

**CITY OF FORT SCOTT
CITY COMMISSION MEETING**

Minutes of May 1, 2018

Regular Meeting #9

The regular meeting of the Fort Scott City Commission was held May 1st, 2018 at 6:00 p.m. in the City Commission Room, 123 S. Main, Fort Scott, Kansas.

ROLL CALL:

Commissioners Adamson, Bartelsmeyer, Nichols, and Parker 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: Abbie Houston, Shawn Pritchett, Dave Bruner, Linda Houston, Patience Richwine, Makyn Wade, Taylor Jones, Marissa Allen, Xavier Watkins, Tabitha Harris, Lindsay Madison, Amber Toth, Rita Clary, Julie Saker, David Saker, Dr. Stewart Reeves, Jerald Mitchell, James Collins, Justin Fisher, Amy Fisher, Josie Fisher, Jean Fisher, Deb Needleman, Matt Witt, Cherie Witt, Janet Braun, Denton Wescoat, Darrell Parker, Larry Gazaway, Travis Shelton, Rhonda Dunn, Clayton Miller, and Jason Silvers, representing the Fort Scott Tribune.

PROCLAMATIONS/RECOGNITIONS:

National Nursing Home Week – May 13-19, 2018 - Mayor Mitchell read a Proclamation proclaiming the week of May 13-19, 2018 as National Nursing Home Week in the City of Fort Scott and urged all citizens to support quality of life in nursing facilities by visiting the residents.

Recognition of Employee – Deb Needleman, Human Resource Director, recognized Justin Fisher, Police Officer who is back to work after being deployed to Iraq back in March 2017. He returned to work on April 4th. She also recognized his wife and two daughters and thanked him for serving our country.

APPROVAL OF MINUTES AND APPROPRIATIONS/CONSENT AGENDA:

- A. Approval of minutes of the regular meeting of April 17th, 2018.
- B. Approval of Appropriation Ordinance 1214-A totaling \$411,857.94.
- C. Resolution 24-2018 - Notice of Hearing with Reference to Alleged Unsafe and Dangerous Structure and Accessory Structure located at 211 N. Lincoln Street – Public Hearing Date – 6/19/2018 at 6:15 p.m.

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

APPROVED CONSENT AGENDA.

APPEARANCE/COMMENTS/PUBLIC HEARING:

A. APPEARANCE:

Matt & Cherie Witt – Autism Awareness (video presentation) – Matt Witt appeared before the Commission and shared a video with them on Autism Awareness. They have a son who is 7 ½ years old who is autistic. He urged the public to be aware of autism and the individuals who have this.

Amber Toth – Fort Scott Project – Ms. Toth thanked the Commission for letting her two groups present before them. She informed the Commission that all of the groups present their projects and they are voted on and filtered down to the top two groups which get to present to the City Commission.

The first group consisted of Tabitha Harris, Patience Richwine, and Makyn Wade. Braden was absent due to baseball. They presented a project called Fort Scott Street Light Project. Their idea consisted of changing all the street lights in the City to LED lighting which would save the City money.

The second group consisted of Abbie Houston, Taylor Jones, Marissa Allen and Xavier Watkins. Alec Michaud was absent due to baseball. They presented a project called the 12th Street Catwalk Project. Their idea consisted of installing a catwalk at 12th Street which would improve safety in crossing at this location.

The Commission thanked them for their great ideas and hard work.

First Impressions Project – Lindsay Madison & Carla Nemecek – Lindsay Madison informed the Commission that Carla Nemecek was unable to attend the meeting tonight. She asked for the Commission to approve for the Mayor to sign the First Impressions Community Application form to allow the Chamber to organize a three member team to visit and evaluate another community. That community, in turn, would evaluate Fort Scott. Evaluations would include entrances to the City, government, health care, faith culture to name a few. They would then send a final report and photos to the City with recommendations for improvements if needed. The three member team will include Reta Baker, Darcy Smith and the last member is to be determined still. This was done in 2007 and 2012.

Parker moved to authorize the Mayor to sign the First Impressions application. Bartelsmeyer seconded. All voted aye.

APPROVED MAYOR TO SIGN THE FIRST IMPRESSIONS APPLICATION.

6:00 p.m. Notification of Intent to File Application for Financial Assistance with USDA Rural Development for improvements to the City's water system – Jon Garrison, Director of Finance, informed the Commission that the City has talked about this project for the last two to three years. He contacted U.S.D.A. for a low interest loan. Rita Clary, Kansas Rural Water District, has assisted him in filling out the application to U.S.D.A. He said that there is not sufficient revenue in the water utility fund to pay for this project. This project will be done in two phases with phase one being the intake structure and phase two being the dam repair.

Rita Clary, Kansas Rural Water District, informed the Commission that the City needs to apply for funding with U.S.D.A. They have filed an application for financial assistance to improve the City's water system. This is a \$5,038,000 project to be completed in two phases. She believes the interest rate could be 3.75%. U.S.D.A. will give the cheapest rate either at the beginning of the loan or the end of it. Temporary bonds will need to be put in place. She asked for approval for four documents to be signed by the Mayor so the application can be filed.

Jon Garrison said that he has talked to the City's financial advisor to coordinate temporary notes. The City Commission will have the final approval on all documents and loans. There will be a rate increase in water rates to subsidize this project.

Approval of the following documents is needed:

- 1) Approval of the Legal Services Agreement which has been approved by the City Attorney.
- 2) Identifying and Reporting USDA Rural Development Assistance to USDA Rural Development Employees, Relatives and Associates which states no one is related to anyone with USDA.
- 3) Organization Opinion which states all the City Commissioners and Mayor's names
- 4) City Application which states all the pertinent information for the City such as tax identification number, assessed valuation, total City mill levy, City debt, Sewer and Water Debt, and water information.

Nichols moved to authorize the Mayor to sign the above stated documents. Bartelsmeyer seconded. All voted aye.

APPROVED AUTHORIZATION FOR THE MAYOR TO SIGN ALL THE USDA FORMS FOR THE RIVER INTAKE STRUCTURE PROJECT APPLICATION PROCESS FOR U.S.D.A.

- B. CITIZEN COMMENTS** (Concerning Items Not on Agenda – 3 minute limit per citizen) - Dr. Stewart Reeves – Dr. Reeves appeared and showed photos of the worse street in Fort Scott. It is 11th Street between National and Judson. The water runs into the street and under the bricks and the street has terrible ruts in it.

City Manager said that he and Chad Brown will get with him on this issue.

C. PUBLIC HEARINGS:

Mitchell moved to open the Public Hearing at 6:18 p.m. Bartelsmeyer seconded. Motion carried.

OPENED PUBLIC HEARING AT 6:18 P.M.

6:15 p.m. Resolution 22-2018 directing the repair or removal of an unsafe and dangerous structure located at 1602 E. Oak Street – Rhonda Dunn, Codes Director, informed the Commission that this structure is the old Midway Independent Missionary Baptist Church. It was an old school house that was brought into the City from Missouri many years ago. There is no local historic relevance to this structure. Half of the roof was repaired several years ago but no other repairs have been made. Both of the owners are now deceased. She asked for 30 days to either repair or remove this structure.

Commissioners discussed between them if they had to give 30 days or it could be less.

Parker made a motion to allow 10 days for the owner to either repair or remove the structure at 1602 E. Oak. Nichols seconded. All voted aye.

APPROVED RESOLUTION NO. 22-2018 DIRECTING THE REPAIR OR REMOVAL OF AN UNSAFE AND DANGEROUS STRUCTURE LOCATED AT 1602 E. OAK STREET. STRUCTURE MUST BE BROUGHT UP TO 2012 INTERNATIONAL BUILDING CODE BY MAY 15th, 2018 OR DEMOLITION PROCEEDINGS WILL BEGIN.

6:15 p.m. Resolution 23-2018 directing the repair or removal of an unsafe and dangerous structure located at 504 S. Judson Street - Rhonda Dunn, Codes Director, informed the Commission that this house is owned by a brother and a sister. The brother is headed to prison and the sister just made contact with her. The sister is coming to Fort Scott this coming weekend to clean out the house. The house is open to the elements. She recommended delaying this for 30 days to allow the owner to remove the contents and see if possibly a neighbor might purchase it.

Bartelsmeyer moved to delay any action on this structure for 30 days. Adamson seconded. All voted aye.

APPROVED TO DELAY ANY ACTION ON THE STRUCTURE AT 504 S. JUDSON STREET FOR 30 DAYS.

6:15 p.m. Resolution 25-2018 - Resolution directing the repair or removal of an alleged unsafe and dangerous structure located at 523 S. Main Street - Rhonda Dunn, Codes Director, informed the Commission that since this was brought before the Commission last month, the

owners have started to make some repairs. She showed photos of windows they had covered. They have a list of required repairs that are needed as well as removal of weeds and painting. She recommended delaying this for 30 days to allow them more time to make the necessary repairs.

Adamson moved to delay this 30 more days to allow the owner to make the necessary repairs to 523 S. Main. Bartelsmeyer seconded. All voted aye.

APPROVED TO DELAY ANY ACTION ON THE STRUCTURE AT 523 S. MAIN STREET FOR 30 DAYS.

6:15 p.m. Resolution 15-2018 - Resolution directing the repair or removal of an alleged unsafe and dangerous structure and accessory structure located at 1601 E. Wall Street - Rhonda Dunn, Codes Director, informed the Commission that this structure had a fire in it several months ago. The owner has told her that he has sold the kitchen equipment and has a bid to demolish the structure. It will be six weeks before the kitchen equipment is moved out of the structure. She recommended giving the owner 60 days to either repair or remove the structure.

Commissioners discussed and decided on a definite time frame to have the structure removed as of July 31st, 2018.

Bartelsmeyer moved to give the owner until July 31st, 2018 to have the kitchen equipment removed and the structure demolished. Parker seconded. All voted aye.

APPROVED RESOLUTION NO. 15-2018 DIRECTING THE REPAIR OR REMOVAL OF AN UNSAFE AND DANGEROUS STRUCTURE LOCATED AT 1601 E. WALL STREET. STRUCTURE MUST BE BROUGHT UP TO 2012 INTERNATIONAL BUILDING CODE BY JULY 31st, 2018 OR DEMOLITION PROCEEDINGS WILL BEGIN.

Mitchell moved to close the Public Hearing at 6:28 p.m. Parker seconded. All voted aye.

CLOSED PUBLIC HEARING AT 6:28 P.M.

CONSIDERATION:

1. Installation of speed bumps on Old Fort Boulevard – City Manager informed the Commission that the installation of speed bumps at Old Fort Boulevard was discussed at the last meeting. The speed bumps can be purchased at \$1,000 each if they desire to do this.

Mitchell moved to install four speed bumps on Old Fort Boulevard. Adamson seconded. All voted aye.

APPROVED TO INSTALL FOUR SPEED BUMPS AT OLD FORT BOULEVARD.

2. Consideration of updated Employee Handbook and approval of Ordinance adopting changes – Deb Needleman, Human Resource Director, informed the Commission that the Employee Handbook was rewritten in 2015 and several revisions have been made since then. She has made it more reader friendly and put all the revisions into this new handbook. She recommended approval of the Employee Handbook and the Ordinance authorizing the changes.

APPROVED ORDINANCE NO. 3533 REPLACING ORDINANCE NO. 3457, ADOPTING EMPLOYEE MANUAL, REPLACING ORDINANCE NO. 3475, ADOPTING RESIDENCY REQUIREMENTS, REPLACING ORDINANCE NO 3479, ADOPTING WEAPONS IN THE WORKPLACE, ORDINANCE NO. 3492, COMPUTER EQUIPMENT POLICY, AND ORDINANCE NO 3493, SHARED LEAVE POLICY AND ADDING SECTION 13:5 – PHYSICAL ACTIVITY POLICY AND ADOPTING ORDINANCE NO. 3533 – UPDATED EMPLOYEE HANDBOOK.

3. Consideration of Drug Dog – Travis Shelton, Chief of Police, informed the Commission that that the Police Department has recognized the need for a Police K-9 dog to be purchased and owned by the City of Fort Scott. Drug arrests are up this year and we feel a narcotics detection dog will assist officers in locating illegal narcotics in our community. He asked the Commission to approve the purchase of a fully trained narcotics detection Police dog, training for the Police Officer and the dog, a kennel to house the dog, an insert for the police car to transport the dog, and a heat alarm system for the Police vehicle. The purchase of these items will be made with drug seizure funds from K-9 Working Dogs International, LLC of Longford, Kansas. This is estimated to cost around \$14,000 total. Shawn Pritchett will be the Police Officer with the dog handler as he has had training.

Parker moved to authorize the purchase of the K-9 dog and accessories for the Police Department up to \$14,000. Nichols seconded. All voted aye.

APPROVED TO PURCHASE A K-9 DOG FROM K-9 WORKING DOGS INTERNATIONAL LLC OF LONGFORD, KANSAS, TRAINING FOR THE OFFICER AND DOG, A KENNEL FOR THE DOG, AN INSERT FOR THE POLICE VEHICLE, AND A HEAT ALARM SYSTEM FOR THE VEHICLE.

COMMISSION/STAFF:

A. Director Updates: None

B. City Commission:

Adamson – Remarked that it was wonderful to see the community support when the combat veteran warriors came to town last week.

Informed the Commission since she serves on the Fort Scott Housing Authority Board, she has discovered that they have a Residents Committee. This committee raises money and has donated \$250.00 for pool passes for children and donated money for 40 wreaths for the Wreaths Across America event in December. She also recognized Dan Meara for serving on this board for over 25 years as he has recently resigned as he moved away.

Bartelsmeyer – Nothing to report.

Nichols – Nothing to report.

Parker – Nothing to report.

Mitchell – Nothing to report.

C. City Attorney: Not present.

D. Director of Finance: Nothing to report.

E. City Manager:

1. Beaux Arts Center – City Manager said that Larry Gazaway, Paul Ballou, Rhonda Dunn, Dr. Randy Nichols, Rick Zingre' and himself met with Mr. & Mrs. Duncan and some individuals they wanted there. They informed them that the City did not shut their building down. It is the City's responsibility to make sure that historic buildings are safe. They never could get past the code foot print issue. Dave said that he closed the meeting and thanked them for their time and they left. They tried to reach a consensus but could not.
2. Convention and Visitors Bureau – City Manager said that the renovation to the CVB will start tomorrow. This building is a CVB and the City is willing to partner with the Chamber. Lindsay does a great job with the Chamber and this takes a joint effort.

ADJOURNMENT:

Parker moved to adjourn the meeting at 7:27 p.m. Nichols seconded. All voted aye.

ADJOURNED MEETING AT 7:27 P.M.

The next regularly scheduled meeting is to be held on May 15th, 2018 at 6:00 p.m.

RECORDED BY:

DIANE K. CLAY
CITY CLERK