

July 5, 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, 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 June 20, 2022 regular council meeting were presented.

Motion by Barb Wilkinson seconded by Craig Richards to approve the minutes of the June 20, 2022 regular council meeting. Vote – 6-yes, 2-abstain, Jeff Allen, Armando Tarango.

Appropriation Ordinance #994A was presented.

Motion by Adam Winter seconded by Jeff Allen to approve Appropriation Ordinance #994A. Vote – Unam.

Presented in the packet was a copy of *Resolution No. 2021-06* regarding the unsafe & dangerous nature of the structure at 707 Glenn Street, and a draft of *Ordinance No. 1238* directing removal of same structure. City Administrator Brad Pendergast informed the Council that an anonymous donor has offered to cover the cost to have the structure at 707 Glenn Street removed. Because of the generous offer, there will be no cost to the City to have the structure removed. He mentioned that he and City Attorney Rebecca Faurot felt that the City is still within an acceptable time frame since the passage of the resolution to move forward with the removal. Mr. Pendergast noted that the removal would take place as soon as Anthony Ivey, the contractor who will remove the structure, can fit it into his schedule.

Motion by Josh Gooden seconded by Jeff Allen to accept the generous offer from the anonymous donor, and to authorize the Mayor's signature on *Ordinance No. 1238*, directing the removal of the structure at 707 Glenn Street. Vote – Unam.

Provided in the packet was a copy of *Charter Ordinance No. 9*, exempting the City of Scott City from the Kansas Underground Utility Damage Protection Act, now known as "Kansas One-Call," and a draft of *Charter Ordinance No. 14*, which, if passed, would repeal *Charter Ordinance No. 9*. City Administrator Brad Pendergast informed the Council that, for unknown reasons, the City Council voted to opt out of Kansas One-Call system in 2011, three years after the formation of the system. He mentioned that both he and Street, Water, & Sewer Superintendent Terence Appel have been wanting to join for the last several months. It was noted that there is a cost to be part of the Kansas One-Call system, but even though there has not been much damage to water and sewer lines due to digging, Mr. Appel believes the cost is "well worth it." For the first year, the City will pay \$1.00 per locate. After the first year, the cost increases to \$2.60 per locate.

Motion by Josh Gooden seconded by Jeff Allen to approve *Charter Ordinance No. 14*, repealing *Charter Ordinance No. 9*. Vote – Unam.

Included in the packet were *Real Estate Contract* between the City of Scott City and Timothy & Kathryn Graff, *Real Estate Contract* between the City of Scott City and Jay O'Brien, and a *Statutory Warranty Deed* for each contract listed. After brief discussion of a purchase price of \$3,100 for Timothy & Kathryn Graff and \$1,000 for Jay O'Brien, consensus of the Council was to proceed with the sale of the lots.

Motion by Craig Richards seconded by Barb Wilkinson to approve *Real Estate Contract* between City of Scott City and Timothy & Kathryn Graff and *Statutory Warranty Deed* for Lot 7, Block 6 in I.L. Eastman's Addition to the City. Vote – Unam.

Motion by Craig Richards seconded by Adam Winter to approve *Real Estate Contract* between City of Scott City and Jay O'Brien and *Statutory Warranty Deed* for Lot 8, Block 6 in I.L. Eastman's Addition to the City. Vote – Unam.

Presented in the packet was an excerpt from the 2022 Budget Workbook directing the Council's attention to the \$100,000 budgeted transfer from the General Fund to the Special Highway Fund. Street, Water, & Sewer Superintendent Terence Appel reminded the Council that the primary use for the Special Highway Fund is for chip sealing of city streets.

Motion by Josh Gooden seconded by Armando Tarango to approve the \$100,000 budgeted transfer from the General Fund to the Special Highway Fund. Vote – Unam.

Mayor Green welcomed Pine Village Property Manager Ardith Scammehorn who was present to update the Council about the Scott City Housing Authority (SCHA). Mrs. Scammehorn noted that, as of earlier today, there is only one vacancy at Pine Village. There is a waiting list so the vacancy will be filled as soon as the unit receives some routine maintenance along with new paint and carpet. A new mower was purchased out of the general operating funds, not the reserve account; the cost of the mower was approximately \$3,000 which falls below the City's required bidding threshold. The air conditioning units have been serviced and one has needed to be replaced as it is leaking freon. The cost to replace the unit is roughly \$4,000. Mrs. Scammehorn noted that she had forgotten to bring the SCHA's financial reports for the 2<sup>nd</sup> quarter, but she will be certain to provide financials at her next scheduled report. Mayor Green thanked her for her update.

Mayor Green welcomed David Frisch, GMS Inc. Engineer, who was present for the opening of bids for the 8<sup>th</sup> Street Extension Project. Included in the packet was Addendum No. One (1) to the 8<sup>th</sup> Street Extension project bid process, allowing for digital submission for bids, which were due no later than 3:00 p.m. CST on July 5, 2022 to allow time for printing and sealing documents to be presented to the City Council at 7:30 p.m. Mayor Green announced that only one bid had been received. He opened the sealed envelope from Nowak Construction Company, Inc. (Nowak) and read the following bid:

- Schedule #1 for Water & Sewer Lines on 8<sup>th</sup> Street \$233,300
- Schedule #2 for Curb, Gutter, & Asphalt on 8<sup>th</sup> Street No Bid
- Schedule #3 for Curb & Gutter on Crescent Avenue No Bid

Mr. Frisch expressed his disappointment in having received only one bid, but also mentioned that he was not surprised at the lack of response. He stated that one other entity has indicated that they had planned to submit bids, but it has been difficult for contractors to commit to large projects like

this due to the shortage of employees in the workforce. Mr. Frisch then revealed the engineer's estimate as the following:

- Schedule #1 for Water & Sewer Lines on 8<sup>th</sup> Street \$224,550
- Schedule #2 for Curb, Gutter, & Asphalt on 8<sup>th</sup> Street \$461,430
- Schedule #3 for Curb & Gutter on Crescent Avenue \$56,160

Council discussed whether they would award the bid for the water and sewer lines portion of the project, since Nowak's bid came in just over the engineer's estimate. Mr. Frisch reminded the Council that they could now award this portion of the contract to Nowak and negotiate with other contractors for the alternate portions, or they could wait to decide on awarding the contract to Nowak, as the bid is valid for 60 days, giving GMS and City staff time to negotiate the entire project. Consensus of the Council was to authorize Mr. Frisch and GMS, Inc. to visit with Nowak and other contractors to negotiate terms of the project. He will revisit this project at the next regular meeting.

GMS engineer David Frisch updated the Council on the remaining water improvement project, noting it will also be soon let out for bids. He reminded the Council that this project will also be bid out in three schedules: Schedule #1 - the pipeline, Schedule #2 - the elevated storage tank, and Schedule #3 - the redrilling of the well. Mr. Frisch feels that the project is still on schedule to begin construction in late fall of this year. Mayor Green thanked Mr. Frisch for coming all the way from Colorado Springs for the bid opening.

Not discussed was the *Final Inspection Report, Kansas Department of Health & Environment* for the completion of the K-96 Water System Improvements. It had been provided in the packet for Council's review.

Under the open agenda, First Christian Church (FCC) members Randy Ryan and Arlan Reed were present to inform the Council that the FCC is in the process of pouring a cement parking lot in their lot which is directly west of the church building. They also desire to cement the alley between the church and the newly poured parking lot from the approach off 7<sup>th</sup> Street to the northeast corner of the Scott County Library parking lot. The cost for this portion of their project was approved by the FCC board. In a letter presented to the Council by Randy Ryan, the FCC board is requesting permission to concrete this section of alley and requesting that the City contribute by pouring concrete for the remaining 34' of the alley from the library parking lot to 8<sup>th</sup> Street. After a lengthy discussion regarding the potential for causing drainage issues, the party responsible for making and paying for repairs to infrastructure located below the surface of the alley, and the repercussions of setting the precedent of cost-sharing the paving of an alley with a private entity, the consensus of the Council was to have City Administrator Brad Pendergast and Street, Water, & Sewer Superintendent Terence Appel further research the impact of filling this particular area with concrete. They will report back at the next regular Council meeting.

Mayor Everett Green expressed appreciation for Marc Ramsey and Chris Price for doing an excellent job of setting off the fireworks display this year. It has come to Mayor Green's attention that these two gentlemen have been supplementing the pyrotechnics provided by the City and the County to make the display even better. He is grateful for their enthusiasm but feels that they should not have to contribute from their own pockets to provide a show that is worthy of the display. He noted that although the cost for the display has gone up, the number and size of the

fireworks provided in the package seems to be decreasing. He recommended to the Council that they look at other options prior to next year's fireworks commitment.

Pool Manager Marci Patton was not in attendance.

Building Inspector Lloyd Foster was not in attendance.

Police Chief David Post addressed *City of Valley Falls-Invoice for Officer Trey Davidson as Pursuant to K.S.A. 5609(b)* that had been included in the packet. Police Chief Post noted that the amount of reimbursement of \$14,964.65 for expenses incurred by the City of Valley Falls for the training of Officer Davidson was reasonable. He also noted that if Officer Davidson had started with the Scott City Police Department and then had to be sent to the Kansas Law Enforcement Training Center for training, the expenses that the City would have incurred are estimated to have been over \$6,000 higher than what the City of Valley Falls is requesting for reimbursement. Documentation to support that statement was also included in the packet. Police Chief Post recommended paying the invoice as presented out of the ARPA fund as per the October 4, 2021 Council decision to pay all year-one expenses for a 9<sup>th</sup> officer (including salary, training, and vehicle) out of the ARPA fund.

Motion by Craig Richards seconded by Jeff Allen to reimburse the City of Valley Falls for expenses incurred due to training Officer Trey Davidson, in the amount of \$14,964.65, with the cost to be paid out of the ARPA fund. Vote – Unam.

Police Chief Post was happy to announce that Sergeant Colton Schmitt and Sergeant Jason (Jay) Poore graduated from the Kansas Police Administrator Seminar the previous Friday. The intense training aims to prepare officers to become police chiefs or other upper-level management.

Police Chief Post was also pleased to announce that out of 418 law enforcement agencies in the state of Kansas, Scott City Police Department has been selected as one of seven agencies to be selected for testing for the newly formed Kansas Law Enforcement Accreditation (KLEA) program. He compared it to smaller version of the nationwide accreditation program CALEA (Commission on Accreditation of Law Enforcement Agencies, Inc). The KLEA board consists of members from the Chief's Association, the Sheriff's Association, KLETC, and other active serving members. The accreditation process is expected to take approximately 2 years and will be based on the police department's policies, equipment, and training.

Police Chief Post explained to the Council that his department has been struggling with the information technology (IT) services provided by ImagineIT, formerly Gilmore Solutions for several months. He reiterated that since the merge of the two companies, service and support have drastically been reduced. He expressed concern regarding issues that they have been having with email and the downloading of bodycam footage, indicating that the footage can be downloaded with no issues as long as the download is not tied to the security that is set in place by ImagineIT. The issue with the bodycam footage has been ongoing since November or December. Police Chief Post also noted that response time has also taken a hit. If a support call is placed via the phone, the whole system is automated, and you do not get to speak to a live person. Also, the police department needs the option for 24/7 support, since technology issues do not arise only between the hours of 8:00 a.m. and 5:00 p.m. Mayor Green noted that he has also experienced the decline in service since Gilmore Solutions became ImagineIT. Police Chief Post recommended looking at the possibility of contracting with a different IT company, if not for the City as a whole, at least

for the police department. City Administrator Brad Pendergast will review the contract that the City has with Gilmore Solutions and will report back at the next Council meeting.

Parks Superintendent Terence Appel reported that a new security camera system has been installed at the pool and the crew is in the process of installing a similar setup at Patton Park. The new security camera at the park will be set to record video of the park in general, but specifically the playground area and the restroom entrance area, as these two areas have been experiencing vandalism. Police Chief David Post indicated that they could stream footage directly into the dispatch area of the Law Enforcement Center for live views.

Street, Water, & Sewer Superintendent Terence Appel expressed his disappointment with the outcome of the bid opening for the 8<sup>th</sup> Street Extension/Crescent Avenue project. He noted that his crew had completed the painting of street lane lines, parking lines, and crosswalks around the downtown area, but will need to wait closer to the beginning of the school year to finish crosswalks at the schools. Paint is hard to obtain and by ordering it now, it should be available before school starts. He will also be working to repair the wiring issues on the traffic control light at the crosswalk by the Methodist Church.

Mr. Appel reported that the pump at the 12<sup>th</sup> Street lift station went down because it was filled with flushable wipes. Mr. Appel is working to obtain quotes for motors and impellers for the lift stations.

Street, Water, & Sewer Superintendent Terence Appel informed the Council that he has promoted the following individuals in his departments due to the change in crew structure that occurred with the retirement of Kari Youvon: Reggie Ford has been promoted to Assistant Street, Water, & Sewer Superintendent moving from a J8 to a K8 on the Pay Plan; DeWayne Ferrell has been promoted to a Crew Leader moving from a G12 to a J8 on the Pay Plan; Charlotte Latta has been promoted to a Crew Leader moving from a G8 to a J8 on the Pay Plan.

Mayor Everett Green thanked Mr. Appel and his crew for displaying the flags for the Hometown Heroes parade throughout the week to remain in place for the Scott County Fair parade. He commented on how nice and welcoming they look.

City Clerk Ruth Becker informed the Council that the City's current business membership with the Scott Recreation Commission (SRC) Fitness Center expires at the end of July and that a renewal notice has been received for processing. One of the benefits the City currently offers to its employees is a reduced membership cost at the SRC Fitness Center as a result of the business membership. Council members briefly discussed the number of City employees who take advantage of the reduced membership. Council member Bo Parkinson indicated that he thought that the City's business membership at the SRC Fitness Center was for a good cause, despite the low number of City employees who are current members of the SRC Fitness Center, further showing the City's support of the fitness center.

Motion by Bo Parkinson seconded by Josh Gooden to approve the renewal of the City of Scott City's annual business membership with the Scott Recreation Commission Fitness Center in the amount of \$1,000. Vote – Unam.

City Clerk Ruth Becker also informed the Council that registration is now open for the League of Kansas Municipalities Annual Conference to be held in Overland Park October 8-10, 2022. She offered to make conference and hotel reservations for anyone who wished to attend.

City Administrator Brad Pendergast informed the Council that there would be a need to declare an intent to exceed the Revenue Neutral Rate (RNR) for the 2023 Budget at the next regular Council meeting. He will have one more opportunity to review the Consumer Price Index (CPI) for the Midwest Region before he is able to determine the RNR for the 2023 Budget.

Mr. Pendergast informed the Council that he has been in contact with KDOT to do a pedestrian study at the intersection of 12<sup>th</sup> Street and U.S. Highway 83. Because KDOT recently acknowledged that there is an increase in traffic on U.S. Highway 83 and the population of Scott City increased with the 2020 census, it stands to reason that there are more pedestrians attempting to cross the highway at that intersection. Mayor Green stated that he is encouraged that KDOT is open to doing a study at that intersection.

City Attorney Rebecca Faurot had nothing to report.

Mayor Green had nothing additional to report.

The Council took a short break.

Mayor Green called the meeting back to order.

Motion by Craig Richards seconded by Adam Winter to recess into executive session to discuss personnel issues pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), retaining the Mayor, Council, City Administrator, City Attorney, Police Chief, and City Clerk with the open meeting resuming in the Council room at 9:10 p.m. Vote – Unam.

The Council came out of executive session.

Mayor Green called the meeting back to order.

No action was taken.

Motion by Adam Winter seconded by Armando Tarango to adjourn at 9:12 p.m. Vote – Unam.

Everett M. Green  
Mayor

Ruth Becker  
City Clerk