

May 16, 2022

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

Rodney Hopper with the First Christian 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, 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 May 2, 2022 regular council meeting were presented.

Motion by Adam Winter seconded by Armando Tarango to approve the minutes of the May 2, 2022 regular council meeting. Vote – Unam.

Appropriation Ordinance #992B was presented.

Motion by Josh Gooden seconded by Jeff Allen to approve Appropriation Ordinance #992B. Vote – Unam.

Mayor Green announced that three sealed bids had been received at City Hall by the 5:00 p.m. deadline earlier in the day for the two lots advertised for sale by the City of Scott City. The following bids were opened by Mayor Green:

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|---------------------|--------------|--|
| • Tim & Cathy Graff | \$3,100 | Lot 7, Block 6 in I.L. Eastman's Addition |
| • Jay O'Brien | \$1,000 | Lot 8, Block 6 in I.L. Eastman's Addition |
| • Ruben Brokofsky | \$2,100 each | Lots 7 & 8, Block 6 in I.L. Eastman's Addition |

It was noted by Mayor Green that it was not clear whether Mr. Brokofsky intended to bid the lots individually or was interested only in both lots as a single unit. There was a brief discussion on how to proceed with the awarding of the bids.

Motion by Bo Parkinson seconded by Armando Tarango to award Lot 7, Block 6 in I.L. Eastman's Addition to Tim & Cathy Graff for \$3,100 and to offer Lot 8, Block 6 in I.L. Eastman's Addition to Ruben Brokofsky. Vote – Unam.

Included in the packet was a sample ordinance concerning *Operation of Golf Carts on City Streets*. City Administrator Brad Pendergast indicated that there had been some interest in allowing golf carts to be operated on Scott City's streets, so he borrowed the League of Kansas Municipalities' sample ordinance to aid the Council in discussing the topic. Council members asked Police Chief David Post to share his insights on the matter. Police Chief Post began by expressing that there could potentially be some safety issues, but then likened the issues to those of motorcycles, which are allowed on city streets. He also mentioned that the nature of golf carts is that they are quiet and slow-moving, which would likely not generate complaints from residents. He did recommend to the Council, however, that if the Council were to approve the use of golf carts on city streets, that they be subject to all the

same requirements as ATVs and UTVs, such as the requirement for seatbelts and headlights. It was also suggested that a “slow-moving vehicle” emblem be placed on golf carts. There was some concern about the sample ordinance allowing golf carts on a highway. City Attorney Rebecca Faurot noted that the legal definition of “highway” is misleading and indicated that the City’s ordinances could better clarify that a golf cart could cross a highway, but not drive on it. Consensus of the Council was to authorize City Administrator Brad Pendergast to create an ordinance for golf cart use specific to the City of Scott City and to present the ordinance for review at a future Council meeting.

Scott County Development Committee (SCDC) Director Katie Eisenhour provided the following documents to the Council prior to the meeting: *2023 Investment toward Eco Devo endeavors* request letter, *SCDC Balance Sheet Prev Year Comparison* as of April 30, 2022, *SCDC Profit & Loss Prev Year Comparison* as of April 2022, *SCDC Profit & Loss Budget Performance April 2022*, *SCDC Budget Worksheet and Report* listing actual figures for 2018-2021, as well as 2022 projected figures, *SCDC Activity Highlights for 2021/2022*, and *SCDC Board of Directors* as of March 2022.

Included in the letter from SCDC President Abram Nelson was a request that the City of Scott City provide \$50,000 toward economic development endeavors for fiscal year 2023. Mrs. Eisenhour noted that this is \$10,000 more than what has been asked for in the past, and that SCDC is also requesting an additional \$10,000 from Scott County. She explained that SCDC intends to use the extra funds to hire much-needed part-time staff. Mrs. Eisenhour asked that the City consider this request for SCDC. Mayor Green stated that SCDC’s request would be considered at the upcoming City Budget Workshop.

Other topics of discussion lead by Mrs. Eisenhour were:

- Loans – all payments are current and no new loans have been issued within the last 11 months.
- Grants – SCDC received a \$5,000 ½% Sales Tax Grant from City of Scott City. They had applied for \$12,950.
- SCDC Initiatives supported in part by City of Scott City, such as the Certified Site status for the new industrial park (SCIP North), Eastridge Villas, LLC senior housing, Neighborhood Revitalization Plan (NRP), Rural Opportunity Zone (ROZ), moderate income housing development, initiation of a Rural Housing Incentive District (RHID), participation in the K96 Corridor Coalition, and the Building Bridges program.

SCDC Director Katie Eisenhour directed the Council’s attention to the current SCDC Board of Directors list, noting that the community is fortunate to have a board with not only great retention, but also members who have strong opinions and good ideas.

While addressing SCDC’s financial statements, Mrs. Eisenhour stated that they are financially stable and have enough money in the bank to offer more loans. She also verified that SCDC does not award grants unless the funding given to entities was granted to SCDC to begin with.

Mrs. Eisenhour noted that a Western Kansas Rural Economic Development Alliance (wKREDA) conference will be hosted in Scott City at the Western Kansas Child Advocacy Center’s Safe Child Center this September. More than 50 attendees, including Kansas legislators, are expected to attend.

Mayor Green thanked Mrs. Eisenhour for the SCDC update.

Mayor Green welcomed Ken White, GMS Inc. Engineer, via Zoom. Provided in the packet was the *Kansas Public Water Supply Loan Fund (KPWSLF) Drawdown #4 Request*. The drawdown included two invoices for GMS, Inc. (GMS) for \$64,735.84, an *Application and Certificate for Payment* from Pate Construction Co., Inc. (Pate) for \$350,686.62, and invoices from Core & Main for materials acquisition in the amount of 15,249.80. Total cost for invoices in this drawdown request

is \$430,672.26. Also included in the packet were two change orders. *Change Order One (1)* provides details for additional materials and labor provided by Pate, increasing the contract price for Pate by \$52,340.70. *Change Order Three (3)-FINAL* outlines the increase of \$15,249.80 to the Materials Acquisition contract with Core & Main. Street, Water, and Sewer Superintendent Terence Appel inquired of Mr. White, if the materials that were returned to Core & Main were reflected in this drawdown request. Mr. White indicated that he was not aware of any returns and that no returns were reflected in this drawdown request. His recommendations were to pay all invoices as presented, and he would investigate how the returns would be handled. He also indicated that he would likely revise the Core & Main *Change Order Three (3)-FINAL* to reflect the amount of the returns and would present the updated change order to the City Council at the next regularly scheduled meeting.

Motion by Craig Richards seconded by Jeff Allen to pay GMS for invoices #20 & #21 totaling \$64,735.84 and Pate for pay request #3 in the amount of \$350,686.62. Vote – Unam.

Mr. White closed by reiterating that not only would Core & Main's change order be revised, but also the drawdown request. Both will be presented at the next Council meeting.

There was nothing to report under the open agenda.

Pool Manager Marci Patton was not in attendance; Mayor Green spoke on her behalf reminding the Council that opening day for the pool is Memorial Day, Monday, May 30, 2022.

Included in the packet was the *2022 City of Scott City Municipal Pool - Employee Taxable Fringe Benefit* form. Mayor Green reminded the Council that each year the Council votes on whether to provide the taxable benefit of a "free" pool pass to the City's employees.

Motion by Barb Wilkinson seconded by Adam Winter to offer pool passes to City employees, provided employees pay the taxes on this benefit. Vote – Unam.

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

Police Chief David Post reported that he and his officers had been kept busy earlier in the day with three car crashes, all of which involved injuries.

Police Chief Post noted that the Police department is in the process of accepting bids for the mowing abatement. Bids are due back to City Hall by 5:00 p.m. on Monday, May 23. The contract for mowing is expected to mirror the airport mowing contract which allows the contractor awarded the contract to renew each year if they so choose, with the deadline for renewal to be November 1 each year.

Training is ongoing for officers and dispatchers. Dispatcher Dara White is currently attending training in Wichita. Taser training, instructed in-house by Sergeant Jay Poore, was conducted the previous week so that officers could either become certified or renew their current certifications. Officers Sean Coleman and Bailey White were tased. Police Chief noted that they are working to catch up on training and will host weekly in-house trainings as needed. Police Chief Post will be attending a leadership conference the following week in Manhattan.

High school student PJ Suppes finished her spring internship with the Police department and was asked to critique the intern program, of which she was the first participant. Miss Suppes provided positive feedback which Police Chief Post indicated that he would use over the summer when working with college intern Dulce Ayala, a senior at Washburn University. Miss Ayala will begin her internship the next day, interning 30 hours per week over the summer.

Police Chief David Post informed the Council that he would be conducting an interview and test of a potential 9th officer the following day. This individual is already a certified officer working for

another community but has been certified less than 1 year; therefore, if the individual were to be hired, City of Scott City would be required to reimburse the officer's current employer for costs incurred while becoming certified.

On Saturday, June 4, 2022, the Police department will partner with the Scott Rec Sports Bar to raise funds for the Western Kansas Child Advocacy Center. The all-day event, *Cops Behind Bars*, will feature a poker run, a beer garden, a dunk tank, and other family-friendly activities. Police Chief Post solicited volunteers from the community to sit at the dunk tank and invited all in attendance to join in this worthy cause.

Parks Superintendent Terence Appel requested to advertise for bids to purchase a 90-inch, fine cut mower attachment for the Bobcat.

Motion by Jeff Allen seconded by Armando Tarango advertise for bids for a 90-inch, fine cut mower attachment for a Bobcat, with sealed bids due to City Hall by 5:00 p.m. on Monday, June 6, 2022. Vote – Unam.

Street, Water, & Sewer Superintendent Terence Appel addressed the Council regarding the *City of Scott City Condition Assessment Report* provided in the packet. The report outlines the findings of the most recent water tower inspection in both written and photographic details. Suez, the company that provides the City's water tower inspections and maintenance, would like to see that routine maintenance, such as sandblasting and recoating of the tank interior, be conducted soon. Superintendent Appel explained that summertime is the "wrong time" to be conducting this type of maintenance due to the high amount of water usage in the summer months. The tower would need to be completely drained for up to two weeks, leaving the City to rely solely on wells. Mr. Appel does not believe that the wells could keep up with the demand, especially if the need for firefighting efforts arises. He reminded the Council that they were waiting for the construction of the north water tower to be complete before doing maintenance that had the potential to cause a disruption in water service. City Administrator Brad Pendergast recommended that, regardless of where the City is in the timeline for the completion of the new water tower, the maintenance process should be conducted in the fall, once water usage has lessened, but before the colder temperatures set in, which could delay the project even further. Consensus of the Council was to discuss the timeline for the construction of the north water tower with GMS before proceeding.

Street, Water, and Sewer Superintended Terence Appel informed the Council that he would soon have four seasonal employees, two that would be paid out of the Street department and two that would be paid from the Parks department. Returning employee Brent MacLean and new employees Harrison King, Tanner Gooden, and Michelle Lightner will start work after the end of the school year and will all be hired for the summer at \$15.00 per hour.

Street, Water, and Sewer Superintendent Terence Appel requested to advertise for bids for Chip Sealing selected city streets. Mr. Appel reminded the Council that the City would not need to purchase sand this year, since two bids for sand were accepted last summer.

Motion by Armando Tarango seconded by Jeff Allen to advertise for bids for the chip sealing of approximately 130,000 square yards of city streets, with sealed bids due back to City Hall by 5:00 p.m. on June 6, 2022. Vote – Unam.

City Clerk Ruth Becker had nothing to report.

City Administrator Brad Pendergast informed the Council that he had been approached by Ben McNary of Ag Solutions who asked if they could rent one of the old t-hangars for storage of non-aeronautical equipment. Mr. Pendergast indicated that he had contacted the FAA and the request was approved provided that a lease indicating a rental cost of “fair market value” for non-aeronautical use be drafted and approved by all parties. Members of the Airport Commission also expressed approval since the old t-hangars are in such a condition that pilots do not want to use the hangars to house their planes.

Motion by Jeff Allen seconded by Josh Gooden to authorize City Administrator Brad Pendergast to negotiate a month-to-month lease agreement with Ag Solutions for space in the old t-hangars to be used for non-aeronautical use, which includes a rental fee comparable to the fair market value of storage units within the community. Vote – Unam.

Mr. Pendergast informed the Council that auditor Mathew Medill with Dirks, Anthony, and Duncan will present the audit report at the June 6, 2022, regular Council meeting. He also noted that he and City Clerk Ruth Becker had attended the Budget Workshop in Garden City with the auditors during the week of the audit. Mr. Pendergast also stated that April’s figure for CPI, which is being gauged to determine the amount to budget for cost-of-living adjustments for the City’s 2023 budget, has gone down by 0.4 percent to 8.2%. He noted that this is the first drop in the CPI since April of 2020, so he is hopeful that the CPI would continue to fall again between now and the City’s budget workshop in Mid-June.

City Administrator Brad Pendergast indicated that he is working on the Request for Proposal (RFP) for a new Fixed Base Operator (FBO) at the airport and anticipates having it ready for the Airport Commission to review within in the next day.

City Attorney Rebecca Faurot informed the Council that Kaitlyn Wolfe is interning in her office. She will be applying to law school the year after next. Although Ms. Wolfe will be paid by the County and will work primarily with County issues, she will have access to City items, and therefore has been asked to sign a confidentiality agreement. Mrs. Faurot asked if the Council had any objections to Ms. Wolfe having access to City items. Consensus of the Council is that they had no concerns.

Motion by Adam Winter seconded by Jeff Allen for the City 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, with the open meeting resuming in the Council room at 8:55 p.m. Vote – Unam.

The Council came out of executive session.

Mayor Green called the meeting to back to order.

No action was taken.

The financial & investment reports were presented.

Mayor Green indicated to Council members that there would likely be a need for a special meeting sometime within the week and asked them to try to be available if one were to be scheduled.

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 9:04 p.m. Vote – Unam.

Everett M. Green
Mayor

Ruth Becker
City Clerk