks Superintendent Terence Appel reported that the City crew is putting the finishing touches on the concrete outside of the Patton Park restrooms. Soon, grass will be able to be planted. Weed control procedures have begun in the parks and things are starting to green up and blossom out. Mr. Appel informed the Council that the sand and tank for the pool filter had been received the previous week and that his crew is working hard to ensure that the pool will be ready to host the annual Boat Regatta for the school on May 17, 2022.

Street, Water, & Sewer Superintendent Terence Appel reported that the water improvement portion of the K96 project is nearly complete. Pate Construction finished the installation of the water lines in the previous week and have returned this week to clean up debris and equipment that was left behind. Mr. Appel noted that, since millings currently are not abundantly available, crushed concrete from the landfill had been used to fill the trenches until asphalt becomes available. He is also looking for an option to purchase additional millings from B & H Paving for filling the trenches. Mr. Appel recognized Reggie Ford, Roy Harms, and Charlotte Latta for going above and beyond in working alongside Pate Construction to assist in the K96 cleanup effort.

Superintendent Terence Appel informed the Council that his crew has been working to upgrade and replace fire hydrants along 5th Street, which has been badly needed. He indicated that he used all the fire hydrants that they had in their inventory and had to purchase one additional hydrant to make the necessary upgrades.

Mr. Appel informed the Council that he had recently signed service agreements for generators at three of the lift stations.

With City-Wide Clean Up fast approaching, Mr. Appel noted that he has been able to obtain the necessary number of dumpsters needed from both Northend Disposal and Lee Construction.

Council member Jeff Allen asked Mr. Appel if concrete could be used to fill the trenches on K96 that cross the street, since the crushed concrete and millings do not stay tightly packed and, therefore, do not stay filled in well when traffic moves over the area. Although Mr. Appel concurred that concrete would work better than millings or crushed concrete, he stated that KDOT would have to be involved in that decision.

City Clerk Ruth Becker had nothing to report.

City Administrator Brad Pendergast reported that the City had received an invoice from Kirk Grain for the storage fee for 1,048.12 bushels of wheat. Mr. Pendergast stated that he had worked with City Attorney Rebecca Faurot, Mayor Green, and Council member Bo Parkinson about whether to pay the storage fee only for now, or if it was a good time to sell. Provided in the Council packet was a quote from Kirk Grain for the April 7, 2022 selling price of wheat. It was determined by all those involved that the \$10.15 per bushel price was an appropriate amount for which to sell. The sale of the wheat brought in \$10,659.38 less the storage fee of \$474.59 and the wheat tax of \$.02 per bushel, netting a revenue that was receipted into the water fund of \$10,163.83.

Motion by Bo Parkinson seconded by Jeff Allen to approve the sale of the wheat at \$10.15 per bushel, less storage fees & taxes and to authorize City Administrator Brad Pendergast to act on the behalf of the Council for future grain sales. Vote – Unam.

Mr. Pendergast included in the packet *Memo Re: Budget Guidance for 2023 Budget* dated 4/12/2022 which had been provided to department heads to assist in achieving continuity among the departments when preparing the budgets. Mr. Pendergast noted that, based on the March CPI figures, he asked each department head to budget for a Cost-of-Living Adjustment (COLA) of 8.6% and a merit increase of 2% over the current personnel line items. He noted that the CPI is a fluid situation and that he would continue to monitor the CPI each month so that adjustments could be made to the proposed budget between now and July if warranted. Mr. Pendergast also provided guidance for continuity for increases to natural gas, electricity, and fuel. Council member Barb Wilkinson stated that she appreciated the guidance given to department heads and felt confident that department heads appreciate it as well.

City Administrator Brad Pendergast informed the Council that the Building a Stronger Economy (BASE) grant was not awarded to the City of Scott City to construct infrastructure in the new industrial park. He indicated that of the \$100 million available for awards, Johnson County received approximately 1/3. Not a single entity in southwest Kansas was awarded a grant. The closest areas to Scott City to receive an award were Hays and Stafford County. He mentioned that he and SCDC Director Katie Eisenhower had discussed the potential to hire seasoned grant writers the next time an opportunity of this type is presented. Both Mr. Pendergast and Mrs. Eisenhower speculated that a main reason that the BASE grant had been denied to the City of Scott City was that the local match, as presented, was too low. Although the purchase-price of the land for the industrial park was substantial, the purchase was made a year too early to qualify as a local match for the grant application.

Mr. Pendergast stated that he has a Rural Housing Incentive District (RHID) draft ready but does not want to send a resolution to the Secretary of Commerce until a project is in place. Sending a resolution sets the start date of a 25-year timeline, so he will wait until an appropriate time to submit a resolution.

City Attorney Rebecca Faurot had nothing to report.

The financial, quarterly, and investment reports were presented.

Mayor Green had nothing to report.

Motion by Josh Gooden seconded by Barb Wilkinson to recess into executive session to discuss confidential data relating to financial affairs or trade secrets pursuant to the discussion/review of data relating to the financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships exception, K.S.A. 75-4319(b)(4), retaining the Mayor, Council, City Attorney, City Administrator, Scott County Development Committee (SCDC) Director Katie Eisenhower, and SCDC Board Member Tyler Kough, with the open meeting resuming in the Council room at 8:38 p.m. Vote – Unam.

The Council came out of executive session.

Mayor Green called the meeting back to order.

Motion by Josh Gooden seconded by Barb Wilkinson to recess into executive session to discuss confidential data relating to financial affairs or trade secrets pursuant to the discussion/review of data relating to the financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships exception, K.S.A. 75-4319(b)(4), retaining the Mayor, Council, City Attorney, City Administrator, Scott County Development Committee (SCDC) Director Katie Eisenhower, and SCDC Board Member Tyler Kough, with the open meeting resuming in the Council room at 8:50 p.m. Vote – Unam.

The Council came out of executive session.
Mayor Green called the meeting back to order.

Motion by Adam Winter seconded by Josh Gooden to authorize the Mayor, City Attorney, and City Administrator to work together to draft and issue a letter of intent for the City’s participation in the donation of 20 acres of land on the east side of Scott City Industrial Park North – Lawrence Addition to Project Enterprise. Vote – Unam.

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 9:00 p.m. Vote – Unam.

Everett M. Green
Mayor

Ruth Becker
City Clerk