

June 19, 2023

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

Scott Wagner with Community Christian 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, Barb Wilkinson, Adam Winter, City Attorney Jennifer Cunningham (by Zoom), City Administrator Brad Pendergast, and City Clerk Ruth Becker.

The Council and others recited the Pledge of Allegiance.

Mayor Everett Green solicited advice from City Attorney Jennifer Cunningham regarding the procedure for voting. Mrs. Cunningham indicated that a vote needs to be audible to be properly recorded in the minutes. Therefore, Mayor Green instructed the Council to vote using the term “aye” for either a favorable or opposed vote. Council members agreed to comply.

The minutes of the June 5, 2023, regular council meeting were presented.

Motion by Barb Wilkinson seconded by Josh Gooden to approve the minutes of the June 5, 2023, regular council meeting and to note that the Council compliments City Clerk Ruth Becker for the job that she does. Vote – Unam.

Appropriation Ordinance #1005B was presented.

Motion by Josh Gooden seconded by Adam Winter to approve Appropriation Ordinance #1005B. Vote – Unam.

Included in the packet was *Letter of Opinion – Liquor License Application* regarding a Cereal Malt Beverage License for Joe’s Kwik Mart at 1310 South Main Street as provided by City Attorney Jennifer Cunningham.

Motion by Josh Gooden seconded by Jeff Allen to approve the application for Cereal Malt Beverage license for Joe’s Kwik Mart at 1310 South Main Street. Vote – Unam.

Scott City Chamber of Commerce Executive Director Lindsay Singley had provided *Special Event Request* and *Temporary Cereal Malt Beverage License Application* for the Council packet. Mrs. Singley indicated that she was submitting these requests on behalf of the *Flight into the Night Airshow*, which will be held on September 9, 2023, from 2:00 p.m. to 2:00 a.m. at the Scott City Municipal Airport. The event coordinators are Ben McNary and Liz Vulgamore. There was a brief discussion regarding the location of the beer garden for the event and whether beer would be allowed on the stage for the band.

Motion by Josh Gooden seconded by Jeff Allen to approve the *Special Event Request* and *Temporary Cereal Malt Beverage License Application* for the *Flight into the Night Airshow*, contingent upon Mrs. Singley continuing to work with City Administrator Brad Pendergast and City Attorney Jennifer Cunningham throughout the duration of the application process with the Alcoholic Beverage Control Department under the Kansas Department of Revenue. Vote – Unam.

Presented in the packet was a draft ordinance amending the “Multiple Meters” section of the current water rate ordinance. City Administrator Brad Pendergast explained he and City Attorney Jennifer Cunningham are requesting input from the Council to clarify the ordinance. Mr. Pendergast explained that the ordinance needs to better-define when water usage from multiple meters on a property would be combined and run through the rate table one time versus when multiple meters on a property would be separated out and run through the rate table independently from each other. City Attorney Cunningham noted that the City is working toward an ordinance that requires 1 meter per structure, so the ordinance needs to include language that refers to meters, not structures, to alleviate misunderstanding now and in the future. City Administrator Pendergast also asked the Council to help clarify whether zoning should play a role in how water usage is applied to multiple meters. Consensus of the Council was that multiple meters in areas zoned as residential should have the meters split out; each meter will have its own base rate and usage will be run through the rate table individually. Areas zoned as commercial would pay a base rate for each meter but have the water usage for those meters combined and run through the rate table once. Mrs. Cunningham stated a need to better-define the terms “residential” and “commercial” when discussing water rates. She will use the Council’s input to draft an ordinance to be presented for approval at the next regular Council meeting on July 3, 2023.

Scott City Housing Authority Property Manager for Pine Village, Ardith Scammehorn, was present for her quarterly update. She mentioned that things are quiet at Pine Village with only one vacancy. She expects that vacancy to be filled by the first week in July. She noted that the maintenance on the apartments as well as the upkeep of the lawns is going well. Mrs. Scammehorn informed the Council that Hay, Rice & Associates is ready to perform the 2022 Audit, so she brought the requested financials that City Treasurer Renee Cure will deliver to Liberal this upcoming Friday.

Presented in the packet was *Management Agreement for Pine Village* which expires July 31, 2023. Mrs. Scammehorn reminded the Council that her initial agreement was for only one year, but the current agreement was for a three-year term, beginning August 1, 2020.

Mrs. Scammehorn presented for approval *Multi-Family Project Borrower’s/Management Agent’s Management Certification*. She explained that this is the standard document used by Rural Development to certify their property managers. City Attorney Jennifer Cunningham concurred that Rural Development forms are standard and that it would be acceptable for approval at this meeting.

Motion by Josh Gooden seconded by Jeff Allen to approve a renewed *Multi-Family Project Borrower’s/Management Agent’s Management Certification* for Kustom Bookkeeping to continue to provide property management services for Scott City Housing Authority and Pine Village in accordance with Rural Development regulations, for a term of three years at a compensation rate of \$40 per occupied unit. Vote – Unam.

Nothing was reported under the open agenda.

*Monthly Pool Update for Council Packet* with figures through May 31, 2023, was presented in the packet. No Council members had questions or comments. Mayor Everett Green stated that the pool has been very busy and that the pool staff is doing a great job.

Building Inspector Jerek Wasinger provided *2023 Permit Report dated June 19, 2023* for the Council Packet. He reported that the iWorQ software is in full force. He mentioned that the larger projects he is working on are the Love's/Godfather's Pizza addition/remodel, the Fairleigh hangar, and the artificial turf project at the high school football field. The expectation is that the football field will be completed by mid-August. He also informed the Council that the building department has created a *Preliminary Fence Permit Application* form which is being provided online or at the counter, which helps with documentation for materials used and proposed location of the fence before the actual permit is issued.

Police Chief David Post reported that his department's use of the iWorQ software for code enforcement has gone exceptionally smoothly. Not only is it easy to operate, but it is a huge time-saver for the Public Service Officer. At this point, 37 properties have been cited for code violations and three have already been mowed. The mowing is being provided for the City by Oscar Barbosa whose bid came in at about 1/3 of the cost of the only other interested party.

The Kansas Department of Agriculture (KDOA) conducted a surprise visit of the dog pound. With the pound having recently been vacant for a brief period, the police department had just conducted a thorough deep clean of the pound. Police Chief Post mentioned that this was the best inspection that the pound has received since his arrival in Scott City. He mentioned that the only recommendation KDOA had was to be more thorough with contact information on paperwork.

The two new dispatchers recently attended National Crime Information Center (NCIC) training in Garden City and are now certified to use the database.

K-9 Enoch and his handler Officer Trey Davidson will visit the library the following day. They are always a hit with the kids.

Provided in the packet were *Quote #5153-23 and Quote 5157-23 from INAlert* for security cameras at the Law Enforcement Center (LEC). The current cameras have been having quite a few issues, so these quotes were solicited by Sheriff Jeff Pounds with minimal input from Police Chief Post. This quote, which is significantly less than the quote provided by the current camera system provider, has already been accepted by Scott County. Per terms of the agreement between Scott County and City of Scott City regarding the cost share for operations at the LEC, the City is responsible for 22% of the cost of these cameras. Police Chief Post indicated that two quotes were provided; the first quote to update the 34 existing cameras was \$103,433.87. The second quote provided for an additional 10 cameras, of which Police Chief Post specified the location of 3 cameras. He requested a camera in the lobby, in the front of the building, and in the evidence room to preserve the integrity of the evidence. The cost of the 10 additional cameras is \$16, 249.51 bringing the total cost of the project to \$119,683.38. Out of the 44 total cameras, 12 of them impact the Police Department directly. That percentage exceeds the 22%, or \$26,330.34, that the City is required to contribute per the agreement. Police Chief Post explained the value of the camera system as essential to help dispatchers to monitor the jail and guide jailers through the secured door to access the jail, ensuring their safety. Without the cameras in this area, there is a risk of inmate escape and jailer injury. When asked, Council President Josh Gooden confirmed that the cameras can be accessed remotely. Mayor Green expressed that this camera system will be a significant improvement over what exists at the LEC now. Police Chief Post verified that the cameras had been known to be down for months at a time. Police Chief Post explained to the Council that when the 2023 budget was being prepared this time last year, there was no way for him to know that this new camera system would be needed, so he requested that the cost for the project be expensed out of the Special City Projects budget.

Motion by Josh Gooden seconded by Jeff Allen to approve the 22% expenditure of \$26,330.34 for the cost of the upgraded and additional security cameras at the Law Enforcement Center, with the cost to be expended out of the Special City Project budget. Vote – Unam.

Parks Superintendent Terence Appel informed the Council that he had recently ordered new playground equipment for the parks, including new swings. He added that his crew has been hard at work mowing, treating weeds, and applying sterilizer to areas which are undeveloped.

Street, Water, and Sewer Superintendent Terence Appel informed the Council that the 2023 Chip Sealing project is expected to be completed the following day. He noted that the patching that had been performed earlier in the year had really helped to make things go smoothly. Mr. Appel also informed the Council that the area slated to be chip-sealed next year is the area near the location of the new water tower. Because he knows that the streets will suffer from the use of heavy equipment during construction, he would like to postpone all chip-sealing for one year to not only build the balance in the Special Highway budget, but also to avoid upsetting the standard rotation for sealing streets. Council members concurred that this is a good idea. Mayor Green directed Superintendent Appel to let B & H Paving know that the City does not intend to do any chip-sealing projects in 2024.

Mr. Appel also told the Council that he would like to strip the top 2” of 9<sup>th</sup> Street, from Antelope Street to Crescent Avenue, and replace the top with hot mix. He noted that this area of 9<sup>th</sup> Street has many potholes, and this would not only lower the height of the street but would address the pothole issue as well. He estimates the cost of this project to be approximately \$500,000. Mayor Green stated that he appreciates the long-range planning that is being done by Mr. Appel. Council member Barb Wilkinson also stated that Mr. Appel is to be commended because he has responded to concerns quickly and professionally.

Mr. Appel informed the Council that water usage in the City has decreased from 36 million gallons to 30 million gallons over the past month, due, in large part, to the recent rains.

Street, Water, and Sewer Superintendent Terence Appel requested that the Council review bids submitted for a loader. Mayor Green presented the following bids:

<b>Company</b>	<b>Model #</b>	<b>Base</b>	<b>Trade-In</b>	<b>Net Cost</b>
Berry Tractor	Komatsu WA270-8	\$196,528.17	\$46,000.00	\$150,528.17
Foley Equipment	Caterpillar 930MHLAG	\$231,855.00	\$55,000.00	\$176,855.00
KanEquip, Inc.	JCB 427 AG T4F	\$204,000.00	\$62,000.00	\$142,000.00
Murphy Tractor & Equipment	John Deere 544 229361	\$194,721.50	\$62,000.00	\$132,721.50

It was noted by Mr. Appel that he recommended accepting the bid from KanEquip, Inc. with a net cost of \$142,000.00. He explained that, although the John Deere bid by Murphy Tractor & Equipment was the lowest bid, he and his crew had not been happy with the John Deere loader that was being offered as a trade-in. Mr. Appel also indicated that operator visibility is far better in the JCB Loader than in the John Deere, which is essential when operating large equipment.

City Administrator Brad Pendergast presented *Loader Purchase Options* at the Council table. Mr. Pendergast explained that a loader could be either purchased outright or be leased. He discussed the charts in the document, explaining that, for the lease option, he visited a local bank to find out what types of terms could be offered. He indicated that if a loader had a cost of \$150,000, the City would pay approximately \$25,000 in interest over a 5-year period. A second option, which would allow the Special Highway and Municipal Equipment funds to grow, would be to forego the \$100,000 budgeted transfer from General Fund into the Special Highway Fund, which usually occurs in July, and pay portions of the cost of the loader out of the General Fund and out of the Municipal Equipment Fund. Council member Jeff Allen inquired if any other equipment would need to be purchased soon and, if so, would there be enough funds to make those purchases. Mr. Appel indicated that he will likely need a new street sweeper within the next 3 years. He also stated that he needs to purchase a new sewer vac machine. He estimates the cost of a new sweeper to be approximately \$200,000 and the sewer vac machine to be around \$750,000. Because of the high cost of the sewer vac, the machine will most likely need to be leased. Mr. Appel also stated that he would like to start rotating street sweepers out every five years because after that amount of time, the cost to maintain or repair the equipment becomes cost prohibitive. Therefore, he would like to look at leasing that piece of equipment as well. He feels confident that he will be able to adequately budget for these expenses.

Motion by Jeff Allen seconded by Adam Winter to purchase the JCB loader from KanEquip, Inc. outright, in the amount of \$142,000, with \$100,000 to be paid out of the General Fund and \$42,000 to be paid out of the Municipal Equipment Fund. Vote – Unam.

City Clerk Ruth Becker informed the Council that this meeting, historically, is the meeting that Dirks, Anthony, and Duncan auditor Mathew Medill presents the City's audit. However, due to having several conflicts on his calendar, he will present the audit findings at the July 17, 2023 Council meeting.

City Administrator Brad Pendergast notified the Council that he had received the data that he needed from the County Clerk to complete the budget worksheet prior to the Budget Workshop scheduled for Monday, June 26, 2023, at 6:00 p.m. He expressed that he feels like the budget is looking good.

Mr. Pendergast noted that he had met with EBH Engineer Darin Neufeld earlier in the day to discuss the SCIP North plat. Mr. Neufeld intends to have an agreement between the City and EBH for SCIP North engineering ready for either the July 3 or July 17, 2023, Council meeting.

City Attorney Jennifer Cunningham had no additional comments.

Financial and investment reports were provided for Council's review.

Motion by Josh Gooden seconded by Adam winter that the City Council 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 Attorney, City Administrator, Public Works Superintendent, and City Clerk, 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.  
No action was taken.

Motion by Josh Gooden seconded by Adam Winter that the City 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, Public Works Superintendent, 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.  
No action was taken.

Motion by Josh Gooden seconded by Jeff Allen that the City 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, Public Works Superintendent, and City Clerk, with the open meeting resuming in the council room at 7:55 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 announced that he had received a request from Council member Adam Winter to be removed from the Airport Commission because his career prevented him from attending Airport Commission meetings. He asked to be transferred to another commission. Mayor Green appointed Kelly Funk to the Airport Commission and Adam Winter to the Police Commission.

Motion by Barb Wilkinson seconded by Craig Richards to approve the Mayor's appointment of Kelly Funk to the Airport Commission and of Adam Winter to the Police Commission. Vote – Unam.

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

Motion by Adam Winter seconded by Jeff Allen to adjourn at 8:02 p.m. Vote – Unam.

Everett M. Green  
Mayor

Ruth Becker  
City Clerk