

December 18, 2023

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

Present were Council President Josh Gooden, Council members Craig Richards, Jeff Allen, Kelly Funk, 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 December 4, 2023, regular council meeting were presented.

Motion by Barb Wilkinson seconded by Jeff Allen to approve the minutes of the December 4, 2023, regular council meeting. Vote – Unam.

Appropriation Ordinance # 1011B was presented.

Motion by Kelly Funk seconded by Armando Tarango to approve Appropriation Ordinance # 1011B. Vote – Unam.

GMS, Inc. Engineer Ken White was present via Zoom to facilitate the opening of the bids for the Water System Improvements-2023 project. The bid request was separated into 3 separate schedules:

- Schedule 1 – General Water System Improvements (Base Bid with one Alternate Option)
- Schedule 2 – New Water Storage Tank (Base Bid with two Alternate Options)
- Schedule 3 – New PWS Well #12 (Base Bid Only)

General Contractors who submitted bids were:

- Caldwell Tanks, Inc. – Louisville, KY
- Downey Drilling, Inc. – Lexington, NE
- Gerard Tank & Steel, Inc. – Concordia, KS
- Hydro Resources, Mid-Continent – Garden City, KS
- K.R. Swerdfeger Construction, LLC – Pueblo West, CO
- Maguire Iron, Inc. – Sioux Falls, SD
- Pate Construction Company, Inc. – Pueblo West, CO
- Phoenix Fabricators & Erectors, LLC – Avon, IL

Bids received were as follows:

GMS, INC.
BID OPENING FORM

Project: Water System Improvements - 2023

Bid Opening Date/Time: Monday, December 18, 2023 at 6:30 p.m.

Owner: City of Scott City

Place of Bid Opening: City of Scott City – City Hall
221 W. 5th Street
Scott City, KS 67871

CONTRACTOR	Maguire Iron, Inc.	K.R.Swerdfeger	Pate Construction	Caldwell	Phoenix	Gerard	Engineers Estimate
Schedule 1 - Base Bid		2,821,159.50	3,155,047				\$3,067,755
Schedule 1, Alt. No. 1		550,827	237,843				\$496,800
Schedule 2 - Base Bid	2,370,00			3,138,700	2,830,784	2,240,000	\$3,300,000
Schedule 2, Alt. No. 1					3,419,391	2,240,000	\$3,900,000
Schedule 2, Alt. No. 2					15,000	18,000	\$25,000
Schedule 3 - Base Bid							\$452,020
Addenda Acknowledged	X	X	X	X	X	X	
Bid Bond	X	X	X	X	X	X	

CONTRACTOR	Downey Dilling	Hydro Resources					Engineers Estimate
Schedule 1 - Base Bid							\$3,067,755
Schedule 1, Alt. No. 1							\$496,800
Schedule 2 - Base Bid							\$3,300,000
Schedule 2, Alt. No. 1							\$3,900,000
Schedule 2, Alt. No. 2							\$25,000
Schedule 3 - Base Bid	244,567	159,980					\$452,020
Addenda Acknowledged	X	#1 Only					
Bid Bond	X	X					

GMS, Inc. staff will review the bid submissions and will make recommendations for the City Council at the next regular meeting on January 2, 2024.

Provided in the Council packet was *Alternate Proposed Alignment Through Scott City, November 17, 2023*. The document outlines a new KDOT fiber route as part of a compromise with K&O Railroad. City Administrator Brad Pendergast reminded the Council that the original route had been approved by Council, so he felt that the revised route should have Council approval as well.

Motion by Armando Tarango seconded by Jeff Allen to approve the alternate KDOT fiber route. Vote – Unam.

Council President Josh Gooden presented the 2024 Cereal Malt Beverage (CMB) license applications. Provided in the Council packet were letters of opinion from City Attorney Jennifer Cunningham, qualifying each applicant as eligible for a 2024 CMB license. President Gooden reported that all individuals that applied for the CMB licenses had been cleared, as there were no legal issues with any of the license requests.

Motion by Jeff Allen seconded by Craig Richards to approve the following 2024 CMB licenses: Casey’s General Store, Corner Market, Dollar General, Love’s Travel Stop, Mom & Pop’s Burger Stop, Pizza Hut, and White’s Foodliner. Vote – Unam.

Motion by Bo Parkinson seconded by Jeff Allen to renew the current plan Blue Cross & Blue Shield health insurance plan with a maximum liability of \$745,110.42 for the plan year beginning February 1, 2024. Vote – Unam.

Provided in the Council packet by City Administrator Brad Pendergast was *Year End Fund Estimated Fund Balances for 2023 as of 12/14/2023*. Mr. Pendergast has been studying the year-end fund balances and is recommending the transfers as outlined in the document. He noted that he had recently been in contact with Auditor Mathew Medill who advised on the legality of making a non-budgeted transfer from the healthy General fund to the “nearing its budget authority” Employee Benefits fund. Mr. Pendergast explained that revenues into the Employee Benefits fund from collected property taxes were lower than anticipated. Mr. Medill approved making the transfer, noting that any deficits that needed to be covered from the Employee Benefits fund for payroll taxes and retirement benefits would be charged to the General fund anyway, so a transfer of this type would make sense.

Motion by Jeff Allen seconded by Adam Winter to authorize the budgeted transfer of \$40,000 from the General fund to the Municipal Equipment fund and to transfer \$35,000 from the General fund into the Employee Benefits fund. Vote – Unam.

Motion by Kelly Funk seconded by Armando Tarango to transfer \$150,000 from the Water fund to the General fund to compensate for water treatment plant bond payments made from the General fund in 2021, as proposed in the 2023 budget, and to transfer \$100,000 from the Water fund to the Water Reserve fund, as proposed in the 2023 budget. Vote – Unam.

Motion by Armando Tarango seconded by Jeff Allen to transfer \$100,000 from the Sewer fund to the Sewer Reserve fund, as proposed by the 2023 budget. Vote – Unam.

Provided in the packet was *Indigent Defense Agreement* between the City of Scott City and Heidi Farnsworth to provide indigent defense services for Scott City Municipal Court for the term of January 1, 2024, through December 31, 2024. City Attorney Jennifer Cunningham informed the Council that she had reviewed the agreement and had no concerns. Mrs. Cunningham noted that working with Ms. Farnsworth has always been a positive experience. She recommended approving the agreement.

Motion by Jeff Allen seconded by Adam Winter to approve *Indigent Defense Agreement* between the City of Scott City and Heidi Farnsworth to provide indigent defense services for Scott City Municipal Court for the term of January 1, 2024, through December 31, 2024. Vote – Unam.

Included in the packet was *Farm Lease, SW/4-17-32* between the City of Scott City and Four B Farms. This document has come to the attention of the City Council because the City is within the 60-day window during which terms for renewal need to be addressed. Because the amount of acreage to be farmed will need to be modified due to the upcoming development of a portion the Scott City Industrial Park North (SCIP North), the land being farmed by Four B Farms, Mr. Pendergast will author and send a letter to Jon Berning declaring the intent to modify the agreement upon its March 1, 2024, renewal date. City Attorney Jennifer Cunningham will review and revise the agreement for Council approval.

There was nothing to report under the open agenda.

Pool Manager Marci Patton and Assistant Pool Manager Jessica Berry were in attendance to provide the year-end update to the Council. Included in the Council packet was *2023 Scott City Municipal Swimming Pool End of the Year Report* and *Monthly Pool Update with Figures through December 31, 2023*. Mrs. Patton reviewed the highlights of her report, ending with a request that, if she and Ms. Berry were to be hired for the 2024 pool season, they be hired as co-managers instead of a manager and an assistant. She noted that they work very closely with each other, and they equally share the responsibilities of the job.

Also included in the packet was an email from Ashlee Barkley with *Safe Kids Kansas*, a subsidiary of Kansas Department of Health and Environment (KDHE). Ms. Barkley wrote to inform the Scott County Health Department, City of Scott City, and Pool Managers Marci Patton and Jessica Berry that a KDHE Injury Prevention Mini-Grant in the amount of \$4,999 has been awarded to Scott City Municipal Pool for a second consecutive year to be used to fund Red Cross Swimming Lessons for the youth in Scott City and the surrounding area. Ms. Berry mentioned that last season the cost for 94 swimming lessons was covered by the grant, leaving \$299 in available funds. Grant facilitators allowed the remaining funds to be used to purchase materials that would be used for the sole purpose of conducting swimming lessons in future pool seasons.

Permit Report / December 18, 2023 was provided in the Council packet by Building Inspector Jerek Wasinger. Council member Armando Tarango commended Mr. Wasinger on his response to an upset citizen who appeared at the last Council meeting to express his dissatisfaction with a recent bill he had received from a contractor for a “permitted” job that had received no inspections. Mr. Wasinger explained that the contractor had billed the individual for a permit for a water heater, but had not yet applied for the permit, so Mr. Wasinger has not yet been made aware of the installation. The two men worked together with the contractor to resolve the issue. Mr. Wasinger thanked the Council for the support that they showed him during the public confrontation.

Police Chief David Post noted that the County Attorney’s Office has collected approximately \$2,800 in diversion fees which will be used to fund breathalyzers in police vehicles.

Police Chief Post estimates the year end budgets for the Police department and the Public Service Officer department to have approximately \$50,000 remaining.

The Police department has been testing various hand-held radios to determine which radios will be purchased with recently awarded grant funds. In a related matter, the EMS console needs to be replaced as updates to the current system are no longer available. The anticipated cost to update the equipment is about \$11,000 which will be covered using 911 funds.

Officer Christian (Rod) Rodriguez began his training at the Kansas Law Enforcement Training Center (KLETC) earlier in the day. He will train for a total of 14 weeks, with several weeks at home during the holidays. He will graduate from KLETC on April 5, 2024. Police Chief Post noted that Officer Rodriguez has been doing his field training ahead of his KLETC training and has been doing a phenomenal job.

Police Chief David Post commended Detective Jason (Jay) Poore and Officers Whitney Savolt and Rod Rodriguez for their capture of an inmate who ran while on a funeral release.

Police Chief David Post mentioned that this would be his last Council meeting while serving with the Scott City Police Department. He thanked Mayor Green, Council members, City Administrator Brad Pendergast, and City Attorney Jennifer Cunningham for the opportunity to serve in the capacity of Chief of Police. He also publicly thanked his wife Amanda Post for her support and everything she has done “behind the scenes.” He reported to the Council that he is

leaving the Police department is “in great hands!” Council members applauded Police Chief David Post at the end of his report.

Parks Superintendent Terence Appel was not in attendance. Assistant Park Superintendent Reggie Ford had nothing to report on his behalf.

Street, Water, and Sewer Superintendent Terence Appel was not in attendance. Assistant Street, Water, and Sewer Superintendent Reggie Ford reported that the 1995 loader is having some issues that will likely involve a costly repair. Technicians should be here within the week to assess the repairs needed and to provide a cost estimate.

The generator for Well #9 has arrived and it is being installed. The well needs to be pulled for repairs before the generator will be put into service.

City Clerk Ruth Becker reminded the Council members and others present that the next regular Council meeting will be held on Tuesday, January 2, 2024, in observance of New Year’s Day.

Mrs. Becker encouraged Council members to sign up for the *New City Officials* webinar hosted by the League of Kansas Municipalities (League) on Tuesday, January 9, 2024, from 11:30 a.m. to 1:30 p.m. She stressed that, although the title of the webinar implies that is for “newly” elected officials, that League officials encourage all City officials to register. By registering, participants will receive a link to the presentation so that it can be used as a resource for any questions that may arise later. Mrs. Becker also noted that she had already registered for the webinar so that anyone who wanted to attend could join the group in the Council chamber to lend to discussion about topics that may be unclear or warrant further discussion. A meal will be served to anyone who chooses to participate at City Hall. Council member Barb Wilkinson asked Mrs. Becker to register on her behalf.

City Administrator Brad Pendergast reported that he is working on a water grant through the Kansas Water Office that will allow for funding for the *Smart Irrigator* program and other water conservation education opportunities. He is also working to finalize the 8th Street water line portion of the grant. He plans to add water lines in SCIP North to the application and to apply for the full grant amount; he hopes to be able to use applicable awarded funds as a grant match for the Building a Stronger Economy (BASE) grant for SCIP North.

City Attorney Jennifer Cunningham had nothing to report.

Financial and investment reports were provided in the Council packets.

There were no executive sessions.

There were no comments made under the Mayor’s Comments section of the agenda in Mayor Green’s absence.

The Council took a short break.

Council President Gooden called the meeting back to order.

Motion by Adam Winter seconded by Armando Tarango to adjourn at 7:43 p.m. Vote – Unam.

Josh Gooden
Council President

Ruth Becker
City Clerk