

July 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, Josh Gooden, Barb Wilkinson, Adam Winter, Armando Tarango, City Attorney Rebecca Faurot, City Administrator Brad Pendergast, and City Clerk Ruth Becker via Zoom.

The Council and others recited the Pledge of Allegiance.

The minutes of the July 5, 2022 regular council meeting were presented.

Motion by Armando Tarango seconded by Josh Gooden to approve the minutes of the July 5, 2022 regular council meeting. Vote – Unam.

Appropriation Ordinance #994B was presented.

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

Ordinance No. 1239, an ordinance amending Title 3, Chapter 1A, Section 9D, Special Event Retailers Permit of the Scott City, Kansas City Code to make the special event permit fee consistent with the state statute, was presented. City Administrator Brad Pendergast and City Attorney Rebecca Faurot noted that recent legislation reduced the required fee for permits for special events in which cereal malt beverages are to be sold from \$100.00 to \$25.00.

Motion by Jeff Allen seconded by Craig Richards to authorize the Mayor's signature on *Ordinance No. 1239*, an ordinance amending Title 3, Chapter 1A, Section 9D, Special Event Retailers Permit of the Scott City, Kansas City Code to make the special event permit fee consistent with the state statute. Vote – Unam.

Provided in the packet was *Draft – 2023 Annual Budget, City of Scott City, Kansas* as prepared by City Administrator Brad Pendergast. Mr. Pendergast noted that the most recent CPI figure for the Midwest Region was 9.5%, which is included in the 2023 budget for all salary line accounts for the City. He indicated that this increase is expected to be the equivalent of roughly a \$10,000 increase in the overall budget from what was presented at the budget workshop. The increase in the salary budget equates to approximately 1/3 of a mill.

Also included in the packet was *Resolution 2022-03*, a resolution regarding the governing body's intent to levy a property tax exceeding the Revenue Neutral Rate (RNR). Mr. Pendergast explained that it is required that the Scott County Clerk be informed of the City's intent to exceed the RNR no later than July 20, 2022. The resolution states that the RNR that was calculated by the Scott County Clerk at 64.869 mills will likely be exceeded with a proposed mill levy of 69.508. The purpose of this resolution is to provide notice of that intent to the Scott County Clerk. Mr. Pendergast noted that the mill levy is not being set by this resolution, that it is simply indicating the maximum rate which will be imposed.

Motion by Josh Gooden seconded by Jeff Allen to authorize Mayor Everett Green to sign *Resolution 2022-03*, a resolution regarding the governing body's intent to levy a property tax exceeding the Revenue Neutral Rate and to authorize delivery of said resolution to the Scott County Clerk no later than July 20, 2022. Vote – Unam.

A draft copy of *Resolution 2022-04*, a resolution to levy a property tax rate exceeding the Revenue Neutral Rate, was included in the packet. City Administrator Brad Pendergast pointed out that this draft is currently being presented for the Council members' review. He indicated that this resolution will be signed following the RNR hearing on September 5, 2022, if the Council votes to officially exceed the Scott County Clerk's calculated RNR of 64.869 mills. Immediately following the RNR hearing on September 5, 2022, the Council will open the 2023 Budget Hearing to adopt the proposed 2023 budget. Consensus of the Council was that *Resolution 2022-04* appears to be ready for signatures following the RNR hearing on September 5, 2022.

Provided in the packet were two proposals for Scott City Municipal Airport Fixed-Base Operator (FBO): *Western Kansas Aviation, LLC, Proposal for Fixed Base Operator and Airport Manager for the Scott City Municipal Airport*, as provided by Jalen Unruh and Bryan Koehn, and *Amended Response to Request for Proposal, City of Scott City, Kansas, Airport Manager and Fixed-Base Operator at Scott City Municipal Airport*, as provided by Warren Harkness dba WTH Aviation Services.

City Administrator Brad Pendergast noted that these are amended versions of proposals that had been presented previously for the Airport Commission's review. After the initial review of the proposals, the commission requested that they be revised so that the comparisons between the two proposals would be more "apples to apples" than previously presented. It was noted that neither entity would be able to provide a fuel truck at this time. The recommendation of the Airport Commission as stated by Airport Commission member Jeff Allen was to accept the proposal presented by Warren Harkness of WTH Aviation Services. Council members briefly discussed the terms of a contract that is being prepared by City Attorney Rebecca Faurot. It was the consensus of the Council that an initial term of one year be in the contract, with a clause allowing the renewal of the contract in three-year terms at the end of the first one-year term.

Motion by Jeff Allen seconded by Adam Winter to authorize City Attorney Rebecca Faurot and City Administrator Brad Pendergast to prepare a contract for a one-year term, subject to renewal, for Warren Harkness dba WTH Aviation Services to provide fixed-base operator services and airport management at Scott City Municipal Airport. Vote – Unam.

The contract will be submitted for approval at a future regular council meeting.

Council members discussed the construction project at the First Christian Church located at 7th & Main Street. Church members had previously requested that the City contribute to the completion of the alley just west of the church, on which they were wanting to pour concrete. This request was met with concern regarding how concreting the alley would affect drainage toward the Scott County Library as well as concern for whose responsibility it would be to make repairs to the alley when utility lines below needed to be repaired. First Christian Church members are now proposing that the alley be asphalted instead of using concrete. Contractor Forrest Gough will be working with Street, Water, and Sewer Superintendent Terence Appel to determine necessary elevations. Mayor Everett Green expressed his concern that currently the City has no jurisdiction over flatwork as there is no requirement that individuals doing flatwork improvements obtain a building permit. He noted that this practice needs to be changed in the future to prevent the creation of drainage problems where they had not previously existed.

Mayor Green welcomed Ken White, GMS Inc. Engineer, via Zoom. He was present to discuss *Final Change Order No. 2* for Pate Construction Co., Inc. (Pate) which included an increase to the

K-96 Project in the amount of \$194,664.80 for subcontracted asphalt work performed by McCormick Excavation and Paving at the end of the project.

Motion by Josh Gooden seconded by Barb Wilkinson to approve *Final Change Order No. 2* for Pate Construction Co., Inc, increasing the cost of the K-96 Project by \$194,664.80. Vote – Unam.

Also presented by Ken White was *Exhibit E – Request for Disbursement from KDHE Revolving Loan Programs*, otherwise known as Drawdown Request #5, which included invoices for administrative expense and engineering services from GMS, Inc. in the amount of \$41,046.81 as well as the 4th & final payout request from Pate which includes the amount for release of retainage and *Change Order No. 2* totaling \$238,412.44. Full total request for disbursement is \$279,459.25.

Motion by Josh Gooden seconded by Armando Tarango to authorize the Mayor’s signature on all documents pertaining to *Exhibit E – Request for Disbursement from KDHE Revolving Loan Programs*, otherwise known as Drawdown Request #5, in the amount of \$279,459.25. Vote – Unam.

GMS Engineer Ken White directed the Council’s attention to *Memorandum via Electronic Mail* dated July 11, 2022 from GMS Engineer David Frisch regarding the upcoming KDOT portion of the K-96 improvements. As determined by a conversation between Mr. Frisch and KDOT Representative Michelle Needham, KDOT will put the project out for bid in August of 2022 with the bid opening to be held in September 2022. Ms. Needham suggested to Mr. Frisch that the City obtain a quote from the low bidder of that project to complete the 8th Street Extension project. Mr. Frisch stated in his memo that GMS will proceed with negotiations to undertake the work associated with the 8th Street Extension project.

In closing, Mr. White reminded the Council that the next water improvement project will be completed in 3 phases: the pipeline phase, the elevated storage tank phase, and the re-drilling of the well phase.

Mayor Green thanked Mr. White for his report.

Under the open agenda, Council member Armando Tarango commended Street Maintenance employee Holly Berland on the great job she is doing on the streets.

Pool Manager Marci Patton was not in attendance. *Monthly Pool Update* with figures as of June 30, 2022 was included in the packet for Council members to review.

Building Inspector Lloyd Foster was not in attendance. Nothing was reported on his behalf. Council member Jeff Allen inquired if a report could be provided in the packets regarding approved building permits. City Administrator indicated that that report could be provided.

Police Chief David Post provided *SCPD Training Report, July 1st 2021 – June 30th 2022* for the Council to review. Police Chief Post explained that every officer is required to complete 40 hours of training per year to remain certified as an officer. It was mentioned that the list of training appears to be heavily skewed, but that those officers with extremely high training hours had been through KLETC and/or K9 Training within the past 12 months. Police Chief Post also noted that, although he attends many conferences, not all sessions that he attends qualify as required training hours, making his training hours seem lower than expected.

Police Chief Post included a letter from the State of Kansas, Office of the Attorney General dated July 1, 2022 in support of the Scott City Police Department sending Officer Bailey White for

School Resource Officer (SRO) training. The letter was accompanied by a \$300.00 check to help offset a portion of the cost of training.

Police Chief Post mentioned that 30 addresses had been submitted to Lebbin Lawn and Tree, Inc. for the spraying of bindweed.

The new Chevy Traverse has arrived with no change in cost from the approved bid amount of \$29,452.80 at the January 17, 2022 Council meeting. It will be paid from the police department budget and will be sent for outfitting soon.

Jail expense is increasing from \$16.00 per day to \$40.00 per day.

Summer Intern Dulce Ayala will complete her final day with the police department on Tuesday, July 19, 2022. They will conduct an exit interview with Ms. Ayala to gain input and insight into the newly established internship program. Ms. Ayala will complete her education via online training to earn her bachelor's degree.

Parks Superintendent Terence Appel reported that the Scott Recreation Commission (SRC) has begun construction of the sand volleyball court across from the SRC Fitness Center in Palmer Park.

Street, Water, & Sewer Superintendent Terence Appel reported that work has begun on drainage improvement project on Crestview. Unfortunately, he is still waiting on pipe which is not expected to be available until September 6, 2022.

Mr. Appel informed the Council that his crew had been busy installing water meters for Ag Solutions (new construction at the airport) and the Scooter's Coffee on Main Street.

Clerk Ruth Becker informed the Council that the Financial Reports provided in the packet had not yet been finalized by City Treasurer Renee Cure, due to a posting issue across months. The amount of the overall discrepancy is reported to be \$99.24 and with the assistance of gWorks' (provider of the City's government financial software) technical support, the reports will be corrected as soon as possible.

City Administrator Brad Pendergast reported that he had looked at the contract between Gilmore Solutions (now Imagine IT) and City of Scott City and noted that there is a 90-day requirement to notify them of the desire to terminate services prior to January 1.

Mr. Pendergast also reminded the Council that there will be a Kansas Open Meetings Act (KOMA) / Kansas Open Records Act (KORA) training available in Scott City on August 24, 2022 at the Safe Child Center (Western Kansas Child Advocacy Center). He noted that the City will pay all registration fees and encouraged Council members to attend.

City Attorney Faurot had nothing to report.

The financial, investment, and quarterly reports were presented. Council member Craig Richards informed the Council that he had expressed to City Treasurer Renee Cure that he would like to see the option for Certificates of Deposit (CDs) to be bid out for terms less than one year so that the City can potentially receive a better return on investments. Mayor Green thanked Mr. Richards for his input.

Mayor Green had nothing to report.

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 8:20 p.m. Vote – Unam.

Everett M. Green
Mayor

Ruth Becker
City Clerk