

September 18, 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 Kelly Funk, Josh Gooden, Bo Parkinson, Barb Wilkinson, Adam Winter, Armando Tarango, City Attorney Jennifer Cunningham (by Zoom), City Administrator Brad Pendergast, and City Clerk Ruth Becker.

The Council and others recited the Pledge of Allegiance.

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

Motion by Armando Tarango seconded by Adam Winter to approve the minutes of the September 5, 2023, regular council meeting. Vote – Unam.

Appropriation Ordinance # 1008B was presented.

Motion by Joshua Gooden seconded by Adam Winter to approve Appropriation Ordinance # 1008B. Vote – Unam.

City Clerk Ruth Becker inquired if the City of Scott City would once again participate in the Employer Cost Sharing program for the Scott Community Wellness Fair by paying for the tests and vaccinations provided to participating employees. Mrs. Becker indicated that the employees who partake in the Wellness Fair pay only the tax on the benefit as per IRS guidelines. She also indicated that the participation in the Wellness Fair has varied from year to year, but that the benefit has been well-utilized. Mayor Everett Green asked if the City had ever opted to participate at the Corporate Sponsor level, to which Mrs. Becker replied that the City had not. She noted that in the past five years, the number of participants ranged from 7 to 14 and the amount remitted by the City of Scott City for tests and immunizations ranged from \$683 to \$1,084. She also noted that City Council members were eligible for this benefit.

Motion by Josh Gooden seconded by Barb Wilkinson for the City of Scott City to participate in the Employer Cost Sharing program for the Scott County Wellness Fair to be held at the Scott County Hospital on October 14, 2023, with employees paying the taxes on the amount of the benefits received as a payroll deduction. Vote – Unam.

Mayor Everett Green noted that Ardith Scammehorn, Property Manager for the Scott City Housing Authority, was not present. He inquired if she was still planning to attend. City Clerk Ruth Becker confirmed that Mrs. Scammehorn had indicated earlier in the day that she would be at the meeting. Mrs. Becker also assured the Council that Mrs. Scammehorn had been made aware that the meeting would start at 6:30 p.m. Mayor Green stated that the Council would hear Mrs. Scammehorn upon her arrival but announced that he would move to the next items on the agenda until then.

Mayor Everett Green noted a *Proclamation*, which was in the Council packet, declaring that September 28, 2023, and that date each year hereafter be known as *Maria E. DeGeer Founder's Day*.

Motion by Adam Winter seconded by Armando Tarango to approve the Mayor's signature on a proclamation declaring September 28, 2023, as *Maria E. DeGeer Founder's Day*. Vote – Unam.

Included in the packet was *Resolution 2023-07*, a resolution of support in the formation of a Sister City association between the City of Scott City, Kansas and the Northern Cheyenne Tribe. City Administrator Brad Pendergast explained that City Attorney Jennifer Cunningham had worked on this resolution, which is the City's first official step toward forming the desired Sister City partnership with the Northern Cheyenne Tribe. He mentioned that a draft of this document had been presented to the El Quartejeo Museum staff and the Northern Cheyenne Tribal Council for their approval. All parties involved agreed with the contents of the document.

Motion by Barb Wilkinson seconded by Adam Winter to approve *Resolution 2023-07*, a resolution of support in the formation of a Sister City association between the City of Scott City, Kansas and the Northern Cheyenne Tribe. Vote – Unam.

Also included in the packet was *An Agreement for the Establishment of Sister Cities Relationship Between the City of Scott City, Kansas and the Northern Cheyenne Tribe*. City Administrator Brad Pendergast noted that the agreement is essentially a memorandum of understanding between the two parties to promote a mutually beneficial cooperation. This document had also been presented to the El Quartejeo Museum staff and the Northern Cheyenne Tribal Council for their approval. The document was approved by both entities. If approved by the City Council, it will be signed at the Sister Cities celebration to be held on the evening of Saturday, September 23, 2023, at Patton Park.

Motion by Kelly Funk seconded by Armando Tarango to approve *An Agreement for the Establishment of Sister Cities Relationship Between the City of Scott City, Kansas and the Northern Cheyenne Tribe*. Vote – Unam.

Mayor Green strongly encouraged all to attend the celebration.

Presented in the packet was a draft of the *City of Scott City Emergency Water Supply Plan, 2024*. City Administrator Brad Pendergast noted that this document is in the packet for the Council's review as it needs to be approved by KDHE before the City can take any action on this plan. He noted that Assistant Public Works Director Reggie Ford has put a lot of work into this plan. Mr. Ford also had input from other Public Works staff, Mr. Pendergast, and Emergency Management Director Tim Stoecklein. Mr. Ford asked Council members to email him or text him if they found anything in the document that they thought needed to be addressed before the document is presented to the Council for final approval.

Included in the packet was *Water Base Rate and Rate Table Options* as prepared by City Administrator Brad Pendergast. Mr. Pendergast explained that this document presents three options based on the objectives that had been discussed at prior Council meetings, but these options can be altered as needed to fit the desire of the Council and the needs of the City. Mr. Pendergast noted that the City has some large financial obligations to fulfill, including a \$348,000 annual payment to the State Revolving Fund for the \$6.1 million worth of current water system improvements and for future repairs to, and replacement of, old water infrastructure. Each of the

presented options includes 3,000 gallons of water with the base rate and newly proposed tiers for water usage as follows:

- 3,000-20,000 gallons
- 20,001-40,000 gallons
- 40,001-60,000 gallons
- 60,001-80,000 gallons
- 80,001-100,000 gallons
- Over 100,000 gallons

For each of the rate options presented, Mr. Pendergast set a target revenue from water billings at roughly \$1.4 million annually. Mr. Pendergast further explained that the only guaranteed water revenue is generated by the “fixed” base rate for each option. Currently, just over 50% of the City’s water revenue is generated by the base rates assigned to each meter size. To ensure that revenues remain high enough to cover the fixed costs to operate the water utility, he recommends that the Council considers a base rate which will be able to sustain the costs to operate the utility even during years where there is a surplus of natural moisture, while setting the water usage rates to encourage water conservation. Mr. Pendergast noted that all options presented would eliminate the gap that had earlier been discovered between the cost of water production and the revenue earned to cover that cost. Option 1 represents a “middle of the road” option where revenues are more evenly balanced between base rate revenues and water usage rate revenues. Option 2 utilizes a higher base rate (still lower than the current base rate) than Option 1, while lowering the water usage rates per 1000 gallons. Option 3 offers the lowest base rate, but the highest water usage tier rates. Mr. Pendergast considers this option extreme and does not recommend it because the guaranteed revenue generated by this option weighs too heavily on the water usage rates, and in a year with abundant precipitation, revenues could fall below what is needed to fund the water utility. The final page of the document illustrates water rates in cities comparable to Scott City and compares Scott City’s current rate structure with the three options presented in the document. Mr. Pendergast recommended that the Council consider getting rid of the current “contiguous property” clause and bill for every single meter. He indicated that that would simplify the billing process, making it easier for everyone to understand. There was discussion regarding the need to hold a special meeting to discuss water rates. It was decided that Council members would further review the document as presented and come prepared to offer suggestions at the next regular Council meeting. A need for a special meeting may be determined at that time. Mayor Green indicated that the spreadsheet that Mr. Pendergast had created would make it possible to “plug in” different scenarios regarding base rates and water usage rates to help the Council determine the route that would best serve the City and its citizens. Mayor Green and Council members thanked Mr. Pendergast for his work on determining water rates.

Scott City Housing Authority (SCHA) Property Manager Ardith Scammehorn joined the meeting to update the Council on Pine Village and to discuss the progress of the annual budget. Mrs. Scammehorn noted that activity has been quiet, with only one tenant scheduled to move out. There is already someone on the waiting list who will take over the unit once it has been cleaned. She noted that she needed to replace another air conditioner unit since her last update. Mrs. Scammehorn then handed out hard copies of *Multiple Family Housing Project Budget/Utility Allowance* that had been emailed to the Mayor and Council members earlier in the day. She requested approval of the document, despite noting that the budget was not yet complete. Mrs. Scammehorn indicated that she was waiting for information from the utility companies before she

could complete the form, but the budget is due at the end of this month. There was brief discussion concerning other figures noted in the budget, such as the budgeted amount for a rate increase, the figures for budgeting for two additional air conditioning units, and potential utility allowances for tenants. Mayor Everett Green indicated that he did not feel comfortable with the SCHA board approving a budget that was not yet complete, and asked what the consequences would be if the budget were submitted after the end of the month. She provided two possible outcomes. First, if the budget were submitted to Rural Development after the deadline of October 1, 2023, the budget would become effective on February 1, 2024 instead of January 1, 2024. The second outcome she discussed would be that, if the budget did not get submitted, the current year's budget would rollover and FY 2024 would operate with the same budget as FY 2023. Mayor Green requested that Mrs. Scammehorn provide the completed budget for approval at the next regular Council meeting on October 2, 2023.

Provided in the packet was *Scott County Housing Authority Audit for the years ended December 31, 2022 and 2021* as performed by Hay Rice & Associates. City Treasurer Renee Cure was present to address any questions the Council had for her. Mayor Everett Green asked for her interpretation of the audit. Mrs. Cure indicated that the audit received a "clean opinion," meaning that no materiality issues were found. Concerning the housing authority's internal controls, the audit mentioned that any concern was justified by the size of the business and the limited number of staff performing the duties required.

There was nothing reported under the open agenda.

The *Monthly Pool Update with Figures through August 31, 2023*, was provided in the packet for the Council's review. City Clerk Ruth Becker stated that the revenues for August are skewed by payments received by entities paying for parties and school programs, such as SCORE, that were held earlier in the season. She also noted that the *Year-End Pool Report* will be presented at the last meeting in December to capture any currently outstanding revenues and expenses.

Mayor Green expressed gratitude on behalf of the lap swimming group for the additional weeks that they were allowed to use the pool.

Building Inspector Jerek Wasinger was in attendance but had nothing to report. Mayor Everett Green drew the Council's attention to *2023 Permit Report-September 18, 2023*, that Mr. Wasinger had included in the packet for Council's review.

Police Chief David Post was not present at the time of his scheduled agenda items. It was announced that he had other obligations and that he would update the Council if he were able to attend before the end of the meeting.

Park Superintendent Terence Appel was not in attendance. Assistant Park Superintendent Reggie Ford was present to answer any questions. No questions were asked.

Street, Water, & Sewer Superintendent Terence Appel was not in attendance. Assistant Street, Water, & Sewer Superintendent Reggie Ford was present to answer any questions. Council member Barb Wilkinson inquired if Mr. Ford had been informed when the traffic on west K96 would be moved from the north side to the south side of the highway. He replied that KDOT

personnel hoped to make the move the following Wednesday, but that it did not seem like a likely scenario.

City Clerk Ruth Becker had nothing additional to report.

City Administrator Brad Pendergast reminded everyone about the Sister Cities Celebration to be held in Patton Park the evening of Saturday, September 23, 2023. On behalf of El Quartejejo Museum Director Stephanie Fisher, Mr. Pendergast requested volunteers to help serve the meal for the celebration. Mayor Everett Green added that approximately 50 Northern Cheyenne individuals were expected to travel from Lame Deer, Montana to acknowledge the 145<sup>th</sup> Anniversary of the Battle at Punished Woman's Fork and to join in the festivities for the Sister Cities Celebration.

City Attorney Jennifer Cunningham had nothing to report.

Financial and Investment Reports were included in the packet for Council's review. Council member Barb Wilkinson inquired why there is a discrepancy in the Investment Report total and the Fund Balance totals for the month of August. City Clerk Ruth Becker had been made aware of the concern earlier in the day and had placed a support call into the software IT department to assist with an explanation. At the time of the meeting, her call had not been returned. Mrs. Becker will report back at the October 2, 2023, Council meeting.

Motion by Kelly Funk seconded by Josh Gooden that the 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, Building Inspector, and City Clerk, with the open meeting resuming in the Council room at 7:20 p.m. Vote – Unam.

Mayor Green called the meeting back to order.  
No action was taken.

Mayor Everett Green had no further comments.

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

Police Chief David Post was present to provide an update to the City Council. He was joined by the Administrative Assistant to the Chief of Police Amber Poore and Emergency Medical Services (EMS) Director Kris Logsdon. Police Chief Post was excited to announce that the Scott City Police Department and Scott County EMS had each been awarded a *Local Safety and Security Equipment Grant* through the Kansas Governor's Grant Program. The Scott City Police Department applied for the grants for both agencies hoping to use the funds to purchase much-needed radio equipment. Police Chief Post commended Amber Poore for her hard work on these grant applications, noting that Mrs. Poore had recently attended a training that provided tips on best practices for applying for grants such as these and noted that the additional training and her hard work had paid off. He noted that there were 149 applicants whose grant requests totaled

approximately \$26 million. Just over \$6 million was granted to applicants. Scott City Police Department was granted \$72,450 which will provide 10 portable radios, and 9 mobile radios. Scott County EMS was awarded \$134,098 which will provide 30 portable radios, 6 mobile radios, and 10 pagers. Police Chief Post noted that there is a 10% match required for the grants. Mayor Everett Green remarked that the two agencies working together for a common goal demonstrates an example of a great cooperative effort. He congratulated both entities for their work and their success. Council members echoed the Mayor's sentiments.

Motion by Adam Winter seconded by Armando Tarango to adjourn at 7:33 p.m. Vote – Unam.

Everett M. Green  
Mayor

Ruth Becker  
City Clerk