

September 3, 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 Council President Josh Gooden, Council members Craig Richards, Jeff Allen, Greg Mills, 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 August 19, 2024, regular council meeting were presented.

Motion by Armando Tarango seconded by Jeff Allen to approve the minutes of the August 19, 2024, regular council meeting. Vote – Unam.

Appropriation Ordinance # 1020A was presented.

Motion by Adam Winter seconded by Greg Mills to approve Appropriation Ordinance # 1020A. Vote – Unam.

Stephanie Fisher, Program Director for the El Quartejejo Museum and Jerry Thomas Gallery, was present to update the Council on happenings at the museum. Lindsay Singley, Chamber of Commerce Executive Director and Travel & Tourism Coordinator, was also present. Mrs. Fisher noted that Mayor Everett Green had invited her to speak to the Council and expressed appreciation for the financial support provided by the City through funds from the 1/2% Sales Tax and the Transient Guest Tax grants. She informed the City Council of several new exhibits and activities at the museum that highlight the rich history and heritage of not only Scott City but the surrounding region. These items include:

- **Van Antwerp Rexall Soda Fountain** – The old fountain had been rescued from a basement that had had a house built over the top of it. The museum established a partnership with K & M Metal Works who disassembled the fountain which will be reconstructed in the Heritage Room along with “Van Antwerp’s Clothing Store.” This exhibit is expected to open to the public by next summer.
- **Addition of a New Ag Building** – A plan is in the works to add a new building on the north side of the museum to house a display of farm equipment. The addition of the “ag building” will allow more space inside the museum for displays.
- **Fossil Lab** – The museum is home to an Elasmosaur (a rare Plesiosaur) and a Scheuerman Mammoth, that is one of two of its kind. The museum currently has 95% of this 75% complete mammoth. Five pieces of the mammoth remain at the Kansas Geological Survey. The mammoth’s skull is the most fully intact and pristine specimen to ever have been found. Primarily because of the mammoth fossil in the Fossil Lab, many partnerships have been formed making the museum not only a heritage museum, but also a research facility. Two paleontologists, from Marshall University and University of Washington-Seattle, have shown interest in creating a partnership with the museum to conduct research. Mrs. Fisher explained that the museum will be taking part in Marshall University’s National Science Foundation grant to have the mammoth skull scanned in Cincinnati on October 3, 2024. She and Kristopher Super will be traveling to Cincinnati to observe the process. The scans will provide the researchers

with detailed imaging, bringing not only distinction to Mr. Super, but also popularity to Scott County for other researchers interested in the specimens; upon publication of the scans, they will be licensed to the Scott County Historical Society.

- **Partnership with Humanities Kansas** – The museum recently hosted the agency’s board of directors. The board was very impressed by the local heritage, especially that of the Battle at Punished Woman’s Fork, which was the focus of their visit. The tours provided by the museum are more than an entertainment opportunity; they also provide a deep emotional connection to the people and places of the region.
- **Partnership with the Kansas Geological Survey (KGS) and Groundwater Management**– Not only will the museum be working with the Kansas Geological Survey in the Fossil Lab, but museum staff will also be working with KGS and Groundwater Management to create a groundwater display and irrigation display which will include interactive and hands-on experience for people of all ages.
- **Partnership with Kansas Wildlife & Parks** – Kansas Wildlife and Parks, along with the Kansas Historical Society, are helping the museum to help further interpret the El Quartejejo site along with the archeological significance and indigenous areas surrounding Historic Lake Scott State Park.
- **Partnerships with other Kansas museums** – Mrs. Fisher explained that working relationships with other museums allow for varying content by using rotating exhibits and aiding in creating permanent displays. Currently, the museum is displaying a traveling exhibit from Smoky Hill Museum in Salina. This exhibit is interactive in nature and includes a covered wagon.
- **Cottonwood Connections with Smoky Hills PBS** – Recently, *Cottonwood Connections* crews were in Scott City to film Jerry Thomas in discussions about art and history in Western culture and filmed Kristopher Super in the Fossil Lab in conjunction with a piece about Sternberg Museum camps in Hays. Mrs. Fisher noted that Mr. Super was one of the first students to participate in the Sternberg Museum camp and he is now the director of the El Quartejejo Museum’s Fossil Lab. Mr. Super’s piece will begin airing on PBS on September 22, 2024.
- **Library of Congress** – Mrs. Fisher informed the Council that El Quartejejo Museum has been selected for a pilot program for public outreach including a teacher professional development day for local and area teachers as well as a program in which members of the public can participate.

Two other big announcements will be unveiled with press releases the following week. Mrs. Fisher reiterated that these announcements “are big!”

Program Director Stephanie Fisher and Travel & Tourism Coordinator Lindsay Singley worked together to design a flag to celebrate the special Sister City relationship that the City of Scott City has with the Northern Cheyenne, which are “headquartered” in Lame Deer, Montana. They unveiled the flag for the Council to see. They had two flags with them—one will remain in Scott City and one will be sent to Lame Deer with a letter composed by Mayor Everett Green. Mrs. Fisher then distributed invitations to attend “Walk with the Spirits – a Commemoration of the Battle of Punished Woman’s Fork” to be held on Saturday, September 21, 2024. Mrs. Fisher closed by stating that, with the help of organizations like City of Scott City, “Your History is Making History.”

Included in the Council packet was *Scott County Law Enforcement Center Occupancy Agreement*. City Administrator Brad Pendergast noted that the only change from other drafts that had been previously presented to the Council was that the first term of this agreement has been shortened to eight months (from September 3, 2024, through May 2, 2025) so that its automatic five-year renewals will occur in May, giving all parties involved the opportunity to revise terms as needed in time for budget planning

season. City Clerk Ruth Becker noted that the date on the front page would need to be revised to show a September 3, 2024, effective date.

Motion by Adam Winter seconded by Jeff Allen to approve the *Scott County Law Enforcement Center Occupancy Agreement*, effective September 3, 2024. Vote – Unam.

Evans, Bierly, & Hutchison (EBH) Engineer Darin Neufeld was present to discuss the bid opening for the Building a Stronger Economy (BASE) Grant for the construction of infrastructure in Scott City Industrial Park-North (SCIP-N). Mr. Neufeld noted that bids for the construction of water and sewer lines and bids for the construction of the stormwater drainage system were due by 3:00 p.m. earlier in the day, allowing for Mr. Neufeld to tabulate the results in time to present those results at this meeting. He noted that there were two bids for the drainage portion of the bids – one bid from local contractor Dirks Enterprises, LLC and one from Great Bend contractor Esfeld Construction, Inc. Below is the bid tabulation sheet for this project:

2024 BASE Grant Project Industrial Park North Sanitary Sewer & Water System Improvements				9/3/2024					
NO.	LINE ITEM	QTY	UNIT	Engineers Estimate		Dirks Enterprises LLC		Esfeld Construction Inc	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Mobilization	1	LS	\$ 25,000.00	\$ 25,000.00	\$ 17,415.00	\$ 17,415.00	\$ 30,000.00	\$ 30,000.00
2	Excavation	9,500	CY	\$ 15.00	\$ 142,500.00	\$ 9.28	\$ 88,160.00	\$ 3.00	\$ 28,500.00
3	Seeding	2	Acres	\$ 5,000.00	\$ 10,000.00	\$ 17,248.00	\$ 34,496.00	\$ 2,500.00	\$ 5,000.00
4	Erosion Control	1	LS	\$ 10,000.00	\$ 10,000.00	\$ 25,000.00	\$ 25,000.00	\$ 5,000.00	\$ 5,000.00
<b>Total BASE BID Construction</b>				<b>\$ 187,500.00</b>		<b>\$ 165,071.00</b>		<b>\$ 68,500.00</b>	
<b>Bid Bond</b>						<b>Yes</b>		<b>Yes</b>	

Mr. Neufeld noted that both bids came in significantly below the engineer’s estimate. Discussion at the table regarded concerns that the two bids were so far apart. Council members inquired if Mr. Neufeld had ever worked with the low bidder, Esfeld Construction, and if he could be sure that they understood the scope of the project. Mr. Neufeld noted that he had spoken with representatives that submitted the bid and they fully understood what was required of the project’s contractor. He also noted that he has had a positive working relationship with this company in the past. Mr. Neufeld’s recommendation was to approve the bid of \$68,500 from Esfeld Construction, Inc. He noted that, if the Council approved this bid, they could expect Esfeld Construction to mobilize within the week. City Administrator Brad Pendergast asked that the Council continue to discuss the other portion of the project and to discuss the financing of the project before any votes were taken.

Discussion continued regarding the water and sewer line installation of the SCIP-N portion of the BASE grant project. The bid tabulation for this portion of the project is below:

2024 BASE Grant Project Industrial Park North Sanitary Sewer & Water System Improvements				9/3/2024					
NO.	LINE ITEM	QTY	UNIT	Engineers Estimate		Miller Pipeline LLC			
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Mobilization	1	LS	\$ 75,000.00	\$ 75,000.00	\$ 40,794.00	\$ 40,794.00		
2	4" DR11 HDPE	4,600	LF	\$ 30.00	\$ 138,000.00	\$ 29.58	\$ 136,068.00		
3	8" SDR26 PVC	2,150	LF	\$ 80.00	\$ 172,000.00	\$ 98.00	\$ 212,700.00		
4	Manhole	5	EA	\$ 10,000.00	\$ 50,000.00	\$ 10,759.00	\$ 53,795.00		
5	10" Bore & Case	200	LF	\$ 350.00	\$ 70,000.00	\$ 342.30	\$ 68,460.00		
6	4" Bore	100	LF	\$ 150.00	\$ 15,000.00	\$ 88.49	\$ 8,849.00		
7	Wet Well	1	LS	\$ 25,000.00	\$ 25,000.00	\$ 24,314.00	\$ 24,314.00		
8	Valve Pit	1	EA	\$ -	\$ -	\$ -	\$ -		
9	Pumps/Controls	1	EA	\$ 175,000.00	\$ 175,000.00	\$ 192,094.00	\$ 192,094.00		
10	Tracer Wire Condulet & Force Main Sign	8	EA	\$ 2,000.00	\$ 16,000.00	\$ 650.00	\$ 5,200.00		
11	6" Concrete Patching	20	SY	\$ 500.00	\$ 10,000.00	\$ 112.00	\$ 2,240.00		
12	Gravel Surfacing	60	SY	\$ 50.00	\$ 3,000.00	\$ 70.50	\$ 4,230.00		
13	6" SDR21 PVC	3,400	LF	\$ 60.00	\$ 204,000.00	\$ 43.75	\$ 148,750.00		
14	6" Valve	12	EA	\$ 2,000.00	\$ 24,000.00	\$ 1,557.00	\$ 18,684.00		
15	Fire Hydrant	5	EA	\$ 10,000.00	\$ 50,000.00	\$ 8,195.00	\$ 40,975.00		
16	6" Waterline connection	3	EA	\$ 5,000.00	\$ 15,000.00	\$ 4,735.00	\$ 14,205.00		
17	6" Concrete Patching	15	SY	\$ 500.00	\$ 7,500.00	\$ 112.00	\$ 1,680.00		
18	Seeding	3	ACRES	\$ 5,000.00	\$ 15,000.00	\$ 4,151.00	\$ 12,453.00		
19	Traffic Control	1	L.S.	\$ 15,000.00	\$ 15,000.00	\$ 11,069.00	\$ 11,069.00		
<b>Total BASE BID Construction</b>				<b>\$ 1,079,500.00</b>		<b>\$ 994,560.00</b>			
<b>Bid Bond</b>								<b>Yes</b>	
<b>Addendum acknowledge</b>								<b>Yes</b>	

Mr. Neufeld noted that of the four contractors who asked for a copy of the bid requirements, only one contractor submitted a bid. He clarified that the other three contractors could not meet the April 1, 2025, completion deadline. Miller Pipeline, LLC submitted a bid for \$994,560 which fell below the \$1,079,500 engineer’s estimate. Of the nearly \$1 million cost for the project, nearly \$700,000 is expected to be spent on the sanitary sewer line due to the distance the sewer lines will need to travel as well as the need to procure an above ground lift-station to move the contents of the sewer lines from SCIP-N south to the sewer ponds. Water will have to travel only approximately ¾ of a mile, from NuLife to SCIP-N. It is expected that the City may not have the lift station in time to meet the April 25, 2025, BASE grant deadline, but Mr. Pendergast has been in contact with grant provider Kansas Department of Commerce to request an extension due to the difficulty in obtaining the lift station which is expected to become available in May 2025. He is confident that an extension will be granted.

The final part of the BASE Grant discussion involves the grant funding and the City’s financial obligation to the City. The outline provided by Mr. Neufeld using figures based on the expected contract awards is below:

**2024 BASE Grant Project  
Industrial Park North**

	<b>TOTAL</b>
<b>Construction</b>	
Sanitary Sewer & Water System Improvements	\$ 994,560.00
Drainage Improvements	\$ 68,500.00
<b>Survey-Plat</b>	\$ 19,800.00
<b>Design</b>	\$ 122,400.00
<b>Construction Engineering</b>	\$ 135,000.00
<b>Fical Sustainability Plan</b>	\$ 2,500.00
<b>AIS Compliance Admin</b>	\$ 2,500.00
<b>O&amp;M Manual</b>	\$ 2,500.00
<b>Record Drawings</b>	\$ 2,500.00
<b>Total Project</b>	<b>\$ 1,350,260.00</b>
75% BASE Grant	\$ 1,012,695.00
25% Local Match	\$ 337,565.00
<b>BASE Grant Funding</b>	<b>\$ 750,000.00</b>
<b>City Match TOTAL</b>	<b>\$ 600,260.00</b>

With the grant award of \$750,000 covering a large portion of the project, the most that the City is expected to contribute to the project is \$600,260. Mr. Neufeld noted that, of the \$287,200 contract between EBH and the City for design and engineering services for SCIP-N, the \$135,000 designated for construction engineering is expected to be significantly reduced, because street improvements have been pulled from the scope of the project. City Administrator Brad Pendergast explained that funding for the project will be covered in part by the anticipated sales of the six platted lots at \$45,000 each, or \$270,000. The remainder of the cost will be split between the Water and Sewer funds, with the potential need to use money from the Water Reserve and Sewer Reserve funds.

Motion by Jeff Allen seconded by Barb Wilkinson to accept the bid from Esfeld Construction, Inc. in the amount of \$68,500 for the stormwater drainage portion of the Scott City Industrial Park-North BASE grant project, with the cost of the project being covered with a combination of funds from the grant, the Water fund, Sewer fund, Water Reserve fund, and Sewer Reserve fund, as needed. Vote – Unam.

Motion by Armando Tarango seconded by Adam Winter to accept the bid from Miller Pipeline, LLC in the amount of \$994,560 for the water and sewer line installation portion of the Scott City Industrial Park-North BASE grant project, with the cost of the project being covered with a combination of funds from the grant, the Water fund, Sewer fund, Water Reserve fund, and Sewer Reserve fund, as needed. Vote – Unam.

City Administrator Brad Pendergast inquired of the Council if they wished for him to bid out the City's major medical insurance policy for City employees. He noted that, with the City being on a self-funded plan, it has traditionally been more cost effective than moving to another insurance format. He recommended that the City remain self-funded for now. Consensus of the Council was to remain on the major medical insurance policy as it is now.

Scott Recreation Commission (SRC) Director Cody Brittan was present to provide his quarterly update to the City Council. He noted that throughout the summer months the SRC youth leagues served about 300 participants, which is roughly the same number as the prior year. He explained that any loss of participation in SRC sports was due to the option to participate in the travel leagues. Mr. Brittan informed the Council that the SRC is gearing up for flag football and volleyball season. He reported that the fitness center currently has 239 members – the highest membership number to date. Mr. Brittan said that the new sprinkler system has made a noticeable difference to the appearance of the sports complex and that he has received many compliments about the ground cover. He noted that the water usage to this point for the season is 7.4 million gallons. Their goal is to use fewer than 10 million gallons per year. He informed the City Council that the two highest periods of water usage were in April when the ball fields were overseeded, and the month of July 10-August 10 when the city received less than 1" of rain and experience a great deal of wind. Council member Barb Wilkinson asked Mr. Brittan if the SRC had discussed hosting any travel teams, to which he replied that the traveling teams schedule had been tightly locked in, so that opportunity has not presented itself. He also mentioned that hosting traveling teams is an expensive endeavor so if the SRC were to consider doing so, they would have to find some revenue options to offset the cost. The Council thanked Mr. Brittan for his report.

GMS Resident Project Representative Mark Hornberger was present to update the City Council on the progress of the Water System Improvements project. He informed the Council that Miller Pipeline has completed as much of the project as is possible without having all the railroad permits in place. He also reported the Gerard Tank and Steel will move into Scott City the following day and will begin their portion of the project (north water tower) on Thursday of the current week.

GMS Engineer, and owner of the company, Jason Meyer was present via Zoom to update the Council on developments regarding delays with the well and the railroad. City Administrator Brad Pendergast informed the Council that he, Water Superintendent Terence Appel, Mayor Everett Green, and Mr. Meyer had a meeting earlier in the day with others involved in the project, during which action to resolve the delays were discussed. Mr. Meyer informed the Council that KDHE would not approve the plan to insert a sleeve into the casing of the existing well because of the concern that the structural integrity of the well would be compromised and that the existing screen will deteriorate upon use due to several years of inactivity. The next plan of action for the well will be to drill another test well within five to ten feet from the existing well and to formally abandon the existing well. Regarding the railroad permit delays, Mr. Meyer explained that the Union Pacific railroad permit is ready for City Administrator Brad Pendergast's signature and that once the document is approved, Miller Pipeline can begin scheduling the railroad pros. However, the permit issue with K & O Railroad remains unresolved. The K & O Railroad permit request was submitted on March 21, 2024, and there has been a lull with the contact with whom GMS interfaces. Mr. Pendergast explained that K & O is at a standstill with Watco engineers. Mr.

Pendergast stated that he has spoken with EBH Engineer Darin Neufeld who has offered to provide the contact information for the person with whom he works at Watco with Mr. Meyer.

There was nothing to report under the open agenda.

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 the Dodge Ram is ready to be picked up. The hood will soon be replaced at no cost to the City.

Public Works Superintendent Terence Appel reported that he has located two shade options for the front area of Mahler Dog Park. He will remeasure the space where the shade is needed and plans to add the cost of the shade (in excess of the remaining funds available with the Scott Community Foundation) to the grant application for which the Palmer Park playground equipment is being submitted. Mr. Appel informed the Council that he researched the cost of providing replacement ADA-compliant ground cover for the playground at Patton Park. He has found an option at a cost of approximately \$143,000 which covers removal and installation of either a rubber surface or an astroturf-like surface. Mr. Appel updated the Council on the progress of the crosswalk to be created at the intersection of 12<sup>th</sup> & Main Street which will cross the highway. Wheatland Electric Construction Foreman Walt Lovins will install steel poles for signage while the pavement markings will be heated pellets covered with reflective glass beads. Mr. Appel stated that this type of pavement marking should last much longer than paint. The City crew will view a demonstration of a street sweeper the following week and the City crew continues to work on the drainage issues at Big R. Mr. Appel thanked Police Chief Colton Schmitt and his officers for the additional police presence through the construction on the north end of US 83. He also thanked Curtiss & Tracy Chambless and Berning Farms for allowing the construction crews to store materials on their property.

Mr. Appel requested that bids for a scissor lift be opened. Council President Josh Gooden indicated that the City had received only one bid. The bid received from Berry Material Handling out of Wichita for a Genie GR-26J vertical mast lift in the amount of \$48,995 was determined to meet the specifications as required. Mr. Appel requested that the Council approve the bid for the scissor lift which will be used primarily to access difficult-to-reach areas of the water treatment plants.

Motion by Jeff Allen seconded by Adam Winter to approve the bid submitted by Berry Material Handling for a Genie GR-26J vertical mast lift (scissor lift) in the amount of \$48,995 to be paid out of the Water fund. Vote – Unam.

City Clerk Ruth Becker reminded the City Council of the discussion that took place at the August 19, 2024, meeting regarding the purchase of playground equipment for Palmer Park. The discussion at the table included the use of \$10,000 of ARPA funds to be applied to the total cost of the equipment, but the motion by Jeff Allen seconded by Barb Wilkinson did not explicitly state the use of ARPA funds, which is required under the guidelines for use of ARPA funds.

Council member Jeff Allen rescinded his motion to allow Terence Appel to purchase the “Katherine” playground system with a cost not to exceed \$37,000 due to the impracticability to further bid out this equipment. Council member Barb Wilkinson rescinded her second. Vote – Unam.

Motion by Jeff Allen seconded by Barb Wilkinson to allow Parks Superintendent Terence Appel to purchase the “Katherine” playground system with a cost not to exceed \$37,000 with \$10,000 to be paid using ARPA funds, due to the impracticability to further bid out this project. Vote – Unam.

City Clerk Ruth Becker had nothing to report.

City Administrator Brad Pendergast had nothing to report.

City Attorney Jennifer Cunningham had nothing to report.

There were no executive sessions.

Council President Josh Gooden made no comments on behalf of Mayor Everett Green in his absence.

Motion by Adam Winter seconded by Armando Tarango to adjourn at 7:31 p.m. Vote – Unam.

Josh Gooden  
Council President

Ruth Becker  
City Clerk