CITY OF FORT SCOTT

Minutes of February 21, 2017

Regular Meeting #4

CITY OF FORT SCOTT CITY COMMISSION MEETING

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The regular meeting of the Fort Scott City Commission was held February 21st, 2017 at 6:00 p.m. in the City Commission Room, 123 S. Main, Fort Scott, Kansas.

ROLL CALL:

Commissioners Adams, Bartelsmeyer, Mason and Nichols were present with Mayor Mitchell presiding.

INVOCATION: Pastor James Collins, First Southern Baptist Church said a prayer asking God for guidance for the city and all government and city officials.

AUDIENCE IN ATTENDANCE: Travis Shelton, Clayton Miller, Deb Needleman, Carey Spoon, Arnold Schofield, James Charlesworth, James Collins, Amanda Collins, Chad Brown, Kenny Howard, Jim Bedenbender, Dusty Bedenbender, Travis Wolf, Jerry Morgan, Greg Gauss, Ted Shadid, Bob Eckles, Sally Eckles, Megan Goul, Courtney Medsker, Madison Palmer, Robert LaFalce, Lindsay Madison, Shawn O'Brien, Rhonda Dunn, Pat Lyons, Frank Adamson, Denise Duncan, Don Miller, Janet Braun, Michelle Workman, representing Fort Scott Biz, and Jason Silvers, representing the Fort Scott Tribune.

PROCLAMATIONS/RECOGNITIONS: Recognition of Bob Eckles – Mayor JoLynne Mitchell recognized Bob Eckles for his many years working for the Beacon. He worked for them for 16 years and recently retired. She presented him with a Certificate of Recognition and thanked him for his dedication to helping needy families in Fort Scott.

Deb Needleman, Human Resource Director, introduced new employees that are now working for the City:

Rob LaFalce, Police Officer
Jerry Morgan, Street Department
Greg Gauss, Street Department
Travis Wolf, Street Department
Jim Bedenbender, Street Department

APPROVAL OF MINUTES AND APPROPRIATIONS/CONSENT AGENDA:

- A. Approval of minutes of the regular meeting of February 7th, 2017.
- B. Approval of Appropriation Ordinance 1187-A totaling \$312,400.38.

Mason moved to approve the Consent Agenda. Bartelsmeyer seconded. All voted aye.

APPROVED CONSENT AGENDA.

APPEARANCE/COMMENTS/PUBLIC HEARING:

A. APPEARANCE:

B. <u>CITIZEN COMMENTS</u> (Concerning Items Not on Agenda – 3 minute limit per citizen) -Ted Shadid – Mr. Shadid introduced himself to the Commission and told them he owned Fort Scott Estates. He also tries to help people who don't have a lot of funds available with housing.

C. PUBLIC HEARINGS:

Bartelsmeyer moved to open the Public Hearing at 6:06 p.m. Adams seconded. All voted aye.

OPENED PUBLIC HEARING AT 6:06 P.M.

6:00 p.m. – CDBG Wall Street Sidewalk Public Hearing – Closeout of grant – Carey Spoon, of the Southeast Kansas Regional Planning Commission informed the Commission that she was present to hold the closeout of Grant No. 15-PF-044 which was for the installation of 4,110 feet of 4" concrete ADA compliant sidewalks. These sidewalks were installed on the south side of Wall Street from Margrave to Steen Street and was funded in part from the Kansas Department of Commerce in the amount of \$162,633.62 in CDBG funding and City funding of \$26,990. There were no comments from the audience.

Mason moved to approve the closeout of Grant No. 15-PF-044, Wall Street Sidewalk Project. Nichols seconded. All voted aye.

APPROVED CLOSEOUT OF GRANT NO. 15-PF-044, WALL STREET SIDEWALK PROJECT.

Adams moved to close the Public Hearing at 6:08 p.m. Mason seconded. All voted aye.

CLOSED PUBLIC HEARING AT 6:08 P.M.

CONSIDERATION:

1. James Charlesworth – Request for Proposals – Property & Liability Insurance for the City of Fort Scott – Kenny Howard, Airport/Lakes/Insurance Director introduced James Charlesworth to the City Commission.

James Charlesworth informed the Commission that Berkshire Hathaway has been the City's property and liability insurance carrier since July 1st, 2014. He said it is considered best practice to solicit competitive proposals every three to five years depending on market conditions and loss experience. Over the past three years, the City

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has enjoyed excellent loss experience and improved internal risk management controls. There are several insurance and associational programs who have expressed interest in providing coverage for the City. The notice to submit proposals for agents interested was published in the Fort Scott Tribune with a submittal date of 12:00 p.m. Monday, February 27th, 2017, to Mr. Charlesworth. He will bring back the list of interested agents or companies to the March 7th, 2017 City Commission meeting. He currently has four interested companies. He also suggested to the City Commission the possibility of receiving quotes from an insurance pool. The City currently has their work comp insurance through the Kansas Municipal Insurance Trust which is a pool and their health insurance through Greenbush Trust.

Bartelsmeyer moved to approve to seek insurance proposals for the City's property and liability insurance. Mason seconded. All voted aye.

APPROVED TO SEEK INSURANCE PROPOSALS FOR THE CITY'S PROPERTY AND LIABILITY INSURANCE.

2. Change Order #2 – US 69 Access Road – Heckert Construction Co., Inc. – Jon Garrison, Director of Finance, informed the Commission that he is seeking approval for Change Order #2 on the Highway 69 access road. This is the new road that was built south of the LaRoche Baseball Complex. The original contract with Heckert Construction Co., Inc. was for \$806,295.00. Change Order #1 increased the amount by \$13,314.00 making the adjusted contract amount \$819,609.00. Change Order #2 decreases the amount by \$23,568.90 making the new adjusted contract amount \$796,040.10. This project was primarily funded by KDOT, with \$50,000 contributed by BEDCO and the balance of \$119,050 from City funds. He asked for approval of Change Order #2.

Mason moved to approve Change Order #2 for the Highway 69 Access Road project with Heckert Construction. Adams seconded. All voted aye.

APPROVED CHANGE ORDER #2 DECREASING THE CONTRACT BY \$23,568.90 MAKING THE NEW ADJUSTED CONTRACT AMOUNT \$796,040.10 FOR THE HIGHWAY 69 ACCESS ROAD.

3. Rescind Ordinance 3494 – Annexing 2507 South Main – 1.68 acres or less –Dave Martin, City Manager, informed the Commission that this annexation was approved at the February 7th meeting. Since that date, the developer has decided to locate at another location. The owner of the property would like to keep this area together and not split.

Mason moved to rescind Ordinance 3494 which was the annexation of 2507 S. Main. Bartelsmeyer seconded. All voted aye.

APPROVED TO RESCIND ORDINANCE NO 3494 - ANNEXATION OF 2507 S. MAIN STREET.

COMMISSION/STAFF:

A. Director Updates: None

B. City Commission:

Adams – Made a motion for City staff to investigate and bring back to the March 7th, 2017 meeting what it would take to move Tourism under the City. He would like to see any agreements, amount of funds collected and a current list of the Transient Guest Tax Committee members. The City currently collects the Transient Guest Tax and appoints the Transient Guest Tax Committee members. He said that he would like to see the best use of the building they are currently using.

Arnold Schofield who signed up to speak said that he has been involved in tourism the last thirty years. He personally believes that the City should administer tourism as part of economic development. He thinks this will enhance tourism greatly if they work jointly together.

Don Miller asked to speak also but Jim Adams asked him to wait until the March 7th meeting as they are just asking for information right now.

Nichols seconded Jim Adams motion to investigate moving tourism under the City and bring information to the March 7th, 2017 meeting. All voted aye.

APPROVED TO HAVE CITY STAFF INVESTIGATE MOVING TOURISM UNDER THE CITY'S JURISDICTION AND BRING ANY AGREEMENTS, AMOUNTS OF FUNDS COLLECTED, AND THE CURRENT TRANSIENT GUEST TAX COMMITTEE MEMBER LIST TO THE MARCH 7^{TH} , 2017 MEETING.

<u>Bartelsmeyer</u> - Nothing to report.

Mason – Nothing to report.

<u>Nichols</u> – Remarked that he appreciated the recognition of Bob Eckles this evening.

Mitchell – Nothing to report.

C. City Attorney: Nothing to report.

D. Director of Finance: Jon Garrison, Director of Finance, informed the Commission that on February 15th, 2017 bids were opened in Topeka for the Safe Routes to School sidewalk project. There were six bids received with the apparent low bid from Multicon LLC in the amount of \$247,632.

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However, Multicon's bid was disqualified from the State for not meeting the DBE qualification requirements. The next low bid was received from Marbery Concrete, Inc. of Fort Scott in the amount of \$308,020.00. If approved, the City will send KDOT a check in the amount of \$138,000 for their part in this project. He recommended approval of Marbery Concrete Inc.'s bid and asked for the Mayor to sign all necessary documentation.

Bartelsmeyer moved to approve the bid from Marbery Concrete, Inc. in the amount of \$308,020.00 for the Safe Routes to School sidewalk project and for the Mayor to sign all necessary documentation. Adams seconded. All voted aye.

APPROVED BID FROM MARBERY CONCRETE, INC. IN THE AMOUNT OF \$308,020.00 FOR THE SAFE ROUTES TO SCHOOL SIDEWALK PROJECT AND FOR THE MAYOR TO SIGN ALL NECESSARY DOCUMENTATION.

E. City Manager:

1. City Manager asked that the March 21, 2017 City Commission meeting be moved to March 28th, 2017 due to the fact that the week of March 21st is Spring break.

Mason moved to approve to change the March 21st, 2017 meeting to March 28th, 2017. Adams seconded. All voted aye.

APPROVED TO CHANGE THE MARCH 21ST, 2017 MEETING TO MARCH 28TH, 2017.

ADJOURNMENT:

Adams moved to adjourn the meeting at 6:38 p.m. Mason seconded. All voted aye.

ADJOURNED MEETING AT 6:38 P.M.

The next regularly scheduled meeting is to be held on March 7^{th} , 2017 at 6:00 p.m.

RECORDED BY:
DIANE K. CLAY
CITY CLERK