

May 6, 2024

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 Greg Mills, Bo Parkinson, Barb Wilkinson, Armando Tarango, City Attorney Jennifer Cunningham (by Zoom), City Administrator Brad Pendergast (by Zoom), and City Clerk Ruth Becker.

The Council and others recited the Pledge of Allegiance.

The minutes of the April 15, 2024, regular council meeting were presented.

Motion by Barb Wilkinson seconded by Armando Tarango to approve the minutes of the April 15, 2024, regular council meeting. Vote – Unam.

The minutes of the April 29, 2024, special council meeting were presented.

Motion by Bo Parkinson seconded by Barb Wilkinson to approve the minutes of the April 29, 2024, regular council meeting. Vote – Unam.

Appropriation Ordinance # 1016A was presented.

Motion by Armando Tarango seconded by Greg Mills to approve Appropriation Ordinance # 1016A. Vote – Unam.

Council President Josh Gooden announced that Mayor Everett Green had requested that he appoint Greg Mills to the ½ % Sales Tax Committee and the Airport Commission in his absence.

Motion by Armando Tarango seconded by Barb Wilkinson to appoint Greg Mills to the ½% Sales Tax Committee and to the Airport Commission. Vote – Unam.

Provided in the packet was *Ordinance No. 1265*, an ordinance changing the zoning classification of land located within the three-mile extraterritorial zone of the City of Scott City. City Administrator Brad Pendergast informed the Council that on April 11, 2024, the Planning & Zoning Commission met to discuss an application for a change in zoning as submitted by Brandon Dirks (Dirks Enterprises, LLC) to change the property legally described as the North 1,000' of E/2 NE/4 Section 12, Tract 18, Range 33 less Edwards Addition and less road right-of way, from Agricultural to Industrial-2. Mr. Pendergast indicated that it was the recommendation of the Planning & Zoning Commission for the City Council to approve the change in zoning.

Motion by Armando Tarango seconded by Greg Mills to approve the zoning change *Ordinance No. 1265*, an ordinance changing the zoning classification of land located within the three-mile extraterritorial zone of the City of Scott City as noted above. Vote – Unam.

Council member Barb Wilkinson requested that City Clerk Ruth Becker begin putting Planning & Zoning meeting minutes in future Council packets. Mrs. Becker agreed.

Included in the packet was *Contract Amendment No. 1*, an amendment to *Contract for Engineering Services for Scott City Municipal Airport Construct T-Hangars 2024* between the City of Scott City and Evans, Bierly, Hutchison & Associates, P.A. (EBH). EBH Engineer Darin Neufeld was present via Zoom to discuss the amendment, which had been brought to the attention

of the City Council during a special meeting on April 29, 2024, but since the document was not listed on the agenda for the special meeting set to swear in Council member Greg Mills and to open bids for the Construct T-Hangars 2024 project at Scott City Municipal Airport, no action could be taken on the document at that time. The original contract provided only for design engineering services to be provided by EBH at a cost of \$60,000 to the City, but since the approval of the original contract, new requirements by the Federal Aviation Administration (FAA) made it necessary to amend the original contract to include construction engineering services, at a cost of up to \$75,000, and project closeout services at a cost of \$10,000.

Motion by Bo Parkinson seconded by Armando Tarango to approve *Contract Amendment No. 1* between the City of Scott City and EBH increasing the amount of engineering fees for the Construct T-Hangars 2024 project from \$60,000 to a maximum of \$145,000. Vote – Unam.

Provided in the Council packet was the Kansas Division of Water Resources (DWR)-approved final copy of *Municipal Water Conservation Plan, City of Scott City, May 2024*. City Clerk Ruth Becker explained that this document is essentially the same document as the one approved by the City Council at the April 1, 2024, meeting, but that the DWR had a few minor edits that they wanted to see implemented, such as editing the table of contents, changing the cover photo to something that better reflects the City of Scott City, adding the Water Drought/Emergency Ordinance, and adding more conservation education activities.

Motion by Armando Tarango seconded by Greg Mills to approve the final draft of *Municipal Water Conservation Plan, City of Scott City, May 2024*. Vote – Unam.

Included in the packet was *Application for Occupancy on the Right of Way of Township Highways* along with 234 drawings as submitted by S&T Telephone Company for Phase 2 of their project to lay buried broadband fiber lines. When asked why S&T was just now applying for access to the City's right-of-way, City Administrator Brad Pendergast noted that they had applied for access earlier for Phase 1 of the project, but this application and these drawings were being submitted for Phase 2. He indicated that the company will be installing both overhead and underground communication cables, so they need access to the City's utility right-of-way. When asked if the drawings provided were sufficient for the project, Street, Water, and Sewer Superintendent Terence Appel indicated that they were adequate and that any issues with the project would be handled on a case by case basis.

Motion by Bo Parkinson seconded by Barb Wilkinson to approve the *Application for Occupancy on the Right of Way of Township Highways* for S&T contractors to lay buried broadband fiber lines. Vote – Unam.

Included in the packet was a drawdown packet *Exhibit E – Request for Disbursement from KDHE Revolving Loan Programs #12*. The request for disbursement, in the amount of \$4,878.30, covers *GMS, Inc. Invoice No. 32* dated April 17, 2024, also included in the packet, which covers the project's professional services including funding administration, permits, and design contract administration from February 24, 2024, to March 29, 2024.

Motion by Greg Mills seconded by Armando Tarango to approve the payment of *GMS, Inc. Invoice No. 32* and approve *Exhibit E – Request for Disbursement from KDHE Revolving Loan Programs #12*, both in the amount of \$4,878.30. Vote – Unam.

Under the open agenda, Council member Barb Wilkinson expressed concern about the angled parking spaces recently painted at Chelle's Flowers & More, a local business located at the intersection of Ora Street and the access road off K-96. City Administrator Brad Pendergast indicated that the painting of the lines for parking spaces on Ora Street is an attempt to assist a local business to resolve customer parking issues that have occurred in recent weeks. Since parking is no longer allowed along the access road on the north side of the business, more parking spaces are needed for the shop's customers. Discussion included: that the lines are painted with water-based paint on a temporary, trial basis; that the off-street parking cannot be designated for Chelle's Flowers & More customers as it is on a public street; that most streets in the city are 33' wide and that Ora Street is wide enough that, even with angle parking, there is still 34' of street available to traffic; the concern of setting a precedent of getting involved in disputes between/among businesses; and safety concerns about angled parking near a busy intersection. Mr. Pendergast reiterated that the parking spaces are being used on a trial basis to see if there are any negative outcomes. If this attempt at creating a parking solution fails, the parking lines will be removed and another attempt at a resolution will be made. When asked about the progress being made on the access road extension, Mr. Appel stated that his crew still needs to lay and pack more rock, and that he needs to order "No Truck Access" signs for the east end of the access road.

Pool Manager Marci Patton was not in attendance. Nothing was reported on her behalf.

Building Inspector Jerek Wasinger was not in attendance. Nothing was reported on his behalf.

Police Chief Colton Schmitt reported that Sergeant Jason (Jay) Poore had recently completed his first FBI Law Enforcement Executive Development Association (LEEDA) training. Scott City Police Department officers participated in the Safe Kids event the prior Saturday. Earlier in the day, the Police Department had their annual records audit. Everything went well and the department received a favorable report.

Parks Superintendent Terence Appel indicated that his crew is busy catching up in the parks, having taken a week to do Spring Clean Up Week. His crew is continuing the work to prepare the pool for opening day.

Street, Water, and Sewer Superintendent Terence Appel stated that Spring Clean Up Week had gone well and that they had filled between 8-10 roll-off dumpsters as well as visiting the Scott County Landfill as needed. Mr. Appel expressed appreciation that the Scott County Public Works allowed the crew access to the landfill, even on the days the landfill was closed. There were some tires and about 10 refrigerators without the freon having been removed that were set out for disposal that were not picked up. So far, there have been no complaints.

Included in the packet was *2025 Budget Preparation Timeline* dated May 6, 2024. City Clerk Ruth Becker briefly described the timeline and indicated that it is time to begin determining the date for the annual budget workshop. Mrs. Becker noted that last year's workshop was held on June 26, 2023, which still allowed City Administrator Brad Pendergast adequate time to enter budget figures into the budget workbook provided by the Kansas Department of Administration. Consensus of the Council was to hold the budget workshop on a Monday night. Those present suggested that Mr. Pendergast uses his availability scheduler to determine the best Monday night

in June to hold the budget workshop. This will be further discussed at a future meeting. Part of the timeline included the City Clerk and City Administrator attending a State-sponsored budget training with legislative updates regarding the Revenue Neutral Rate (RNR) which will be in Garden City the following day. Mrs. Becker and Mr. Pendergast will attend with Medill & Thoofit auditors Mathew Medill and Rachael Thoofit.

Mrs. Becker notified the Council that the League of Kansas Municipalities (LKM) is hosting a City Forum (formerly known as a Legislative Dinner) in Scott City on July 10, 2024, at the Western Kansas Child Advocacy Center. Registration for the City Forum opens at 2:30 p.m. with the event being held from 3:00 – 5:00 p.m. Refreshments will be served. Mrs. Becker encouraged Council members to register to prompt the LKM to continue to hold more events in western Kansas. She offered to register participants. She also informed the Council that the LKM will also be offering a Kansas Open Meetings Act (KOMA) or a Kansas Open Records Act (KORA) training from 1:00 – 2:30 p.m. the same day, just prior to the City Forum. She offered to register participants for that training as well.

City Administrator Brad Pendergast had nothing else to report.

City Attorney Jennifer Cunningham had nothing to report.

Motion by Armando Tarango seconded by Barb Wilkinson 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 Council President, Council, City Administrator, City Attorney, Chief of Police, Communications Director, and City Clerk with the open meeting resuming in the Council room at 7:20 p.m. Vote – Unam.

The Council came out of executive session.

Council President Gooden called the meeting back to order.

No action was taken.

Motion by Armando Tarango seconded by Greg Mills 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 Council President, Council, City Administrator, and City Attorney with the open meeting resuming in the Council room at 7:27 p.m. Vote – Unam.

The Council came out of executive session.

Council President Gooden called the meeting back to order.

No action was taken.

Council President Josh Gooden indicated that Mayor Green had nothing to report.

Motion by Armando Tarango seconded by Greg Mills to adjourn at 7:27 p.m. Vote – Unam.

Josh Gooden
Council President

Ruth Becker
City Clerk