

April 17, 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 Jeff Allen, Josh Gooden, Bo Parkinson, Barb Wilkinson, Adam Winter, Armando Tarango, City Attorney Jennifer Cunningham (via Zoom), City Administrator Brad Pendergast, and City Clerk Ruth Becker.

The Council and others recited the Pledge of Allegiance.

The minutes of the April 3, 2023 regular council meeting were presented.

Motion by Jeff Allen seconded by Armando Tarango to approve the minutes of the April 3, 2023 regular council meeting. Vote – Unam.

Appropriation Ordinance #1003B was presented.

Motion by Adam Winter seconded by Armando Tarango to approve Appropriation Ordinance #1003B. Vote – Unam.

Provided in the packet was *Ordinance No. 1256*, an ordinance authorizing the issuance of General Obligation Bonds, Series 2023, in the aggregate principal amount of \$50,000 for special assessments on improvements to Crescent Avenue.

Motion by Josh Gooden seconded by Adam Winter to authorize the Mayor's signature on *Ordinance No. 1256*, an ordinance authorizing the issuance of General Obligation Bonds, Series 2023, in the aggregate principal amount of \$50,000 for special assessments on improvements to Crescent Avenue. Vote – Unam.

Presented in the packet was *Resolution 2023-04*, a resolution prescribing the form and details of and authorizing and directing the sale and delivery General Obligation Bonds, Series 2023, in the aggregate principal amount of \$50,000, and providing for the payment and security thereof.

Motion by Josh Gooden seconded by Barb Wilkinson to authorize the Mayor's signature on *Resolution 2023-04*, a resolution prescribing the form and details of and authorizing and directing the sale and delivery General Obligation Bonds, Series 2023, in the aggregate principal amount of \$50,000, and providing for the payment and security thereof. Vote – Unam.

Pool Manager Marci Patton and Assistant Pool Manager Jessica Berry arrived to update the Council on the upcoming opening of the Scott City Municipal Pool. They had requested to be moved to an earlier portion of the agenda than originally listed due to a scheduling conflict with the school board meeting later in the evening. Provided in the packet was *Scott City Municipal Pool*, the document that will be advertised in the Scott County Record for several weeks prior to the pool's opening date that lists the opening date, hours of operation, pool fees, special events, the schedule for Red Cross swimming lessons, 2023 pool staff, and pool rules and regulations. Mrs. Patton noted that the only major change from past documents is that she is requesting to raise

the fee for pool parties to \$125 and require a \$50 non-refundable deposit when booking a party. Consensus of the Council was to allow Mrs. Patton to make that change.

Also included in the packet were forms for pool pass sponsorships and pool party reservations, along with an informational flier on how individuals can qualify for free swimming lessons thanks to a grant from *SafeKids Kansas* with assistance from the Scott County Health Department. Mrs. Patton asked the Council if they would consider donating to the Health Department to assist with funding the *SafeKids* event to be held on May 6, 2023. The Council authorized City Administrator Brad Pendergast to authorize a donation.

*City of Scott City Swimming Pool Staff Manual 2023* was presented in the packet for Council approval. Mrs. Patton noted that the only changes made to the prior manual were corrections of spelling and grammatical errors.

Motion by Josh Gooden seconded by Jeff Allen to approve the *City of Scott City Swimming Pool Staff Manual 2023* as presented. Vote – Unam.

Mayor Green thanked Mrs. Patton and Mrs. Berry for their update to the Council.

Included in the Council packet was *City of Scott City, Kansas Tax-Exempt Obligation Post-Issuance Compliance Policy*. This policy sets forth specific policies designed to monitor compliance of tax-exempt obligations issued by the City, relating to the General Obligation Bonds, Series 2023 referred to in *Resolution 2023-04* earlier in the meeting.

Motion by Josh Gooden seconded by Jeff Allen to authorize the City Clerk's signature on *City of Scott City, Kansas Tax-Exempt Obligation Post-Issuance Compliance Policy*. Vote – Unam.

Included in the packet was *Agreement No. 141-23 – Project No. KA-6234-0* for the installation of KDOT Fiber Optic Infrastructure in Scott City, an agreement between the Secretary of Transportation, Kansas Department of Transportation (KDOT) and Scott City, Kansas. The agreement authorizes the Secretary of Transportation (Secretary) to undertake the project within the City's right-of-way and empowers the Secretary and the City to enter into agreements for projects incident to the construction, improvement, reconstruction, and maintenance of the state highway system. City Administrator Brad Pendergast indicated that by signing the agreement the City would grant the requested easements to KDOT, but that the City will also be able to utilize the upgrade in some fashion. Mr. Pendergast noted that KDOT will have to bore under N. College Street and, in doing so, will need to replace some sections of concrete along the way. City Attorney Jennifer Cunningham has reviewed this agreement and has no issues with it.

Motion by Josh Gooden seconded by Barb Wilkinson to authorize the Mayor's signature on *Agreement No. 141-23 – Project No. KA-6234-0* for the installation of KDOT Fiber Optic Infrastructure in Scott City, an agreement between the Secretary of Transportation, Kansas Department of Transportation and Scott City, Kansas. Vote – Unam.

Provided in the packet was a memo authored by City Administrator Brad Pendergast explaining that he and City Attorney Jennifer Cunningham had been asked to draft a policy that would allow employees additional sick leave as a front-loaded accrual for an FMLA qualifying event if an employee's sick, vacation, and other accrued leave was exhausted. Also included in the packet was a revision of *Section E-14 Family Medical Leave Act (FMLA)* of the *Personnel Policy Manual 2023* for the Council's potential approval. City Attorney Cunningham indicated that FMLA policy in the current version of the personnel policy manual is outdated, so in addition to adding the

option for front-loaded accrual of sick leave for an FMLA event, she also edited some of the language in the policy to remain in compliance with the FMLA act.

Motion by Armando Tarango seconded by Jeff Allen to update the *Personnel Policy Manual 2023* with the revised version of *Section E-14 Family Medical Leave Act (FMLA)*, which includes a clause allowing front-loaded sick leave. Vote – Unam.

Due to a conflict with a school event, Warren and Trisha Harkness with WTH Aviation Services, LLC, Scott City Municipal Airport’s Fixed-Base Operator, requested to update the Council at a subsequent meeting. They will report to the Council at the May 1, 2023 meeting.

Under the open agenda, Council member Barb Wilkinson expressed her appreciation for the opportunity to attend the 2023 League of Kansas Municipalities’ Leadership Summit the prior weekend in Hays. She noted that the keynote speaker, Jackie Stiles, was an inspiration and that she had attended a valuable session on conflict resolution. Mayor Everett Green also stated that he enjoyed the opportunity to network with other city officials and to learn from them. He encouraged Council members to take advantage of the opportunities presented to them to attend these types of events. He reflected that all cities deal with the same type of issues that City of Scott City encounters, albeit on a different scale.

A flier celebrating *Western K.S. Fossil Lab Grand Opening* had been provided at the Council members’ seats prior to the meeting. Council member Barb Wilkinson was excited to encourage Council members to visit El Quartejejo Museum to see “Krissy,” a plesiosaur unearthed by Kris Super. The mostly intact fossil has been brought to the museum and is being excavated in public view. The grand opening will be April 29, 2023 from 1:00 – 5:00 p.m.

Emergency Medical Services (EMS) Director Kris Logsdon was present to inform the Council that, although he works primarily with Scott County, he knows that the role he plays in the community also affects the City. He notified the Council that he has been able to secure a grant which will allow EMS to obtain a new LUCAS CPR device at a cost of only \$4,000. The grant covers a major portion of the roughly \$20,000 device. He was also pleased to report that the EMT class has concluded and that 8 individuals passed the course; those individuals will take the state test on May 13.

Mayor Green and Council members thanked Mr. Logsdon for his report.

Building Inspector Jerek Wasinger indicated that the Building Inspection department is in the final phase of implementation for the permits portion of the iWorQ software which will be shared with the Police department for code enforcement. He expects to “go live” with the permits application by the end of the month.

Police Chief David Post was not in attendance. In his absence, Detective Jason (Jay) Poore reported on his behalf. Detective Poore informed the Council that the resignation of one dispatcher and the leave of two others has left the dispatch department quite short. Officers Bailey Davidson and Whitney Savolt and Sergeant Colton Schmitt have done a great job of filling in as needed to cover the deficit. There were four applicants for the vacant dispatcher position. Two of those individuals have been interviewed. Detective Poore indicated that a selection will likely be made within the next few days. He also reported that Police Chief Post will attend training in Wichita from April 30-May 5, 2023. Sergeant Colton Schmitt will cover as acting Chief in his absence.

Parks Superintendent Terence Appel reported the following water usage in the parks as requested by Council members at the April 3, 2023 Council meeting:

	<b>2021 Usage in Gallons</b>	<b>2022 Usage in Gallons</b>
Maddux Park	267,500	255,300
Patton Park	2,588,000	1,441,100
Palmer Park-Pool Included	2,780,000	2,730,000
Mahler Dog Park	167,200	269,100

Mr. Appel indicated that he and his crew had been working on the drainage at Maddux Park as well as having started work on the pickleball and tennis courts.

Street, Water, and Sewer Superintendent Terence Appel mentioned that he had provided KDOT with pictures of the traffic controls as requested. He indicated that KDOT was planning to upgrade 3 stoplights and 2 crosswalks as part of the fiber optic infrastructure project that they will be undertaking.

Mr. Appel informed the Council that there have been problems with the loader leaking fuel. He explained that he would like to advertise for bids for a new loader, since several costly repairs have been made in the last year and problems keep arising. He will work with City Administrator Brad Pendergast through the process. With Spring Clean-Up Week fast approaching, the crew will prepare other equipment to assist with the duties of the week.

The results of the *Public Water Supply – Sanitary Survey Inspection* had been provided in the packet for Council’s review. Council member Barb Wilkinson inquired about why the *Water Conservation Plan* had not been included in the inspection. Mr. Appel indicated that it had been sent each of the past few years, but it somehow was not received by the appropriate offices for inclusion in the inspection report.

City Clerk Ruth Becker informed the Council that the City’s annual audit will be performed by Dirks, Anthony, and Duncan during the week of May 8-11, 2023. In addition, City Administrator Brad Pendergast and City Clerk Ruth Becker will be attending a budgeting workshop with the auditors in Garden City on Tuesday, May 9 of that week.

On behalf of the Planning & Zoning Commission, who had met the prior Thursday evening, City Clerk Ruth Becker requested permission to begin the process to change the regular meeting time of the Planning Commission that is set by ordinance. The Commission desires to change the time of the meeting from 7:00 p.m. to 6:00 p.m. on the 2<sup>nd</sup> Thursday of each month. Consensus of the Council was to direct City Administrator Brad Pendergast to draft an ordinance changing the time that the Planning Commission meets to be presented at the May 1, 2023 Council meeting.

City Administrator Brad Pendergast informed the Council that the latest CPI for the Midwest Region is at 4.9% and is trending down. He has drafted a memo for department heads to assist in planning their 2024 budgets, with direction to remain revenue neutral. He is asking that no department plans any large projects.

City Attorney Jennifer Cunningham had nothing additional to report.

Financial, quarterly, and investment reports were provided in the packets.

Motion by Josh Gooden seconded by Jeff Allen that the City Council recess into executive session to consult with the City Attorney regarding legal advice pursuant to the attorney-client privilege exception, K.S.A. 75-4319(b)(2), retaining the Mayor, Council, City Attorney, City Administrator, City Clerk, and Public Works Superintendent, with the open meeting resuming in the Council Room at 7:30 p.m. Vote – Unam.

The Council came out of executive session.  
Mayor Green called the meeting back to order.

Motion by Josh Gooden seconded by Barb Wilkinson that the City Council recess into executive session to consult with the City Attorney regarding legal advice pursuant to the attorney-client privilege exception, K.S.A. 75-4319(b)(2), retaining the Mayor, Council, City Attorney, City Administrator, City Clerk, and Public Works Superintendent, with the open meeting resuming in the Council Room at 7:36 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 Josh Gooden seconded by Jeff Allen that the City Council recess into executive session to discuss the potential acquisition of real property pursuant to the preliminary discussion of the acquisition of real property exception K.S.A. 75-4319(b)(6), retaining the Mayor, Council, City Attorney, City Administrator, City Clerk, and Public Works Superintendent, with the open meeting resuming in the Council Room at 7:47 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 Josh Gooden seconded by Armando Tarango that the City Council recess into executive session to consult with the City Attorney regarding legal advice pursuant to the attorney-client privilege exception, K.S.A. 75-4319(b)(2), retaining the Mayor, Council, City Attorney, City Administrator, City Clerk, and Public Works Superintendent, with the open meeting resuming in the Council Room at 8:05 p.m. Vote – Unam.

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

Mayor Green had nothing further 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 8:11 p.m. Vote – Unam.

Everett M. Green  
Mayor

Ruth Becker  
City Clerk