

May 20, 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 with the First United Methodist Church was present to lead the Council and others present in prayer.

Present were Mayor Everett Green, Council members Jeff Allen, Greg Mills, Josh Gooden, Bo Parkinson, 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.

The minutes of the May 6, 2024, regular council meeting were presented.

Motion by Barb Wilkinson seconded by Jeff Allen to approve the minutes of the May 6, 2024, regular council meeting. Vote – Unam.

Appropriation Ordinance # 1016B was presented.

Motion by Josh Gooden seconded by Adam Winter to approve Appropriation Ordinance # 1016B. Vote - Unam.

Included in the Council packet was *Ordinance No. 1266*, an ordinance establishing a Capital Improvement Fund for the City of Scott City, Kansas. City Administrator Brad Pendergast explained that during the City's audit, he had spoken with auditor Mathew Medill regarding a good practice for placing EMC Safety Group dividends received each year to build a reserve to pay deductibles for storm damage (\$50,000 per incident) when needed. Mr. Medill recommended the creation of a Capital Improvement Fund, which could initially be used for that purpose. Mr. Pendergast stated that it is his intent to do a transfer of funds in 2025 from the amount receipted from safety group dividends and the savings in the cost of the City's insurance. Soon, it is expected that a transfer rolling unused funds from the General fund at each year end into the Capital Improvement Fund will help to increase the balance of the fund. Once the fund begins to build a balance, City Administrator Brad Pendergast intends to develop a Capital Improvement Plan for larger, long-term City projects that do not have an adequate funding source. The projects on the plan will be prioritized by the City Council.

Motion Jeff Allen seconded Josh Gooden to approve *Ordinance No. 1266*, an ordinance establishing a Capital Improvement Fund for the City of Scott City, Kansas. Vote – Unam.

Included in the packet were copies of the current and proposed *Utility Billing Clerk* job descriptions. City Clerk Ruth Becker informed the Council that the current job description was severely lacking in describing the tasks that the Utility Billing Clerk performs on a daily, weekly, monthly, and annual basis. She indicated that all changes in the proposed job description were noted in yellow. Mrs. Becker indicated that if the Council were to approve the job description at this meeting, she would like to begin advertising for the open position immediately. Council member Jeff Allen asked Mrs. Becker if she felt that the Utility Billing Clerk position needed to

be filled with another full-time employee, to which she replied that the position should remain as a full-time position. Council President Josh Gooden asked how this would affect the Clerks Department budget, to which Mrs. Becker and Water Superintendent Terence Appel reported that the Utility Billing Clerk position is paid out of the Water Fund, not the Clerks Department in the General Fund. Mrs. Becker also clarified that the salary for a new hire replacing someone that has been in the position for 26 years would be a significant reduction in salary expenses. Mayor Everett Green informed the Council that he had visited with auditor Mathew Medill a few weeks' prior while the auditing team of Medill and Thooft was onsite for the audit. Mr. Medill has explained that he would be very concerned about the loss of several internal controls that the City Hall team has in place (practices that limit material weaknesses and significant deficiencies in the financial well-being of the City) if the team were to lose a full-time Utility Billing Clerk. Brief discussion continued.

Motion by Greg Mills seconded by Adam Winter to approve the proposed job description as presented. Vote – Unam.

Mayor Green announced that it is time to select a date and time for the City Council to hold the annual budget workshop for department heads to go over their budgets with the Council. City Clerk Ruth Becker informed the Council that, in response to an availability survey sent out by Assistant City Clerk Chandra Hughes, all members had responded that they could meet on Monday, June 24, 2024, at 6:00 p.m. Consensus of the Council was to hold the budget workshop on that date and time.

City Administrator Brad Pendergast asked City Attorney Jennifer Cunningham to enlighten the Council about her research regarding the possibility of allowing city residents to improve the alleys adjacent to their properties. Mrs. Cunningham stated that she did a “deep dive” into the rules of a city’s responsibilities for improving alleyways. She stated that, according to state statute, there is no distinction between a road and an alleyway. Therefore, any improvement to an alleyway would have to follow the same processes as the improvement of a road or street, which would mean having property owners along the alleyway (2 or more adjacent blocks) petition the City for the improvement, and if the majority of the property owners were in favor of the improvement, the City would have to begin the process of levying special assessments to all affected property owners. The responsibility for construction or maintenance of any improved alleys remains with the City. Mayor Green reminded the Council members that the purpose of alleys is not for residents’ personal use, but rather for fire and utility access. Consensus of the Council was not to move forward in creating a policy for allowing resident improvements to the City’s alleys at this time.

Scott County Development Committee (SCDC) Executive Director Katie Eisenhour was present to update the Council. She provided a letter outlining *FY 2025 Investment Toward Eco Devo Endeavors* at the Council table for the governing body to review prior to her request that the Council budget \$50,000 in 2025 toward economic development for use with the loan pool as well as SCDC’s growth and operations. Mrs. Eisenhour indicated that this is the same amount as was budgeted for 2024. Mayor Everett Green reminded the Council that this discussion is to be held during the annual budget workshop. The letter further described SCDC’s role in assisting the City with housing efforts including working on Kansas Housing Investor Tax Credit (KHITC) applications recently submitted by PETRA and East Cambridge, LLC, and preparing to break

ground on May 30, 2024, for Eastridge Villas II (an expansion of the senior housing duplexes under Mesner Development). The letter also describes the role SCDC plays in the site-certification of the Scott City Industrial Park-North (SCIP-North) and the partnership that SCDC shares with the City, County, School District, and Scott County Hospital in the endeavor to provide sufficient childcare for Scott City's workforce. Mrs. Eisenhour included the following financial statements with her support request letter: *Profit & Loss Prev Year Comparison-April 2024*, *Balance Sheet Prev Year Comparison as of April 30, 2024*, *Profit & Loss Budget Performance-April 2024*, and *SCDC Budget Worksheet and Report*.

SCDC Executive Director Katie Eisenhour provided one last document for discussion entitled *SCDC Activity Highlights for 2023-2024*. She touched on the highlights outlined on the page. Mayor Green and Council members thanked Mrs. Eisenhour for her report.

Mark Hornberger, GMS, Inc. Resident Project Representative for the City's Water Improvement Project, was present to update the Council on the project and to answer any questions about the project. He began by informing the Council that Miller Pipeline had started their portion of the project the week prior and that, at the time of the meeting, they had already laid 554' of pipe down 1<sup>st</sup> Street. The Council was informed that on the previous Friday, GMS Engineer Tom McClernan had been notified by Hydro Resources personnel that the test well for Well #12 at the Scott City Industrial Park-North (SCIP-North) was dry. It was noted that the test well was drilled approximately 300 feet from the original well. Water Superintendent Terence Appel stated that he thinks that it was drilled too far from the original well and that he feels that they will have better results if they drill closer (but still within the allowable KDHE standard) to the original well. Mr. Appel noted that he will reach out to Katie Durham, Manager, Western Kansas Groundwater Management District #1 (GMD1) to obtain maps that show water in the area before drilling another test well. Construction of the above-ground composite storage tank is expected to begin the first part of June. Mark Hornberger stated that he has worked with Gerard Tank and Steel before, and he feels that they have a very good crew. Council members questioned whether the water line installation down 1<sup>st</sup> Street will be completed by harvest time. Mr. Hornberger indicated that it is extremely likely that 1<sup>st</sup> Street will be fully open before harvest; he anticipates that work down 1<sup>st</sup> Street will be completed by the end of the following week.

Under the open agenda, Council member Barb Wilkinson noted that she is pleased with the direction the Travel & Tourism department is headed. She noted that the Transient Guest Tax Committee and the Coordinator has been meeting monthly, and that there have been good discussions regarding Transient Guest Tax application and reimbursement processes and guidelines.

Pool Manager Marci Patton was not in attendance, but Mayor Green reported on her behalf that opening day will be Memorial Day, May 27, 2024. Parks Superintendent Terence Appel reported that the pool is ready for opening day, all equipment is working properly, and that there was not as much preparation needed this year to get the pool ready for opening day.

Building Inspector Jerek Wasinger began his report by thanking Police Chief Colton Schmitt for his new truck. Mr. Wasinger noted that two of his larger projects at the time of the meeting were

a geothermal project at the high school, and the reconfiguration of sewer lines on Glenn Street at City Acres North and City Acres South. He is working hard to encourage people to coordinate with him before beginning any projects, especially larger ones such as these. Mr. Wasinger provided *Permit Report, May 20, 2024* in the Council Packet for Council's review.

Police Chief Colton Schmitt notified the Council that he and his officers are participating in the *Special Traffic Enforcement Program (STEP)* from now until June 2, where they are paying special attention to the *Click It or Ticket* campaign.

Police Chief Schmitt noted that his dispatchers are "working their tails off" with the department being short one full-time employee. He asked Council members to thank them for their dedication and hard work.

Parks Superintendent Terence Appel noted that, with the recent rains, the crew has had a lot of weed removal and mowing to do. He noted that it is time to consider replacing the playground equipment in Palmer Park. He explained that the current equipment had originally been at Patton Park and had been relocated when Patton Park got its upgrade. Mr. Appel recommended not going through the bidding process with the purchase of playground equipment because it would be much less expensive to purchase the materials online. When asked by Council members, Mr. Appel indicated that there is money available in the Park department budget for equipment.

Mr. Appel indicated that the pickleball courts are almost ready and that the sand volleyball pit in Palmer Park, which was refurbished by the Scott Recreation Commission, looks good.

Street, Water, and Sewer Superintendent Terence Appel readdressed the issue with the well at SCIP-North. He noted that GMS Engineer Tom McClernan was surprised by the outcome of the well because he was expecting the well to be able to pump 600 gallons per minute (gpm). The original test well was pumping 400 gpm, and, in reality, the well should have been expected to pump about 300-350 gpm. Once his crew can obtain samples from the well, it will take at least three weeks to receive the results.

The International Organization for Standardization (ISO) for fire protection levels will be sending a representative to Scott City on June 11, 2024, to test 10% of fire hydrants in the city. Mayor Everett Green, speaking as the City's insurance agent, stated that the ISO rating for fire protection levels affects cities' insurance premiums. He stated that, on a scale of 1 – 6, with "1" being the highest/best rating, the City of Scott City has consistently had a rating of "4." He explained that cities with a full-time, readily available, firefighting crew have an advantage that allows them to score higher on assessments. For reference, he compared Scott City to Garden City, who has a full-time fire department. He noted that Garden City currently has an ISO rating of "2." Mayor Green also noted that a rating of "4" is considered a good rating for a community that has resources similar to those of Scott City.

Mr. Appel informed the Council that it is time to consider purchasing a new street sweeper. He indicated that Armor Equipment will be demonstrating one of their street sweepers for the City crew. Mr. Appel explained that the cost of the piece of equipment is likely to be approximately \$300,000 so he does not feel that the use of the Municipal Equipment Fund to pay for it would be practical. Instead, he recommended leasing the equipment for a term of seven years.

Street, Water, and Sewer Superintendent asked City Attorney Jennifer Cunningham if a notice had been sent to the owners of the property of 5<sup>th</sup> & Glenn Street. Mrs. Cunningham noted that a notice was sent on May 3, 2024, and the property owners have 45 days from that date to comply or the City has the right to take further action.

City Clerk Ruth Becker had nothing further to report.

City Administrator Brad Pendergast informed the Council that he had inputted the budget figures provided to him by department heads. At this point, it looks as if the City's 2025 budget will remain revenue neutral.

City Administrator Brad Pendergast noted that he will be unable to attend the next meeting, either in person or via Zoom.

City Attorney Jennifer Cunningham had nothing to report.

Financial and investment reports were provided in the packet for Council members to review.

Motion by Josh Gooden seconded by Adam Winter that the City Council recess into executive session to discuss personnel performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), retaining the Mayor, Council members, City Administrator and City Attorney, with the open meeting resuming in the Council room at 7:38 p.m. Vote – Unam.

The Council came out of executive session.

Mayor Green called the open meeting back to order.

No action was taken.

Mayor Everett Green had no further comments.

Motion by Adam Winter seconded by Jeff Allen to adjourn at 7:39 p.m. Vote – Unam.

Everett M. Green  
Mayor

Ruth Becker  
City Clerk