

March 20, 2023

The City Council of Scott City met in regular session on the above date at 6:30 p.m. in City Hall.

Pastor Matthew Koterba from Holy Cross Lutheran 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 Jennifer Cunningham, City Administrator Brad Pendergast, and City Clerk Ruth Becker.

The Council and others recited the Pledge of Allegiance.

The minutes of the March 6, 2023 regular council meeting were presented.

Motion by Jeff Allen seconded by Armando Tarango to approve the minutes of the March 6, 2023 regular council meeting. Vote – Unam.

Appropriation Ordinance #1002B was presented.

Motion by Josh Gooden seconded by Adam Winter to approve Appropriation Ordinance #1002B. Vote – Unam.

Everett Green temporarily recused himself as Mayor and took the podium as the insurance representative to the City of Scott City to present the City's airport liability & hangarkeeper's insurance package. Provided in the council packet was *Renewal Quote Airport Liability City of Scott City*. Mr. Green indicated that the airport liability insurance policy has a slightly different effective date than the rest of the City's insurance package, which was approved at the March 6, 2023 meeting, allowing more time to find the most competitive bid. Mr. Green mentioned that this policy alone would not cover the airport, but that WTH Aviation Services, LLC, the airport's Fixed Based Operator (FBO), is also required to maintain operations and hangar liability insurance. Individuals who lease hangar space also hold their own insurance policies. Mr. Green pointed out that the annual premium of \$3,866 will be fixed for a three-year term. Council member Jeff Allen questioned the \$2 million aggregate limits and was informed that that was for the airport liability, but did not include the hangarkeeper's liability; hangarkeeper's liability limits are set at \$500,000 per occurrence and per aircraft, and it only covers the aircraft if it is not in flight at the time of the incident. Council President Josh Gooden asked the Council for any further discussion on the City's airport liability and hangarkeeper's liability. No further discussion was had.

Motion by Armando Tarango seconded by Jeff Allen to accept Rodenbeek & Green's recommendation and to accept the *Renewal Quote Airport Liability City of Scott City* policy at a three-year fixed annual rate of \$3,866 for the airport liability and hangarkeeper's liability insurance to cover Scott City Municipal Airport effective 4/15/23-4/15/24. Vote – Unam.

Everett Green resumed his role as Mayor.

Scott City Housing Authority (SCHA) Property Manager Ardith Scammehorn was present to provide an update for the Council. Mrs. Scammehorn indicated that Pine Village currently has no vacancies, but one is expected at the end of the month. Although there is no waiting list for the

apartment, she noted that there are several people interested in moving to Pine Village, so she does not expect the unit to be vacant for long.

Mrs. Scammehorn provided the *2023 Multiple Family Housing Project Budget/Utility Allowance* in hard copy form to the Mayor and Council members for their review. She explained that the report demonstrates both the budgeted amounts and actual amounts for 2022 and the budgeted amounts and year-to-date actual amounts for 2023. Mrs. Scammehorn noted that the reserve funds for capital improvements had been used for items such as refrigerators, carpet, air conditioning units, water heaters and lawn equipment in the prior year, leaving a healthy balance in the account.

Brief discussion was held regarding a request for an annual audit to be performed for the SCHA. Mayor Green reminded the Council that it is the recommendation of the City Treasurer to have an annual audit. However, there isn't enough money in the SCHA budget to pay for an audit, so the City of Scott City has paid for the audit for the past few years using Special City Project funds.

City Clerk Ruth Becker explained that in the past few years, the audit had been requested in September, which left the SCHA and Hay, Rice & Associates scrambling to complete the audit by the end of the year. The request for an audit has been moved forward to March each year at the request of Hay, Rice & Associates.

Motion by Jeff Allen seconded by Barb Wilkinson to authorize City Treasurer Renee Cure to work with Scott City Housing Authority Property Manager Ardith Scammehorn and to request a financial audit for the Scott City Housing Authority, with costs paid out of Special City Projects in the General Fund. Vote – Unam.

Council member Barb Wilkinson asked Mrs. Scammehorn about the policy for using the Community Room at Pine Village. Mrs. Scammehorn replied that the room may be reserved by a resident of Pine Village and explained that the resident is to be present at all times while the event is being held.

Mayor Green thanked Mrs. Scammehorn for her report.

GMS, Inc. Engineer Ken White was not present via Zoom as expected. City Administrator Brad Pendergast reported on his behalf.

Mr. Pendergast reported that KDHE is still reviewing the plans submitted for approval for the Water Improvement Projects. The deadline for approval had been March 10, 2023. Mr. Pendergast stated that he had received an email from Dan Clair, KDHE's Engineering and Permits Unit Chief, verifying that the delay in approval is coming from KDHE, not GMS. It was noted that KDHE had been using an old email address in communications directed to Mayor Green regarding this subject; that issue has been fixed.

Mr. Pendergast informed the Council that GMS Engineer Sam Wood reported that, as of March 17, 2023, the contractor on the 8<sup>th</sup> Street Extension project had still not completed their site visit to analyze the issues on the newly constructed street. In addition to the drainage issues and cracking asphalt that had already been reported to Nowak Construction by Mr. Wood, it had also been determined by GMS Engineer Trevis Smith during his visit to Scott City a few weeks prior that the asphalt is separating from the curb and gutter. Mr. Wood continues to reach out to the contractor. Mayor Green mentioned a discussion that he had had with former Fire Chief Ken Hoover who stated that the area which is now the sports complex had at one time been the location of the sewer ponds. He also mentioned that the old landfill was where the pool and Palmer Park are currently housed. When Council members questioned whether the land was deemed fit for construction, Street, Water, and Sewer Superintendent Terence Appel assured the Council that a compaction test had been performed prior to the construction of the extension to 8<sup>th</sup> Street.

Provided in the Council packet were documents for the KDHE Kansas Public Water Supply Loan Fund (KPWSLF) Payment Request #7.

Motion by Josh Gooden seconded by Jeff Allen to authorize the Mayor's signature on *Exhibit E - Request for Disbursement from KDHE Revolving Loan Programs, Payment Request #7* in the amount of 25,149.86 in the amount of \$25,149.86 and to pay *GMS, Inc. Invoice #26* in the same amount. Vote – Unam.

Under the open agenda, City Administrator Brad Pendergast expressed concerns he had been fielding from residents regarding pedestrian crossing at the intersection of 12<sup>th</sup> Street and US Highway 83, specifically regarding children crossing the highway to reach the park during the summer months. He indicated that he had requested that KDOT perform a traffic study, and that he has received the results back. The results of the study indicate that traffic signals or flashing lights are not allowed; however, the City would be allowed to paint crosswalks in the intersection and post signage informing motorist of the crosswalks ahead. If crosswalks are painted, then all corners would need to be made to be handicap accessible. Mr. Pendergast added a reminder that a USDOT grant known as *Safe Streets for All (SS4A)* was recently awarded to perform traffic safety studies along the US Highway 83 corridor, which includes the portion in Scott County/Scott City. Findings from that study could provide additional insight into the specific intersection being discussed. In the meantime, KDOT is requesting that the City's plans for marking the intersection, including drawings and cost estimates, be sent to them for review. At Mr. Pendergast's suggestion to reach out to GMS to get that project started, Council members Armando Tarango and Bo Parkinson inquired if the expertise of Building Inspector Jerek Wasinger could be utilized for this project. Mr. Pendergast agreed to reach out to Mr. Wasinger for his assistance on this plan. Consensus of the Council was to allow City Administrator Brad Pendergast to move forward on this project.

Council member Bo Parkinson informed the Council that he has received some backlash from residents who received the informational materials from Service Line Warranties of America (SLWA). Residents expressed concern about SLWA using the City's seal and wanted to know how much the City was receiving from SLWA in return for the City's endorsement of the service. Mayor Everett Green noted that those questions had been answered for the public in an article that was in the most recent edition of the Scott County Record. When asked if the use of the City seal and the amount of royalties to be received by the City had been presented to the Council, City Clerk Ruth Becker replied that the information had been included in the Council packet for the June 20, 2022 Council meeting. Mrs. Becker also shared her experience in answering questions from the public. She noted that she and her staff at City Hall have informed residents that the decision to partner with SLWA was made by the Council as an attempt to provide residents additional options for protection against utility lines that need major repairs or replacement—coverage that may not already be included in homeowners' policies. She also noted that residents are informed that this service is strictly optional and are encouraged to check with their insurance agents to see if they are otherwise covered for utility line failures. Individuals who approached staff at City Hall regarding the use of the City seal were assured that its use was endorsed by the City to separate this marketing material from fraudulent materials that have been received in the past. Residents also appreciate that there is only a one-month waiting period from the time that their participation in the program has been approved to the time that they can benefit from it. Most residents leave City Hall feeling much better about the program, and several have even indicated that they feel the cost of the protection is good and that they will seriously consider signing up for

the service. Overall, the response at City Hall has been positive. City Administrator Brad Pendergast reassured the Council that this program has received endorsements from the National League of Cities and the League of Kansas Municipalities. He also noted that he had reached out to other communities that utilize SLWA and has found them to be reputable. Mayor Green indicated that the marketing material, as an educational tool, has encouraged many people to reach out to their insurance agents to verify that there is coverage available on their homeowner's policies. People are weighing their options.

Building Inspector Jerek Wasinger was not in attendance. City Administrator Brad Pendergast noted that Mr. Wasinger and City Hall staff had been training to use the permitting portion of the iWorQ software, and that it has been going well. In the end, the use of this software will make the permitting process much more efficient.

Police Chief David Post informed the Council that he would be reading to the kids at Scott County Library the following day and that he will lead a presentation, *Law Enforcement in Small Communities*, at Garden City Community College, the following Thursday.

Police Chief Post informed the Council that his department is working on an upgrade that will allow automatic, online submissions of KBI/FBI arrest/offense reports to the state as they happen rather than needing to do manual reporting.

This past weekend was the *4H Food Shoot*. The police department participated in the shoot, and collected 156 cans of food; White's Foodliner matched with 144 additional cans bringing the police department's total to 300 cans of food donated to Hope's Closet's food pantry. The officers always enjoy participating with the youth of the community during this event.

Police Chief Post has applied for a *Women for Women* grant, which would allow funds for instructor training in self-defense tactics. Once an officer is trained to teach the course, women, not only employed by the Law Enforcement Center (LEC), but also across the community, will have the opportunity to attend self-defense training.

The two vehicles that have been approved for purchase have not yet been built, but it is anticipated that they will be in the next round of police vehicles to be produced.

Additional *Domestic Violence* training, presented by City Attorney Jennifer Cunningham, was held earlier today at the LEC.

Four bids have been received by Police Chief Post to hold an auction to sell impounded/wrecked cars. He estimates approximately 55 cars will be auctioned off. He indicated that he would work with City Administrator Brad Pendergast to determine the best bid. Police Chief Post indicated that the City would keep the profits from the auction after all tow bills have been paid.

Parks Superintendent Terence Appel had nothing to report.

Street, Water, and Sewer Superintendent Terence Appel informed the Council that the two items that had been listed on Purple Wave for auction, a Ditch Witch trencher and an asphalt melter, are currently slated to bring in more than expected. The auction will close out the following day.

Mr. Appel indicated that the City crew had been working to clean the stormwater drains on north US Highway 83.

He reported that, in the prior week, a transducer in the water tower had failed to properly monitor the water level leading to several callouts—one to deal with an overflowing tower. The transducer

has been replaced with a backup, and another transducer has been ordered to replace the damaged unit.

Mr. Appel reported that he has been working with Earl Roemer with NuLife regarding a major water leak where the origin has not been able to be determined. To conserve the water the best that they can until the leak can be found and repaired, they are using a leak wrench to manually turn the water on and off each day. The permit to bore under K-96 has been approved, so Mr. Appel has been working with Dreiling Construction to bore in front of the KLA building into the tree row near NuLife. Street, Water, and Sewer Superintendent Terence Appel indicated that this project was slated to happen when constructing the water and sewer infrastructure in SCIP North-Lawrence Addition, but will now happen earlier as a way to find and repair the leak at NuLife.

Mr. Appel informed the Council that Spring Clean Up Week will be held May 1 – May 5, 2023.

City Clerk Ruth Becker announced that she would be joining Scott County Emergency Management Director Tim Stoecklein, City Administrator Brad Pendergast, Scott County Development Committee Director Katie Eisenhour, and Scott City Area Chamber of Commerce Executive Director Lindsay Singley the following day at the Western Kansas Child Advocacy Center for the 2023 Regional Recovery Tabletop Exercise presented by Kansas Department of Emergency Management (KDEM). Following the meeting, she will be traveling to Manhattan for the 2023 CCMFOA/IIMC Spring Conference. Mrs. Becker had provided the schedule of events for the conference in the packet.

City Administrator Brad Pendergast reiterated that he would be attending the 2023 Regional Recovery Tabletop Exercise presented by Kansas Department of Emergency Management (KDEM) the following day. He noted that this will be an administrative level exercise dealing with the receipt, expenditure, and reporting of funds relating to disaster/emergency recovery. Immediately following the KDEM training, he will attend the Scott County Commissioners' meeting to discuss the courthouse usage agreement between the City and the County for the monthly payment made to Scott County. He will attempt to renegotiate the cost down since the Municipal Court Clerk is now the only City personnel who offices in the Court House. The initial agreement included compensation for office space and services for both the City Attorney and the Municipal Court Clerk.

City Attorney Jennifer Cunningham had nothing to report but did ask to see a copy of the agreement that Mr. Pendergast will discuss with the County Commissioners.

Included in the Council packet were financial and investment reports.

Mayor Green had no further comment.

Motion by Craig Richards seconded by Jeff Allen 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, and City Clerk, with the open meeting resuming in the Council room at 7:35 p.m. Vote – Unam.

The Council came out of executive session.

Mayor Green called the meeting back to order.

Motion by Jeff Allen seconded by Armando Tarango to issue 80 hours (10 days) from the Sick Leave Bank to an individual employee. Vote – Unam.

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 7:40 p.m. Vote – Unam.

Everett M. Green  
Mayor

Ruth Becker  
City Clerk