

**CITY OF FORT SCOTT
CITY COMMISSION MEETING**

Minutes of May 15, 2018

Regular Meeting #10

The regular meeting of the Fort Scott City Commission was held May 15th, 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: Michael Mix, Public Utilities Director, said a prayer asking God for guidance for the city and all government and City officials.

AUDIENCE IN ATTENDANCE: Lindsay Madison, Jody Hoener, Carol Lydic, Marlene Braker, Tammy Helm, Vickie Chaplin, Kenny Howard, Chris Garrett, Dave Mohler, Angie Kemmerer, Dawna Hudiburg, Ella Beth, Michelle Hudiburg, Kenny Hudiburg, Whitney Beth, DeWayne April, Samantha Shadden, Clifton Beth, Cody McGehee, Terry Sercer, Bill Peterson, William Polk, Deb Needleman, Janet Braun, Tina Rockhold, Michael Mix, Denton Wescoat, Rachel Pruitt, Larry Gazaway, Shane Walker, Kyle Parks, Coby Jones, Robby Sharman, Frank Halsey, Todd Farrell, Travis Shelton, Frank Halsey, Paul Ballou, Clayton Miller, and Jason Silvers, representing the Fort Scott Tribune.

PROCLAMATIONS/RECOGNITIONS:

Recognition of New City Employees – Deb Needleman, Human Resource Director, introduced Dave Mohler and Cody McGehee as new Police Officers. Dave started on March 28th and Cody started on May 9th.

Buddy Poppy Day Proclamation – May 25, 2018 - Mayor Mitchell read a proclamation which proclaims May 25th, 2018 as Buddy Poppy Day in the City of Fort Scott and urged men and women to wear a buddy poppy as evidence of our gratitude to the men and women of this country who have risked their lives in defense of the freedoms which we continue to enjoy as American citizens.

Kiwanis Pioneer Club 30th Anniversary Proclamation – May 2018 – Mayor Mitchell read a proclamation which proclaims the month of May as Kiwanis Pioneer Club Month in the City of Fort Scott. The Kiwanis Pioneers strive to be a positive influence in our community so one day all children will wake up in a community that believes in them, nurtures them and provides the support they need to thrive. Carol Lydic, Marlene Braker, Tammy Helm, and Vickie Chaplin accepted the proclamation on behalf of the Pioneer Kiwanis group.

Presentation of Kress Building Idea – Dawna Hudiburg and Ella Beth, along with their teacher, Angie Kemmerer, presented to the City Commission their 3-D model of the Kress building which they used as a project to repurpose. These two freshman girls presented their idea of using the basement of the Kress

building as a 7 lane bowling alley, and the main floor as an ice cream/soda fountain and retail area, and the top floor as a laser tag and mini golf area.

The Mayor and Commission thanked the two girls for their great ideas and for sharing them with the Commission.

Recognition of Healthy Bourbon County Action Team who helped with the installation of the bicycle racks for the non-motorized transportation plan:

Shane Walker with Bourbon County
Kyle Parks with Fort Scott High School FFA and AG Dept.
Coby Jones with Peerless
Robby Sharman with Peerless
Frank Halsey with Mid-Continental
Todd Farrell with the City of Fort Scott

Jody Hoener, Bourbon County Action Team, and Mayor Mitchell presented the above individuals with Certificates of Recognition for their help and assistance in the development, sand blasting, painting, and installation of the bicycle racks.

APPROVAL OF MINUTES AND APPROPRIATIONS/CONSENT AGENDA:

- A. Approval of minutes of the regular meeting of May 1st, 2018.
- B. Approval of Appropriation Ordinance 1215-A totaling \$339,530.18.
- C. Good Ol' Days Parade Request Form
- D. Cereal Malt Beverage Beer Garden Application – Bourbon County Shrine Club – June 1st & 2nd, 2018 – Skubitz Plaza location
- E. Certificate of Appropriateness – Alterations to building at 16 N. National

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

APPROVED CONSENT AGENDA.

APPEARANCE/COMMENTS/PUBLIC HEARING:

A. APPEARANCE:

Frank Halsey – Marmaton Massacre Festival & Update on new trails -
Mr. Halsey appeared before the Commission to request Gunn Park trails and Shelters #6 and #7 be used again this year for the Marmaton Massacre Festival which will be held July 7th and 8th. He also asked to reserve the camping area for this weekend for the riders that will come in. They will have events both days. A band will play in the park that evening. He also gave an update on the new trails that have been created. There are now about 8 miles of trails with the new property that was purchased in 2017. A beginner's loop has been constructed and a

pump track will be constructed soon. They have named their trails to keep the history of this area alive. The Kansas State Mountain Bike Championship race will be held the weekend of July 7th and 8th also this year.

Mitchell moved to approve the Marmaton Massacre Festival to be held in Gunn Park on July 7th and 8th and to allow the use of Shelters #6 and #7 and the use of the camping area. Nichols seconded. All voted aye.

APPROVED MARMATON MASSACRE TO BE HELD IN GUNN PARK ON JULY 7TH AND 8TH, 2018 AND THE USE OF SHELTERS #6 AND #7 AND THE USE OF THE CAMPING AREAS.

Tina Rockhold – Street Closure – Wine Stroll - Tina informed the Commission that the Bourbon County Arts Council is planning an Art Walk that would also include a Wine Stroll. There will be five wineries from across the State set up on the sidewalks on Main Street. New this year will be breweries and distilleries set up as well. After checking their ID, tickets can be purchased and a wrist band given and a wine glass. The idea is to stroll down Main Street sampling the wines and you can purchase your favorite unopened bottle to take home. She asked for Main Street to be closed from 1st to 2nd Street starting at 3:00 p.m. She said that 250 people attended last year. The date is July 27th, 2018. The evening will conclude with a concert at Liberty Theatre featuring Blane Howard.

City Manager suggested giving approval for the event with City staff coordinating the street closure.

Bartelsmeyer moved to approve the Arts Council Wine Stroll and Art Walk with Main Street closed from 1st to 2nd starting at 3:00 p.m. on Friday, July 27th, 2018. Parker seconded. All voted aye.

APPROVED THE ARTS COUNCIL WINE STROLL AND ART WALK WITH MAIN STREET BEING CLOSED FROM 1ST TO 2ND STARTING AT 3:00 P.M. ON FRIDAY, JULY 27TH, 2018.

B. CITIZEN COMMENTS (Concerning Items Not on Agenda – 3 minute limit per citizen) - None

C. PUBLIC HEARINGS:

Bartelsmeyer moved to open the Public Hearing at 6:45 p.m. Parker seconded. Motion carried.

OPENED PUBLIC HEARING AT 6:45 P.M.

6:15 p.m. Resolution 26-2018 directing the repair or removal of an unsafe and dangerous structure located at 1306 E. Wall Street – City Manager informed the Commission that Rhonda Dunn is away at a conference and asked that this hearing be continued 30 days.

Mayor Mitchell asked if anyone was present to comment on this structure.

DeWayne April, owner, was present and informed the Commission that he has removed the old roof and put a new roof on. He is working on the siding also, but ran out of funds.

Mitchell made a motion to continue this public hearing on this structure at 1306 E. Wall in 30 days. Bartelsmeyer seconded. All voted aye.

CONTINUED PUBLIC HEARING ON 1306 E. WALL FOR 30 DAYS.

Bartelsmeyer moved to close the Public Hearing at 6:47 p.m. Parker seconded. All voted aye.

CLOSED PUBLIC HEARING AT 6:47 P.M.

CONSIDERATION:

1. Presentation of 2017 Audit – Terry Sercer - Mr. Sercer appeared before the Commission to present the 2017 Audit. He reminded the Commission that this is an unqualified opinion, but the highest level of opinion received. This financial statement presents fairly the aggregate cash and unencumbered cash balance for the City of Fort Scott as of December 31, 2017. He said that the City did not have any violations with compliance with Kansas Statutes. He stated that the General Fund has a good solid balance. There were no violations of the cash basis law. There are no federal or grant violations.

City Manager thanked Jon Garrison, Director of Finance, for the good job he does with the City's finances.

Parker moved to approve the 2017 Audit. Nichols seconded. All voted aye.

APPROVED 2017 AUDIT.

2. Approval of Resolution 25-2018 approving the form of Supplemental Trust Indenture No. 2 to a certain Trust Indenture entered into by the City in connection with the issuance by the City of its Taxable Industrial Revenue Bonds, Series 2014 (Sleep Inn and Suites Hotel Project) – Bob Farmer, City Attorney, informed the Commission that this bond issue is being refinanced for a better interest rate. Approval of the Resolution is recommended.

Parker moved to approve the Resolution and documentation for the refinancing of bonds for Sleep Inn & Suites. Bartelsmeyer seconded. All voted aye.

APPROVED RESOLUTION NO. 25-2018 OF THE GOVERNING BODY OF THE CITY OF FORT SCOTT, KANSAS APPROVING THE FORM OF SUPPLEMENTAL TRUST INDENTURE NO. 2 TO A CERTAIN TRUST INDENTURE ENTERED INTO BY THE CITY IN CONNECTION WITH THE ISSUANCE BY THE CITY OF ITS TAXABLE INDUSTRIAL REVENUE BONDS, SERIES 2014 (SLEEP INN AND SUITES HOTEL PROJECT).

3. Resolution 27-2018 adopting and providing for standards for procurement, bidding and contract awards – USDA Rural Development – River Intake Project – Jon Garrison, Director of Finance, informed the Commission that this Resolution needs to be approved as part of the U.S.D.A. River Intake Project documentation.

Mitchell moved to approve Resolution No. 27-2018 – U.S.D.A. Rural Development documentation. Nichols seconded. All voted aye.

APPROVED RESOLUTION NO. 27-2018 OF THE CITY OF FORT SCOTT, KANSAS ADOPTING AND PROVIDING FOR STANDARDS FOR PROCUREMENT, BIDDING AND CONTRACT AWARDS – RIVER INTAKE PROJECT.

4. Consideration of Hay Bid – Fort Scott Municipal Airport - Kenny Howard, Airport Manager, informed the Commission that bids were taken for the Airport Hay. This is a one year hay contract. There were two bids received: Dale Bollinger in the amount of \$4,576.00 and Hubert Thomas in the amount of \$4,554.00. He asked the Commission to approve the high bid from Dale Bollinger.

Nichols moved to approve the high bid for airport hay from Dale Bollinger in the amount of \$4,576.00. Adamson seconded. All voted aye.

APPROVED THE BID FROM DALE BOLLINGER IN THE AMOUNT OF \$4,576.00 FOR THE HAY AT THE FORT SCOTT MUNICIPAL AIRPORT FOR 2018-2019.

5. Approval of proposal for generator maintenance from Generator Services of Independence, Missouri – Michael Mix, Water Utility Director, informed the Commission that the City has nine large generators used for emergency power supply in the event of power outages. The City should be performing load bank testing annually to 75% and then every three years to 80% for four hours. Valve lash adjustment should also be performed every three years. The City's generators were last tested in 2014. City personnel lack the equipment required to perform this maintenance. He recommended Generator Services of Independence, Missouri. The annual cost is \$18,029.00.

Nichols moved to approve the proposal from Generator Services of Independence, Missouri in the amount of \$18,029.00 for maintenance of the City's nine generators. Parker seconded. All voted aye.

APPROVED PROPOSAL FROM GENERATOR SERVICES OF INDEPENDENCE, MISSOURI IN THE AMOUNT OF \$18,029 FOR MAINTENANCE OF THE CITY'S NINE GENERATORS.

6. Consideration of minor alteration for Chamber building – 231 E. Wall – Lindsay Madison, Director, Fort Scott Area Chamber of Commerce, appeared before the Commission and requested that along with the renovation the CVB is doing, the Chamber would like to have a minor alteration made to create a small window opening to the lobby on what will become the Chamber Administrative Assistant office. The window will be approximately 48” wide and 36” high and will allow Chamber staff to serve the needs of the members and community coming into the building for Chamber needs. The CVB will be greeting and taking care of visitors from their new office.

Mitchell moved to approve the minor alteration for the Chamber building at 231 E. Wall. Adamson seconded. All voted aye.

APPROVED MINOR ALTERATION FOR THE CHAMBER BUILDING AT 231 E. WALL STREET.

COMMISSION/STAFF:

- A. Director Updates:** Rachel Pruitt – Rachel updated the Commission on two items. The first item is the funding for the Airport. The first announcement for the KDOT Aviation Airport Improvement Projects was on April 27th and Fort Scott was not listed. The next announcement was on May 3rd and KDOT announced four additional airport improvement projects of which Fort Scott was listed. Fort Scott was awarded \$286,522 to upgrade the Automated Weather Observation System and relocate runway lighting to accommodate runway construction. The City asked for \$3.75 million. She said she is disappointed but will apply again. There are also federal grants that she can apply for in July. All the engineering that has been done at the Airport to date will be good for 24 months.

Fort Scott Lofts – Rachel announced that she was notified earlier today that Fort Scott Lofts was awarded the tax credits for the renovation of this building. The next step is to apply for the Neighborhood Revitalization Program which will rebate taxes for the next 15 years. They look to open early in the fall of 2019. Rachel said that she is looking to put up “Coming Soon” banners in the windows of the building. This building will have retail on the bottom level and market rate apartments on the top floors.

B. City Commission:

Adamson – Nothing to report.

Bartelsmeyer – Remarked that she is excited to hear all the good things going on in Fort Scott.

Nichols – Said kudos to the two young girls who presented their project tonight. They have great ideas!

Parker – Said that she is excited to see the young people get involved and be creative in the future of our downtown.

Mitchell – Nothing to report.

C. City Attorney: Nothing to report.

D. Director of Finance: Nothing to report.

E. City Manager:

1. Murph Challenge – Smallville Crossfit – City Manager announced that Crossfit will be having a Murph Challenge on Monday, May 28th, 2018. He asked to have National Avenue closed from 1st to Wall from 5:00 a.m. to 10:00 a.m. on that morning.

Mitchell moved to close National Avenue from 1st to Wall Street from 5:00 a.m. to 10:00 a.m. on Monday, May 28th, 2018. Nichols seconded. All voted aye.

APPROVED TO CLOSE NATIONAL AVENUE FROM 1ST TO WALL STREET FROM 5:00 A.M. TO 10:00 A.M. ON MONDAY, MAY 28TH, 2018 FOR THE MURPH CHALLENGE FOR CROSSFIT.

2. SEK Mental Health Building Dedication – City Manager reminded the Commission of the dedication of the SEK Mental Health building in the memory of late Judge Samuel Mason at 11:00 a.m. on Wednesday, May 16, 2018.
3. Project List – City Manager shared the Project List with the Commission. He updated them that the pool is being filled and some work has been done in the bathrooms.
4. 2nd Street Park – City Manager said that he has met with Shane Walker and Jerry Witt on 2nd Street Park. They will be memorializing some items there.
5. Airport Annexation – City Manager said that the City Attorney is working on annexing the Airport into the City limits.

ADJOURNMENT:

Parker moved to adjourn the meeting at 7:15 p.m. Bartelsmeyer seconded. All voted aye.

ADJOURNED MEETING AT 7:15 P.M.

The next regularly scheduled meeting is to be held on June 5th, 2018 at 6:00 p.m.

RECORDED BY:

**DIANE K. CLAY
CITY CLERK**