

November 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, 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 October 17, 2022 regular council meeting were presented.

Motion by Barb Wilkinson seconded by Adam Winter to approve the minutes of the October 17, 2022 regular council meeting. Vote – 7, yes – 1, abstain-Craig Richards.

The minutes of the October 25, 2022 special council meeting were presented.

Motion by Armando Tarango seconded by Jeff Allen to approve the minutes of the October 25, 2022 special council meeting. Vote – Unam.

Appropriation Ordinance # 998A was presented.

Motion by Josh Gooden seconded by Adam Winter to approve Appropriation Ordinance #998A. Vote – Unam.

Provided in the Council packet was *Ordinance #1250*, an ordinance prohibiting private wells within the city limits. Mayor Everett Green noted that he and Council member Josh Gooden had recently met with water officials from Hays and that they are putting together more information. Council member Gooden suggested to table this item until more information has been collected. Consensus of the Council was to agree to move this item to another Council meeting.

Included in the packet was *Donation Agreement, 506 W 8th Street, Scott City, Kansas*, dated May 17, 2021 between Kelly Funk and the City of Scott City. The donation of the structure was intended for fire training purposes in exchange for the City assuming the responsibility of the cost of demolition once the structure has been deemed unusable. City Administrator Brad Pendergast explained that it has been determined by the fire department that the structure is unable to be used for training. Mr. Pendergast recommended that the demolition project be advertised for bids because it is likely that the cost will exceed the \$5,000 threshold for bids. Council member Barb Wilkinson requested that a deadline for demolition be included in the bid requirements, as other demolition projects that have been approved by the City Council have not yet been completed.

Motion by Jeff Allen seconded by Armando Tarango to advertise for bids to demolish the structure at 506 W. 8th Street, to specify a deadline of April 1, 2023 for the completion of the demolition, and that disposal of the debris is to be left to the discretion of the contractor that is awarded the contract, with bids being received at City Hall by 5:00 p.m. on November 21, 2022. Vote – 7, yes – 1, abstain – Kelly Funk.

Mayor Everett Green noted that the 8th Street extension from Jefferson Street to Oak Street has been completed. There has been discussion about whether there should be a stop sign installed at

8th and Jefferson. City Administrator Brad Pendergast explained that the reason for this item being brought to the Council's attention is that recently, but prior to his arrival in Scott City, there had been discussion regarding stop signs at "T" intersections and that the prior discussion determined that stop signs at these intersections provided no additional safety. Mayor Green explained that Jefferson Street had already been set apart from other areas in town as an area with a high concentration of pedestrian traffic by the lowering of the speed limit. Mr. Pendergast also noted that other intersections at Jefferson Street have stop signs. Police Chief David Post expressed his opinion that a stop sign is needed at that intersection. Discussion also ensued regarding the need for a streetlight at 8th & Oak now that 8th Street is complete through Oak Street.

Motion by Josh Gooden seconded by Jeff Allen to install a stop sign on the east side of Jefferson Street at 8th Street. Vote – Unam.

Motion by Kelly Funk seconded by Armando Tarango to approve the installation of a streetlight at the intersection of 8th and Oak Street with its placement at the discretion of Wheatland Electric. Vote – Unam.

City of Scott City, Kansas Personnel Policies and Procedures, 2023 Edition was provided in the Council packet. City Administrator Brad Pendergast pointed out that he has asked department heads to review the document and provide any input. Department heads did not submit any corrections or potential revisions. Mr. Pendergast informed the Council that he had been asked to add a section outlining the use of exit interviews for employees leaving City employment. Section G-2 has been added to the document and explains the process and purpose of conducting exit interviews. No other changes had been made.

Motion by Adam Winter seconded by Armando Tarango to approve *City of Scott City, Kansas Personnel Policies and Procedures, 2023 Edition* as presented. Vote - Unam.

Scott City Municipal Airport Fixed Base Operator (FBO) WTH Aviation Services, LLC (WTH) representatives Warren and Trisha Harkness were present to update the Council. Mrs. Harkness had distributed hard copies of *Report to Scott City Council* prior to the meeting. Mr. Harkness explained that everything seems to be "falling into place" at the airport. The fuel system, which had required upgrades due to connectivity issues, is now operating as expected. WTH has submitted two months' worth of fuel flowage fees to the City but are still operating on the remainder of the City-purchased Jet A fuel. Until the remaining fuel is used, they are invoicing the customers and are forwarding the proceeds to the City. Electric wiring issues in the T-hangars and generator malfunctions have been resolved. Fuel filters on both fuel pumps are due to be changed out. Mr. Harkness noted that WTH is still working to hire an A&P mechanic. Currently, a local resident is providing the service. They are also continuing to search for a fuel truck, as per their agreement with the City. They will be looking at a truck in Jackson, Mississippi to see if it would serve the needs of the airport. Mrs. Harkness noted that the wires on the overhead door of Storage A (in the T-hangars) have been cut. Mr. Harkness explained that he has noticed moisture in some of the runway lights. Although he has been able to remove some of the moisture from the bulbs, he plans to get quotes in case replacement becomes necessary. Mayor Everett Green requested that City representatives consult with Darin Neufeld, EBH Engineer, on the matter. Mayor Green thanked Mr. and Mrs. Harkness for their report.

Scott County Fire Chief Jeff Mayer was present to request the use of funds remaining in the City's Fire Equipment fund after the merging of the Scott City and Scott County fire departments.

Fire Chief Mayer provided the completed *Office of the State Fire Marshal Kansas Firefighter Recruitment & Safety Grant--Federally Funded by the American Rescue Plan Act (ARPA) Application for Personal Protection Equipment, Volunteer and Part-Time Department FY2023*, and a letter acknowledging a grant-award of \$15,000. Fire Chief Mayer also included multiple quotes for the Council to review. Because the fire department has grown substantially in terms of volunteers, Fire Chief Mayer requested to accept the bid from Weis Fire & Safety Equipment, LLC for \$19,000 for five sets of bunker gear. He indicated that the net expense for the City would be \$4,000 since the \$15,000 grant amount would be returned to the City's Fire Equipment fund.

Motion by Armando Tarango seconded by Jeff Allen to use the Fire Equipment fund to pay Weis Fire & Safety Equipment, LLC \$19,000 for five sets of bunker gear, with \$15,000 being returned to the City in the form of a rebate. Vote – Unam.

GMS, Inc. Engineer, David Frisch, joined the meeting via Zoom. Mr. Frisch provided updates regarding the City's current and upcoming projects. He indicated that the 8th Street Extension & Crescent Avenue projects were completed and that the total cost is reported to be below the budgeted cost. He stated that GMS Engineer Sam Wood would be going over the "punch list" with Nowak Construction soon to finalize the project and to get final numbers to KDOT for the balance of their 80% grant commitment to the City of Scott City for the construction of 8th Street for asphalt and curb & gutter.

Phase 2 of the water improvement project is approximately 2 months behind schedule due to the need to redesign a second line that will service 16 locations. It is expected that the project will be bid out right after the beginning of the year with bids to be open at the February 6, 2023 Council meeting, which would project a construction start date of March 1, 2023.

GMS, Inc. has been working to plat the western third of the SCIP North. They are hoping to record the plat by Thanksgiving. Although water infrastructure has already been addressed, sewer infrastructure still needs to be addressed. They are looking to extend the sanitary sewer lines to the south along Mesquite Road.

Engineers will likely be in Scott City the last week of November or the first week of December to set panels for the drainage study flyover.

Mayor Green thanked Mr. Frisch for his report.

The Council discussed the streetlight at 6th and Court Street, which has been reported as a nuisance to the residents at that intersection due to the brightness of the light. Council member Armando Tarango indicated that he had spoken with Walt Lovins with Wheatland Electric who indicated that "shading" the light would not produce the desired effect of directing the light downward that was being requested, so Mr. Tarango requested on behalf of his neighbors to have the light taken down. Police Chief Post cautioned against removing the streetlight as it is a heavily traveled intersection and safety should be the primary concern. Council members expressed the negative impact of setting a precedent of removing streetlights as requested by residents. After additional discussion did not lead to a decision, Mayor Green recommended having a more in-depth conversation with Wheatland Electric and postponing the item to another meeting.

Under the open agenda, Mayor Everett Green informed the Council that Emergency Medical Services (EMS) Director Kris Logsdon has requisitioned Scott County to provide a vehicle for his use as Director, but it will take a few months to fulfill that request. Mayor Green has visited with City Administrator Brad Pendergast regarding the Chevy Colorado that is currently not being used.

Mayor Green and Mr. Pendergast would like to offer to loan the Colorado to Mr. Logsdon to use in the interim as a cooperative effort between the City and the County. It was noted that, if Mr. Logsdon has the City Council's authorization to use the vehicle, the City's insurance will cover the vehicle if the need arises. Scott County will pay for fuel and maintenance on the vehicle for the time during which Mr. Logsdon will utilize it.

Motion by Josh Gooden seconded by Armando Tarango to allow Kris Logsdon to utilize the City's currently unused Chevy Colorado in his duties as Scott County EMS Director until such time as Scott County can provide a vehicle for his use. Vote – Unam.

Scott County Development Committee Director Katie Eisenhour was in attendance to request further guidance on the Neighborhood Revitalization Plan (NRP). She requested clarification on eligibility for the program. Consensus of the Council was to include in the plan a clause stating that projects that were applied for and completed in 2022 that have not already had new taxes assessed will qualify for the NRP to begin in 2023.

Pool Manager Marci Patton, accompanied by Assistant Manager Jessica Berry, was in attendance to present the *2022 Scott City Municipal Swimming Pool End of the Year Report*, which had been included in the packet. Overall, financial figures were similar to those from the previous season. Highlights of the 2022 season included:

- Donated pool passes were again very popular with everyone who requested a free pool pass receiving one.
- Application was made to KDHE with the help of Scott County Health Department Director Edith Tarango for a grant to promote health and safety of children. If awarded, it would be used to cover Red Cross Swim Lessons to those who may not otherwise enroll.
- Mermaid Night was a huge success. Mrs. Patton expressed her delight in the fact that many of the younger children actually believed that they were swimming with real mermaids. Mermaid Night netted \$700 profit after expenses, but they plan to use many of the items again next year and expect profit to be even higher.
- Pioneer Splash night brought in 30 more swimmers than the previous year. Pioneer Communications paid admissions and offered free hot dogs to the community
- Visits from Scott City Police Officers have been a big hit again this year. The kids enjoy interacting with them and eating the freezer pops that they provide. They seem especially delighted when the fully-uniformed officers jump off the high dive.
- Mrs. Patton thanked the Mayor and Council for moving up the hiring timeline by a month. It made a huge difference in scheduling not only basic lifeguard training, but also specialty training such as Water Safety Instructor (WSI) training, which is required to offer Red Cross swimming lessons.

Items for a future wish list include additional theme nights, such as sidewalk chalk contests or a "Splash for Cash," possibly creating a budget for a splash pad, utilizing a different surface to prevent more slips and falls, and new diving boards.

Mayor Green thanked Mrs. Patton and Mrs. Berry for the work they had done at the pool this season. Both ladies indicated that they would like to return for the 2023 pool season.

City Administrator Brad Pendergast noted that he had performed some site inspections for the Building Inspector department. He noted that he and Mayor Green spoke with GMS Engineer David Frisch regarding the possibility of changing the scope of the position of Building Inspector. The thought is that the position would change from a part-time, building inspection-only position

to a full-time position for which the employee would perform not only inspections, but also perform engineering tasks on a smaller scale than would be asked of engineering companies such as EBH or GMS. The person in the position would also work directly with the engineering firms on projects such as those on which the City is currently undergoing. It was expressed that Mr. Frisch gave the idea a “thumbs up,” noting that this change would be a positive one for the City as well as the engineering companies with which the City contracts. Consensus of the Council was to update job descriptions as necessary and to advertise to accept applications for a full-time Building Inspector/City Engineer until the position is filled.

Police Chief David Post provided *Council Meeting/Dept Update* dated 11/7/2022 in the Council Packet. He noted that, over the last three months, dispatchers have undergone extensive training to serve the community and to understand the recent changes in technology for 911. He provided a list of 32 trainings that had been attended by his personnel. He discussed trainings that his officers have attended or are planning to attend. He specifically mentioned that K9 Handler Trey Davidson has been in San Antonio with Enoch for handler training. The cost for the three-week course is being covered by the police fund held at the Scott Community Foundation, saving the City of Scott City approximately \$7,000 in training expenses. Officer Davidson and Enoch received their certification on November 3, 2022 but will remain for two additional weeks for additional training. They will return before Thanksgiving. Police Chief Post indicated that, upon certification, Officer Trey Davidson has been promoted to an Officer II level on the Step & Grade plan, earning him a pay increase at level H1, effective today, Monday, November 7, 2022.

The fundraising event for Dispatcher Kristi Conine was a great success, raising approximately \$10,500. Police Chief Post thanked everyone involved for making it a success.

Scott Community Foundation has awarded \$2,000 to the police department in addition to the \$2,000 that was awarded for “Operation Santa.”

Police Chief Post discussed some staffing changes that will be occurring at the police department. Dispatcher Vance Collamore will move to a patrol position. He will remain in dispatch for a while, but then will attend training at the Kansas Law Enforcement Training Center (KLETC). Mr. Collamore will begin at a G2 on the Step & Grade plan while at the KLETC and will be moved to a G3 upon graduation. Mary Kirk, recently hired as a part-time dispatcher, will move to a full-time position. Police Chief has received an application for a dispatcher position.

Police Chief David Post asked Sergeant Colton Schmitt to share some news with the Council. Sergeant Schmitt notified the Council that he had submitted his resume for the Scott County Sheriff position that will be open upon the retirement of Sheriff Glenn Anderson. EMS Director Kris Logsdon offered his support for Sergeant Schmitt. Sergeant Schmitt explained that he has served in law enforcement in Scott City for the past thirteen years and sees this as an opportunity not only for advancement in his personal career, but also, if appointed, he plans to build a stronger working relationship between the Sheriff’s Office and the Police Department. He wanted to assure the Mayor and Council that there are no negative feelings toward the City. Mayor Green stated that he had met with Sergeant Schmitt and explained that he supports him in his decision. He also stated that if Sergeant Schmitt remains as a City Police Officer, he will still have his support. Consensus of the Council was to demonstrate support for Sergeant Schmitt’s decision to be considered for the position of Scott County Sheriff and thanked him for coming forward to inform the Council of his intent.

Parks Superintendent Terence Appel reported that they had recently purchased eleven trees and had either planted or transplanted trees in all three parks. He reported that Wheatland Electric has put up a pole as requested at Patton Park on which security cameras will be installed. The slide that had been ordered several months ago has arrived. Mr. Appel also noted that there is no money available to resurface the courts for pickleball. He reported that an updated cost for the resurfacing project is approximately \$22,000.

Street, Water, and Sewer Superintendent Terence Appel indicated that his crew had begun working on Christmas decorations. He reported that Tyler Hess with B & H Paving had sealed the asphalt on Crescent Avenue, but it will likely take two years before it is set. He voiced concerns that the newly constructed portion of 8th Street seems too flat but noted that he was assured by GMS Engineer Sam Wood that the area would drain properly. Because the area is now much more conspicuous, Council member Barb Wilkinson stated that several property owners in the area just north of the new 8th Street extension had been issued non-conformance certificates when the area was annexed into the City several years ago, allowing those owners to retain their farm animals as long as the land remained under their ownership. She was also asking if anyone had checked to make sure all the certificates that were issued are still valid and wanted to know whose responsibility it is to follow up on the certificates. City Administrator Brad Pendergast stated that he would look into this.

City Clerk Ruth Becker reported that the September 2022 Investment Report that did not make it into the Council packet for the last meeting was provided during this meeting. She also requested that City Code books be brought to City Hall for updates. She indicated that if Council members preferred to use the online City Codes instead of the hard copy books, she would be happy to keep their books at City Hall to make it easier to keep them updated.

City Administrator Brad Pendergast had intended to present health insurance figures at this meeting but was still waiting for quotes from Blue Cross and Blue Shield. Mr. Pendergast noted that figures from Kansas Municipal Insurance Trust (KMIT) look promising but he is not sure if the City is eligible for participation in the plan.

City resident Earl Roemer is interested in bringing water into the northeast corner of the Nu-Life property (adjacent to SCIP North) as the well that supplies Nu-Life is running dry. Mr. Pendergast, Mr. Roemer, GMS engineers, and KDOT representatives will be working together to find a viable and efficient solution to providing water infrastructure to the area.

City Attorney Rebecca Faurot had provided *Memo: Court Appointed Attorney Rates* for the Council Packet. Also provided prior to the Council meeting was a letter of interest in providing indigent defense for the Scott City Municipal Court from Robert J. Kennington in Garden City. City Attorney Faurot indicated that another attorney, Heidi Farnsworth, who handles cases in both Trego and Finney Counties, had also expressed interest. Discussion among Council members included whether to hire one of the two applicants, whether the City should pay by the hour instead of by the case, and whether the City should begin paying mileage for traveling attorneys. City Attorney Faurot recommended to continue the practice of paying attorneys by the case to eliminate the paperwork involved in tracking mileage and/or number of hours worked. Mrs. Faurot also noted that she could have biographical information for each candidate ready for the next Council

meeting. After further discussion, it was decided to work an additional figure into the by-case rate to cover the cost of mileage.

Motion by Jeff Allen seconded by Armando Tarango to increase the pay for indigent defense attorneys from \$300 per case to \$350 per case. Vote – Unam.

Mayor Everett Green reported that he has heard concerns about the state of the playground equipment at each of the parks. He noted that, since the Parks department does not have a large budget, the City has no maintenance plan for upkeep or assessment. Mayor Green indicated that all park equipment has been provided by donations from the public. Parks Superintendent Terence Appel explained that he has inspected the playground equipment at all the parks and has found that all pieces of equipment are structurally sound, but some swings may have cracks in plastic that could pinch in certain circumstances. He will look for replacement seats. Scott Community Foundation Executive Director Ryan Roberts has expressed a desire to replace the rubber tile surfacing at Patton Park with rubber mulch. Mr. Appel is concerned that the changed surface would no longer be defined as accessible, which was the mission for the park when it was established as the Park on the Plains in 2009. Parks Superintendent Terence Appel will continue to monitor the parks and their playgrounds to ensure that the equipment continues to be safe.

Motion by Armando Tarango seconded by Adam Winter for the Council 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, Police Sergeant, and City Clerk with the open meeting resuming in the Council room at 9:35 p.m. Vote – Unam.

The Council came out of executive session.
Mayor Green called the meeting back to order.
No action was taken.

The Council took a short break.
Mayor Green called the meeting back to order.

Motion by Jeff Allen seconded by Armando Tarango to approve an additional 74 hours from the Sick Leave Bank to be added to an employee's leave time. Vote – Unam.

Motion by Adam Winter seconded by Armando Tarango to adjourn at 9:42 p.m. Vote – Unam.

Everett M. Green
Mayor

Ruth Becker
City Clerk