

**CITY OF FORT SCOTT
CITY COMMISSION MEETING**

Minutes of June 19, 2018

Regular Meeting #12

The regular meeting of the Fort Scott City Commission was held June 19th, 2018 at 6:00 p.m. in the City Commission Room, 123 S. Main, Fort Scott, Kansas.

ROLL CALL:

Commissioners Adamson, Nichols, and Parker were present with President of the City Commission Bartelsmeyer presiding. Mayor Mitchell was absent.

INVOCATION: Pastor Steve Cole, First United Methodist Church, said a prayer asking God for guidance for the City and all government and City officials.

AUDIENCE IN ATTENDANCE: Janet Braun, Denton Wescoat, Steve Cole, Bobby Duncan, Alyssa Rice, Deb Needleman, Kenny Howard, Darrell Parker, Kaylea Manwiller, Spenser Johnson, Rachel Pruitt, Kenny Howard, Rhonda Dunn, Travis Shelton, Lynne Oharah, Lindsay Madison, Rhonda Dunn, Steve Buerge, Jana Walker, Paul Ballou, Clayton Miller, and Jason Silvers, representing the Fort Scott Tribune.

PROCLAMATIONS/RECOGNITIONS: None

APPROVAL OF MINUTES AND APPROPRIATIONS/CONSENT AGENDA:

- A. Approval of minutes of the regular meeting of June 5th, 2018.
- B. Approval of Appropriation Ordinance 1217-A totaling \$309,518.34.
- C. Fireworks Waiver – July 4th, 2018
- D. Parade Permit – Burke Street Parade – July 4th, 2018
- E. Cereal Malt Beverage Application – Lady Elks Lodge #579 – June 23rd, 2018 – Briggs Car Show

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

APPROVED CONSENT AGENDA.

APPEARANCE/COMMENTS/PUBLIC HEARING:

- A. APPEARANCE:** Jana Walker – Closure of Burke Street – Jana Walker appeared before the Commission to request Burke Street be closed on July 4th from 9:00 a.m. until 12:00 a.m. from 10th and Burke to Lakin Drive. They plan to have a big block neighborhood party. She has visited with Chief Shelton, Chad Brown and also the City Manager

about this. They plan to have activities all day after the parade in the morning and then a cookout in the early evening and ending with fireworks.

City Manager asked the Commission to allow City staff to work with the organizers to close the needed streets for this event.

Nichols moved to approve the closure of Burke Street and allow City staff to work with the organizers to close any other needed streets on July 4th, 2018 from 10th and Burke to Lakin Drive from 9:00 a.m. to 12:00 a.m. Bartelsmeyer seconded. All voted aye.

APPROVED THE CLOSURE OF BURKE STREET AND ALLOW CITY STAFF TO WORK WITH THE ORGANIZERS TO CLOSE ANY OTHER NEEDED STREETS ON JULY 4TH, 2018 FROM 10TH AND BURKE TO LAKIN DRIVE FROM 9:00 A.M. TO 12:00 A.M.

B. CITIZEN COMMENTS (Concerning Items Not on Agenda – 3 minute limit per citizen) - Bobby Duncan – Mr. Duncan appeared to speak on behalf of the Beaux Arts Center and the code footprint and the closing of the business which they chose to do. He asked the City to retract the code footprint which was not needed.

City Manager said that the City did not close the business or shut them down. The City has been willing to work with them. The City will not retract the code footprint.

C. PUBLIC HEARINGS:

Parker moved to open the Public Hearing at 6:22 p.m. Nichols seconded. Motion carried.

OPENED PUBLIC HEARING AT 6:22 P.M.

6:15 p.m. Resolution 30-2018 directing the repair or removal of an unsafe and dangerous structure and accessory structure located at 211 N. Lincoln Street – Rhonda Dunn, Code Director, informed the Commission that this structure has had a fire in it in the past. The property owner has been very cooperative and informed her that they are not able to make repairs to the structure. The house has significant termite damage. There has been no water to this structure since February 2016 and the house is vacant. She recommended allowing 30 days to repair or remove this structure.

Nichols moved to approve Resolution No. 30-2018 authorizing this structure be repaired or removed in 10 days. Parker seconded. All voted aye.

APPROVED RESOLUTION NO. 30-2018 DIRECTING THE REPAIR OR REMOVAL OF AN UNSAFE AND DANGEROUS STRUCTURE LOCATED AT 211 N. LINCOLN STREET. STRUCTURE MUST BE BROUGHT UP

TO 2012 INTERNATIONAL BUILDING CODE BY JULY 6TH, 2018 OR DEMOLITION PROCEEDINGS WILL BEGIN.

6:15 p.m. Resolution 26-2018 directing the repair or removal of an unsafe and dangerous structure located at 1306 E. Wall Street - Rhonda Dunn, Code Director, informed the Commission that this property was on a contract to sell from the owner to another person. That person attempted to put a roof on the structure. The back of the structure is in bad condition and the roof in the back is in disrepair. The eaves and soffits on the house are in disrepair. The back yard is a mess and if this structure is removed the mess that was left will be cleaned up also.

Adamson moved to approve Resolution No. 26-2018 authorizing this structure be repaired or removed in 30 days. Bartelsmeyer seconded. All voted aye.

APPROVED RESOLUTION NO. 26-2018 DIRECTING THE REPAIR OR REMOVAL OF AN UNSAFE AND DANGEROUS STRUCTURE LOCATED AT 1306 E. WALL STREET. STRUCTURE MUST BE BROUGHT UP TO 2012 INTERNATIONAL BUILDING CODE BY JULY 27TH, 2018 OR DEMOLITION PROCEEDINGS WILL BEGIN.

Bartelsmeyer moved to close the Public Hearing at 6:27 p.m. Parker seconded. All voted aye.

CLOSED PUBLIC HEARING AT 6:27 P.M.

CONSIDERATION:

1. Consideration of placing stone at Heritage Park in front of rose garden in memory of Dola Cress – Lindsay Madison, Executive Director, Fort Scott Area Chamber of Commerce, informed the Commission that back in 2007 the Bourbon County Garden Club recognized community member Dola Cress for her years of service in leading the PRIDE organization in Fort Scott and other community volunteer efforts. This recognition was done thought a wooden marker that was staked in the flower bed area at Heritage Park, located at 1st and Main dedicating the rose bushes in her name. It was noted a few years ago that this marker was missing. A metal plaque was then engraved with the following: In honor of PRIDE – Community – Dola’s Rose Garden – Dedicated 2007 – Dola Cress. Dola and her daughter were not pleased with the metal plaque and further asked if they could have her name etched in the limestone at the park with Geneva & Sons doing the etching work which would be paid for by Dola’s daughter.

City Manager cautioned the Commission that they could be setting a precedence with other individuals wanting the etching in limestone there also.

Commissioner Bartelsmeyer said that she has seen some really nice brass plaques.

City Manager asked for approval for he and Lindsay Madison to work together to find a nice plaque to place in the rose garden area.

Bartelsmeyer moved to authorize the City Manager and Lindsay Madison to work together to find a nice plaque for the rose garden area. Adamson seconded. All voted aye.

AUTHORIZED THE CITY MANAGER AND LINDSAY MADISON TO WORK TOGETHER TO FIND A NICE PLAQUE FOR THE ROSE GARDEN AREA.

2. Consideration of appointment – Fort Scott Housing Authority Board – Diane Clay, City Clerk, informed the Commission that two letters of interest were received for the open position vacated by Dan Meara on the Housing Authority Board. Darrell Parker and Deborah Apfel both submitted letters of interest. These letters were sent to the Housing Authority and they have recommended the appointment of Darrell Parker to this position.

Nichols moved to approve to appoint Darrell Parker to the Fort Scott Housing Authority Board. Adamson seconded. Adamson, Nichols and Bartelsmeyer voted aye. Parker abstained. Motion carried.

APPROVED TO APPOINT DARRELL PARKER TO THE FORT SCOTT HOUSING AUTHORITY BOARD TO REPLACE THE VACATED POSITION OF DANIEL MEARA.

3. Consideration of OCR Letter – City Manager said that he has been working with Bob Beckham, Superintendent, U.S.D. 234 on the Title 9 complaint. Mr. Beckham needs to send some documentation to the State. This letter, compiled by the City Attorney, states that the City has no plans to building a club house or dressing room at this time at Fisher Park as there are no funds available for this. The City is not involved in the Title 9 complaint.

Parker moved to approve the OCR letter to USD 234. Adamson seconded. All voted aye.

APPROVED OCR LETTER TO USD 234.

4. Consideration of approval of AWOS upgrade grant from K.D.O.T. for Airport - Rachel Pruitt, Economic Development Director, along with Kenny Howard, Airport Director, informed the Commission that the City has received a grant from K.D.O.T. for AWOS upgrades at the Airport in the amount of \$109,060. There is a 10% match from the City which would amount to \$12,118. This is a budgeted item.

Kenny stated that the AWOS upgrade is badly needed at the Airport as the current system is about 19 years old.

Parker moved to approve the K.D.O.T. grant in the amount of \$109,600 for the AWOS upgrades at the Airport with the City match being \$12,118.00. Adamson seconded. All voted aye.

APPROVED THE K.D.O.T. GRANT IN THE AMOUNT OF \$109,600 FOR THE AWOS UPGRADES AT THE AIRPORT WITH THE CITY MATCH BEING \$12,118.00.

5. Consideration of approval of PAPI & REIL grant from K.D.O.T. for Airport - Rachel Pruitt, Economic Development Director, along with Kenny Howard, Airport Director, informed the Commission that the City received a K.D.O.T. grant for the PAPI & REIL upgrades at the Airport in the amount of \$177,462. The City match is \$19,718. The PAPI and REIL is runway lighting.

Discussion was held regarding the expansion of the Airport and how this lighting would be affected.

Kenny stated that the grant can be delayed if the expansion occurs.

Rachel stated that she is applying for another grant for the expansion in July.

Nichols moved to approve the PAPI and REIL runway lighting grant in the amount of \$177,462 with the City match being \$19,718 for the Airport. Bartelsmeyer seconded. All voted aye.

APPROVED THE PAPI AND REIL RUNWAY LIGHTING K.D.O.T. GRANT IN THE AMOUNT OF \$177,462 WITH THE CITY MATCH BEING \$19,718 FOR THE AIRPORT.

6. Consideration of Change Order #1 – Regional Tourism Center - \$1,315.00 – Rachel Pruitt, informed the Commission that this change order is for an additional \$1,315.00 which is due to an additional piece of countertop, the unexpected stripping of wallpaper and skimming the wall and power sanding. Approval was recommended.

Adamson moved to approve the Change Order #1 in the amount of \$1,315.00 to Great Expectations. Nichols seconded. All voted aye.

APPROVED CHANGE ORDER #1 IN THE ADDITIONAL AMOUNT OF \$1,315.00 TO GREAT EXPECTATIONS.

7. Consideration of Land Bank Ordinance No. 3535 adoption
 - Appointment of Land Bank Manager
 - Approval of Establishment of Land Bank Board of Trustees

Rhonda Dunn, Community Development Director, informed the Commission that she is seeking approval of the Ordinance to adopt the Land Bank. She told them that the Land Bank is a special purpose governmental entity that focuses on the conversion of vacant, abandoned, tax delinquent, and foreclosed properties into productive use. There are currently 11 land banks in Kansas. She explained the goals and strategies of a land bank. She explained reasons why a land bank can be effective. She checked with the City's insurance carrier, KCAMP, and said that if the City moves forward with the establishment of the Land Bank, the Land Bank does not need to be insured separately from the City. She asked the City Commission to approve the Ordinance adopting the Land Bank, authorize the City Manager to appoint a Land Bank Manager, and approve the organization of the Land Bank Board of Trustees which is seven members. She recommended the City Commission serve as the Land Bank Board of Trustees and that their terms run consecutively with their terms of office. She also recommended a representative from Bourbon County Board of Commissioners, and a representative from Bourbon County Economic Development Council, Inc.

Nichols moved to approve the adoption of Ordinance No. 3535 creating a Land Bank for the City of Fort Scott, approving the Land Bank Manager as Rhonda Dunn, and approving the Land Bank Board of Trustees as the five City Commissioners along with a representation of the Bourbon County Board of Commissioners and a representative from Bourbon County Economic Development Council, Inc. Parker seconded. All voted aye.

APPROVED THE ADOPTION OF ORDINANCE NO. 3535 CREATING A LAND BANK FOR THE CITY OF FORT SCOTT, APPROVING THE LAND BANK MANAGER AS RHONDA DUNN, AND APPROVING THE LAND BANK BOARD OF TRUSTEES AS THE FIVE CITY COMMISSIONERS ALONG WITH A REPRESENTATION OF THE BOURBON COUNTY BOARD OF COMMISSIONERS AND A REPRESENTATIVE FROM BOURBON COUNTY ECONOMIC DEVELOPMENT COUNCIL, INC.

APPROVED ORDINANCE NO. 3535 CREATING ARTICLE 14 OF THE FORT SCOTT MUNICIPAL CODE FOR THE PURPOSE OF CREATING THE FORT SCOTT LAND BANK, AND DETERMINING THE MEMBERSHIP, DUTIES AND FUNCTIONS OF THE BOARD OF TRUSTEES OF THE FORT SCOTT LAND BANK.

8. Consideration of changing FSA (Flexible Spending Account) vendor – Deb Needleman, Human Resource Director, informed the Commission that the current vendor for the City's flexible spending account is TASC and the cost is \$5.99 per participant per month plus a \$169.00 annual renewal fee. She proposed that the City change to HelloFurther who has a relationship with Blue Cross/Blue Shield of Kansas. This would streamline our process by having the FSA and HAS with the same vendor. The price would drop to \$4.50 per participant per month with no

annual renewal fee or set up charge. This change in vendor would save the City \$619.00 per year.

Adamson approved to change the flexible spending account vendor from TASC to HelloFurther saving the City \$619.00 per year. Bartelsmeyer seconded. All voted aye.

APPROVED TO CHANGE THE FLEXIBLE SPENDING ACCOUNT VENDOR TO HELLOFURTHER SAVING THE CITY \$619.00 PER YEAR.

COMMISSION/STAFF:

A. Director Updates: Jon Garrison – Mr. Garrison gave a preliminary budget update for the 2019 budget. He relayed the increase in costs in KPERS and KP&F benefits and the Work Comp increased expense. There is a 3% increase currently budgeted for employee salaries. There are two big projects coming up: River Intake Structure which will cost approximately \$5,000,000 and the purchase of two fire trucks – an aerial ladder truck and the pumper truck which will amount to approximately \$1,500,000. He is looking to have a budget work session before the July 17th City Commission meeting with the 2019 budget being approved at the August 7th, 2018 meeting.

B. City Commission:

Adamson – Nothing to report.

Bartelsmeyer – Nothing to report.

Nichols – Nothing to report.

Parker – Nothing to report.

Mitchell – Not present.

C. City Attorney: Nothing to report.

D. Director of Finance: Nothing to report.

E. City Manager:

1. City Manager informed the Commission that U.S.D. 234 school will begin on August 23rd, 2018. He asked the Commission to approve the closing of the Aquatic Center on August 12th.

Parker moved to close the Aquatic Center for the summer on August 12th, 2018. Bartelsmeyer seconded. All voted aye.

APPROVED TO CLOSE THE AQUATIC CENTER FOR THE SUMMER ON AUGUST 12TH, 2018.

2. Unemployment rate – City Manager stated that our unemployment rate is currently 3.8%. There are only 271 people not employed.
3. Project List – Rachel Pruitt gave the Commissioners a project list of all the completed projects that have been completed through June 13th, 2018.

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 July 3rd, 2018 at 6:00 p.m.

RECORDED BY:

**DIANE K. CLAY
CITY CLERK**