

March 18, 2024

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

Pastor Jeff Goetzinger from the First United Methodist Church was present to lead the Council and others present in prayer.

Present were Mayor Everett Green, Council members Craig Richards, Jeff Allen, 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 March 4, 2024, regular council meeting were presented.

Motion by Armando Tarango seconded by Adam Winter to approve the minutes of the March 4, 2024, regular council meeting. Vote – Unam.

Appropriation Ordinance # 1014B was presented.

Motion by Josh Gooden seconded by Adam Winter to approve Appropriation Ordinance # 1014B.

Vote – Unam.

Included in the packet was a renewal invoice for the 2<sup>nd</sup> year of the 3-year term for the airport liability insurance. Also included in the packet was a copy of *Renewal Quote, Airport Liability, City of Scott City* from the March 20, 2023, Council packet and an excerpt from the minutes from the same meeting. Mayor Everett Green temporarily recused himself from his role as mayor; Council president Josh Gooden led the discussion for this agenda item. Everett Green, acting as the City's insurance agent, provided a copy of *Airport Owners and Operators General Liability Policy Declarations*. He mentioned that, at the previous Council meeting, he had forgotten that the City was in the middle of a 3-year term for airport liability. It was questioned why the Council needed to approve the \$3,866 renewal for year 2 if the policy was approved last year. City Clerk Ruth Becker clarified that the motion that was made at last year's meeting approved only the payment for year one of the policy. There was brief discussion about whether the Council should approve only the payment for year two or if the motion should also include the static payment for year three.

Motion by Jeff Allen seconded by Armando Tarango to approve the renewal invoice in the amount of \$3,866 for year two of the three-year airport liability policy. Vote – Unam.

Everett Green resumed his role as mayor.

City Council member Josh Gooden inquired of the Council if they would consider allowing him and his neighbor to concrete the alley behind their homes. He mentioned that the entrance to his garage is off the alley. Mayor Green and City Administrator Brad Pendergast asked Street Superintendent Terence Appel for his input. Mr. Appel indicated that guidelines need to be set before proceeding with allowing anyone to “improve” alleys. Items that Mr. Appel sees as mandatory for residents' improvements to alleys include: the requirement to obtain permission

from all residents that would be affected by the improvement, a minimum of 150' of concrete leading to the intersecting street, paved with a "u" groove to prevent drainage issues, and concrete to be at least 8" thick. Other discussions included who would be responsible for paying for removal of concrete if repairs to gas or sewer lines would be necessary and who would be responsible for maintenance of the improvement if the original owner of the property moves away. Mayor Green asked the Council if they felt that pursuing the creation of a policy for residents' improvements of alleys was worth the time and resources needed. He noted that his opinion was that, if the Council wanted to move forward with allowing individuals to improve alleys, it would be in the City's best interest to have a policy in place to handle requests. Consensus of the Council was to request that City Administrator Brad Pendergast draft a policy, perhaps with assistance from City Attorney Jennifer Cunningham, for the Council to review at a future meeting.

GMS Engineer Jason Meyer was present via zoom to update the Council on the progress of the Water System Improvements – 2023 project. Mr. Meyer indicated that he had recently contacted William Carr, KDHE Assistant Director for the Bureau of Water, who indicated that the City's financial review had been completed and that the City had been given the "green light" to move ahead with the timeline for the project, although Mr. Meyer stated that they have not seen anything in writing. *Notices of Award* for the three general contractors for each schedule of the project had been sent out the previous Thursday based on advice from the review company. Mayor Green asked Mr. Meyer when processes can be expected to start. Mr. Meyer noted that contractors are allowed approximately a month to provide all required documents, so a pre-construction meeting should take place in about a month.

The meeting to discuss the Master Drainage plan, which had been scheduled for the following Friday, will have to be rescheduled.

Included in the packet was *Exhibit E – Request for Disbursement from KDHE Revolving Loan Programs #11*. The request for disbursement, in the amount of \$8,315.51, covers *GMS, Inc. Invoice No. 31* dated March 8, 2024, also included in the packet, which covers the project's professional services including funding administration, KDHE submissions/reviews, permits, reproduction, and design/contract administration from December 30, 2023, to February 23, 2024.

Motion by Josh Gooden seconded by Jeff Allen to approve the payment of *GMS, Inc. Invoice No. 31* and approve *Exhibit E – Request for Disbursement from KDHE Revolving Loan Programs #11*, both in the amount of \$8,315.51. Vote – Unam.

Under the open agenda, Council member Barb Wilkinson thanked Council member Jeff Allen for fixing the parking lot at the El Quartejejo Museum.

Building Inspector Jerek Wasinger had provided *Permit Report, March 18, 2024*, in the Council packet for the Council's review. He reported that he has been kept busy inspecting fences, water heaters, and accessory structures. Mr. Wasinger stated that he is closer to being ready to adopt more current editions of the building codes. He and Mr. Pendergast will update the Council when that time comes.

Council member Armando Tarango inquired on behalf of a resident whether there are any paint or siding colors that are restricted from being used in residential neighborhoods. Mr. Wasinger responded that, while there are no color-specific restrictions within the City Code, the code does state that projects should "fit in" with the look and feel of the surrounding neighborhood. City

Administrator Brad Pendergast also mentioned that covenants for specific subdivisions could limit what is allowable.

Scott City Housing Authority (SCHA) Project Manager Ardith Scammehorn was present for her quarterly update and to request the yearly audit & financial review from Hay Rice & Associates. Provided in the packet were *Multiple Family Project Budget/Utility Allowance*, *Multi-Family Housing Borrower Balance Sheet*, *Performance Standards Borrower Self-Certification Letter*, and the Audit Engagement letter from Hay Rice & Associates.

Mrs. Scammehorn drew attention to what she called the “year-end report” which were the documents listed as the *Multiple Family Project Budget/Utility Allowance* and *Multi-Family Housing Borrower Balance Sheet*. She inquired if there were any questions about those two documents. There were none.

Mrs. Scammehorn requested that the *Performance Standards Borrower Self-Certification Letter* be signed by Everett Green, acting as the SCHA Board President. She explained that by authorizing Mr. Green’s signature on the letter, the board is verifying the SCHA’s compliance with having the necessary bank accounts and that the reserve is on schedule. This document needs to be signed and returned to Mrs. Scammehorn by the end of the month to be forwarded on to the USDA Rural Development offices.

Motion by Josh Gooden seconded Jeff Allen to authorize the Mayor’s signature as SCHA Board President on *Performance Standards Borrower Self-Certification Letter*. Vote – Unam.

Mayor Green also noted that it is time to initiate an annual financial review and audit of the SCHA. Council member Jeff Allen voiced concerns with the “Internal Control” section of the Audit Engagement letter that listed management override of controls, improper revenue recognition, and lack of segregation of duties as “significant risks of material misstatement.” City Administrator Brad Pendergast noted that these listed risks are typical for small entities who do not have a large enough staff to adequately separate duties. He indicated that this, by itself, should not be cause for concern.

Motion by Josh Gooden seconded by Armando Tarango to authorize Mayor Everett Green’s signature on the Audit Engagement letter from Hay Rice & Associates to conduct an audit and financial review for SCHA for the fiscal year ended December 31, 2023. Vote – Unam.

Police Chief Colton Schmitt was pleased to announce that he has hired new police officer Kayli Conway. Her first day with the Scott City Police Department will be March 25, 2024. Officer Conway is a fully certified officer coming from Hodgeman County. She has a Department of Corrections background. Police Chief Schmitt announced that she will be a valuable addition to the police department.

Police Chief Schmitt noted that he had found a company to perform a factory reset on all the non-emergency phones at the Law Enforcement Center and the phones are now working properly. Officer Jared O’Dea’s vehicle has been repaired and is back in service. Officer Whitney Savolt’s vehicle is expected to have repairs for hail damage completed in the next 2-3 weeks.

Parks Superintendent Terence Appel had nothing to report.

Street, Water & Sewer Superintendent Terence Appel reported that they are having some routine maintenance done on the sewer truck this week by replacing filters and stainless steel strings. Work continues at Glenn Street on the north side of K96. The fence will be built over the weekend

and the street paving pour is expected to happen the next day. The contractor will ensure that water will drain onto K96 instead of being retained on Glenn Street. The removal of the bulb out at 3<sup>rd</sup> & Main is complete and has been replaced by a traditional street corner. Mr. Appel reported that the project cost about \$6,000 in concrete.

City Clerk Ruth Becker informed the Council that she would be attending the CCMFOA Spring Conference in Manhattan later in the week. She provided a tentative agenda for the 3-day conference.

City Administrator Brad Pendergast reported that he had received estimates for the proposed crosswalk project at 12<sup>th</sup> & Main Street from EBH Engineering. He will continue to work with EBH engineer, Darin Neufeld, to try to reduce the cost before proceeding.

City Attorney Jennifer Cunningham had nothing to report.

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

Motion by Barb Wilkinson 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 Administrator, City Attorney, Chief of Police, and City Clerk, with the open meeting resuming in the Council room at 7:18 p.m. Vote – Unam.

The Council came out of executive session.

Mayor Green called the meeting back to order.

Motion by Armando Tarango seconded by Jeff Allen to approve the creation of the Communication Director position at the police department and to also approve the provided job description listing the position at Grade J on the City of Scott City's Pay Plan Step & Grade Matrix. Vote – Unam.

Motion by Barb Wilkinson 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 7:32 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 to report.

The Council took a short break.

Mayor Green called the meeting back to order.

Council member Barb Wilkinson inquired if Council members wished to continue the tradition of taking turns providing refreshments during breaks. Consensus of the Council was to discontinue the tradition of providing refreshments for the meeting.

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