

**CITY OF FORT SCOTT
CITY COMMISSION MEETING**

Minutes of July 18, 2017

Regular Meeting #13

The regular meeting of the Fort Scott City Commission was held July 18th, 2017 at 6:00 p.m. in the City Commission Room, 123 S. Main, Fort Scott, Kansas.

ROLL CALL:

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

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, Dustin McClure, Clayton Miller, Paul Ballou, Deb Needleman, Dave Bruner, Rhonda Dunn, Rachel Pruitt, Tim Allen, James Collins, Jody Hoener, Allen Warren, Vivian Moore, Joseph Allen, Janet Braun, Jerry Witt, Bob Love, Jeff Sweetser, Michael Mix, Jerald Mitchell, Reta Baker, Kenny Howard, Zachary Dodge, representing KOAM-TV, 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 20th, 2017.
- B. Approval of Appropriation Ordinance 1196-A totaling \$1,283,030.91.

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

APPROVED CONSENT AGENDA.

APPEARANCE/COMMENTS/PUBLIC HEARING:

A. APPEARANCE:

Timothy Allen – Mr. Allen appeared on behalf of the lift station that is not operating correctly in connection with the Timbers Edge Subdivision. He said that his dad built the pond on his property in 1967 and he has lived in this area almost all of his life. He told the Commission that he has called the County, Michael Mix with the City and K.D.H.E. regarding the overflowing of this lift station into his pond. He shared pictures that showed raw sewage running into his pond. He cited three Kansas Statutes. He also said that the water has been tested for e-coli and it did show up according to K.D.H.E. He asked

the Commission when something would be done with this lift station that is not working properly.

City Manager said that a meeting was held this morning with the property owner and he should have it fixed by the end of August up to K.D.H.E. specifications. He also shared that the City had an agreement with this development that the lift station would be built to City specifications but the City has nothing to do with the operations of it as it is located in the County.

Commissioner Adams said that the City's responsibility is to accept the sewage which is pumped out and it ends there.

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 6:14 p.m. Mitchell seconded. All voted aye.

OPENED PUBLIC HEARING AT 6:14 P.M.

6:00 p.m. Long Shoals Historic Parker Truss Relocation and Restoration public hearing - Jerry Witt, Chairman of the Riverfront Authority, informed the Commission and the public that as part of the relocation of the restoration of the Long Shoals bridge, a public hearing needed to be held to accept comments from the public. This project is expected to bid in October of 2017 with construction starting in March of 2018. This bridge is on the National and State Historic Register and will bring many tourists to town to visit and view this bridge.

He also updated them on the pavilion that will be constructed soon. It was recently bid and a 30' X 50' open shelter will be constructed on the north side of Riverfront Park. It will have lighting and be available to be used for weddings, family reunions and get-togethers.

There were no comments from the public.

The Commission thanked him and his committee for all their volunteer hours with these projects.

Mitchell moved for the Riverfront Authority Committee to proceed with the project of the relocation and restoration of the Long Shoals Historic Bridge. Bartelsmeyer seconded. All voted aye.

APPROVED FOR THE RIVERFRONT AUTHORITY COMMITTEE TO PROCEED WITH THE PROJECT OF THE RELOCATION AND RESTORATION OF THE LONG SHOALS HISTORIC BRIDGE.

Adams moved to close the Public Hearing at 6:20 p.m. Nichols seconded. All voted aye.

CLOSED PUBLIC HEARING AT 6:20 P.M.

CONSIDERATION:

1. Approval of CDBG Grant Agreement No. 17-CR-001 – 124 E. Wall – Rhonda Dunn, Community Development Director, asked the Commission to approve the Community Development Block Grant in the amount of \$95,000 for the property at 124 E. Wall for Roy and Jody Hoener. This grant will allow for funding for exterior wall stabilization, roof parapet, gutter rehabilitation and window/door replacement.

Nichols moved to approve to accept the CDBG Grant No. 17-CR-001 for the property at 124 E. Wall Street in the amount of \$95,000 and authorized the Mayor to sign all pertinent documentation. Adams seconded. All voted aye.

APPROVED TO ACCEPT THE CDBG GRANT NO. 17-CR-001 FOR THE PROPERTY AT 124 E. WALL STREET IN THE AMOUNT OF \$95,000 AND AUTHORIZED THE MAYOR TO SIGN ALL PERTINENT DOCUMENTATION – ROY AND JODY HOENER.

2. Approval of updated Code of Ethics for CDBG Grant – Rhonda Dunn also asked the Commission to approve the updated Code of Ethics for the CDBG Grant.

Nichols moved to approve the Code of Ethics for the CDBG Grant. Bartelsmeyer seconded. All voted aye.

APPROVED UPDATED CODE OF ETHICS FOR THE CDBG GRANT.

3. Approval of Ordinance 3515 – Establishment of the Bourbon County Food Alliance – Rhonda Dunn and Jody Hoener appeared before the Commission on behalf of the Pathways Grant asking for their approval to establish a Bourbon County Food Alliance. This alliance will work with producers, processors, suppliers, and restaurants to help ensure that healthy and nutritious food is offered to all residents.

Rhonda Dunn will chair the committee and there will be six to ten members. They will report to the City Commission quarterly and this committee will be reevaluated every three years to determine its success. There are three appointed members that the City Commission needs to appoint which include: Rhonda Dunn, Krista Harding, and Sherise Beckham, and three ex-officio members: Jody Hoener, Dr. Randy Nichols and a spot reserved for a student (4H, FFA/etc). Other members include Barbara Ritter (producer), Rhonda Hoener (USD 235), Alice Maffett (USD 234 and Public Health), Ronnie

Brown (producer/Farmer's Market), Tim Harloff (Common Ground Chef), Sue Emmons (Beacon) and a spot reserved for food retail. Approval is needed for the establishment of the Bourbon County Food Alliance and also for the three appointed members of this committee.

Adams moved to approve the Establishment of the Bourbon County Food Alliance. Nichols seconded. All voted aye.

APPROVED ORDINANCE 3515 ESTABLISHING THE BOURBON COUNTY FOOD ALLIANCE.

Bartelsmeyer moved to approve the appointment of Rhonda Dunn, Krista Harding, and Sherise Beckham to the Bourbon County Food Alliance Committee. Adams seconded. All voted aye.

APPROVED APPOINTMENTS OF RHONDA DUNN, KRISTA HARDING, AND SHERISE BECKHAM TO THE BOURBON COUNTY FOOD ALLIANCE COMMITTEE.

4. Approval of 2017 Standard Traffic Ordinance 3514 Adoption - Travis Shelton, Chief of Police, asked the Commission to approve the Standard Traffic Ordinance which allows the City to enforce all traffic stops.

Adams moved to approve Ordinance No. 3514 approving the 2017 Standard Traffic Ordinance. Bartelsmeyer seconded. All voted aye.

APPROVED ORDINANCE NO. 3514 AMENDING CHAPTER 10.04 OF THE FORT SCOTT MUNICIPAL CODE TO INCORPORATE 2017 STANDARD TRAFFIC ORDINANCES.

5. Budget discussion and approval to publish 2018 Budget – Jon Garrison, Director of Finance, remarked that the budget work session was held earlier. The mill levy of 48.192 mills will remain the same. There were a couple of minor changes to be made in regards to consolidation of some inter-fund accounts. He asked the Commission for approval after making the minor changes to publish the budget hearing to be either held on August 1st or August 8th.

Mitchell moved to approve to publish the 2018 budget after the minor changes are made with the budget hearing to be held on either August 1st or August 8th. Adams seconded. All voted aye.

APPROVED TO PUBLISH THE 2018 BUDGET AFTER MINOR CHANGES ARE MADE CONSOLIDATING SOME OF THE INTER-FUND ACCOUNTS. BUDGET HEARING WILL BE HELD ON EITHER AUGUST 1ST OR AUGUST 8TH, 2017 AT 6:00 P.M.

6. Increase City contribution for employee's health insurance – Deb Needleman, Human Resource Director, informed the Commission that she was appearing before them to request an increase in the employee

health insurance contribution. The City's health insurance is increasing 12% this year. The plans have been revamped and there will be four options for employees to choose from. She asked for approval for a \$45.00 increase which will amount to \$38,604 per year.

Nichols moved to approve the \$45.00 allocation towards employee health insurance. Bartelsmeyer seconded. All voted aye.

APPROVED \$45.00 ALLOCATION TOWARDS EMPLOYEE HEALTH INSURANCE.

7. Consideration of Kansas Byways Easement Agreement – Rhonda Dunn asked the Commission to consider the approval of an easement at Skubitz Plaza for the Scenic Byways. The Kansas Scenic Byways look to place a three panel sign in the easement with an informational center to be placed in the bricks at North Main. The two big planters will need to be removed on the east side of Skubitz Plaza. The State needs the easement to install the sign. What will be placed on the sign has not been determined yet. The legal description of the easement is a 13 square foot tract of land on Skubitz Plaza, located on Lot 18 of Block 5 in Section 30, Township 25 South, Range 25 East of the 6th Principle Meridian across from the Fort Scott National Historic Site entrance.

Adams moved to approve the easement at Skubitz Plaza. Bartelsmeyer seconded. All voted aye.

APPROVED EASEMENT AT SKUBITZ PLAZA FOR KANSAS BYWAYS. THE LEGAL DESCRIPTION OF THE EASEMENT IS A 13 SQUARE FOOT TRACT OF LAND ON SKUBITZ PLAZA, LOCATED ON LOT 18 OF BLOCK 5 IN SECTION 30, TOWNSHIP 25 SOUTH, RANGE 25 EAST OF THE 6TH PRINCIPLE MERIDIAN ACROSS FROM THE FORT SCOTT NATIONAL HISTORIC SITE ENTRANCE.

8. Fort Scott Public Library Board appointment – Mayor Mitchell said that the appointment to the Library board is back before them tonight. The board has recommended that Kerry Pommier be appointed to the board.

Bartelsmeyer moved to appoint Kerry Pommier to the Fort Scott Public Library Board. Nichols seconded. All voted aye.

APPROVED APPOINTMENT OF KERRY POMMIER TO THE FORT SCOTT PUBLIC LIBRARY BOARD.

9. Change Order/Supplement Agreement #2 – Fort Scott Municipal Airport – Airport and Taxi-lane Reconstruction – Kenny Howard shared a drawing regarding phase two of the Airport apron and taxi-lane reconstruction project. The contractor discovered an error in the plans with regards to the drainage. This change order is for \$17,453

with the City paying 10% and F.A.A. paying 90%. This brings the total project to \$695,103.00. Approval was recommended.

Mitchell moved to approve the Change Order #2 in the amount of \$17,453. Adams seconded. All voted aye.

APPROVED CHANGE ORDER/SUPPLEMENT AGREEMENT #2 FOR THE AIRPORT AND TAXI-LANE RECONSTRUCTION PROJECT IN THE AMOUNT OF \$17,453 MAKING THE TOTAL PROJECT \$695,103.

COMMISSION/STAFF:

A. Director Updates: Rhonda Dunn - Rhonda updated the Commission on Codes activity during the month of June. There are two Codes Technicians: Alpha Money and Randy Ballweber. There were 145 letters written to property owners or renters in 22 days with two violations per letter resulting in 290 code violations. There were 61 building permits issued with 8 of them being demolition permits. There were 19 citations issued for Municipal Court with multiple violations on them resulting in 31 violations. There were 40 citations on the Municipal Court docket for the month of June with 22 repeat offenders. She thanked her department for the work they do each day.

B. City Commission:

Adams – Nothing to report.

Bartelsmeyer – Nothing to report.

Mason – Not present.

Nichols - Nothing to report.

Mitchell – Nothing to report.

C. City Attorney: Not present.

D. Director of Finance: Nothing to report.

E. City Manager:

1. Change of August 1st, 2017 City Commission meeting – City Manager asked the Commission to change the August 1st meeting to August 8th due to a possible economic development issue that needs extra time.

Bartelsmeyer moved to move the August 1st, 2017 Commission meeting to August 8th, 2017. Adams seconded. All voted aye.

**APPROVED TO MOVE THE AUGUST 1ST, 2017 MEETING TO
AUGUST 8TH, 2017.**

2. Huntington Street by Fairgrounds – City Manager said that Travis Shelton, Chad Brown and himself made a decision today to close Huntington Street across from the Bourbon County Fairgrounds due to the amount of foot traffic during the week of fair.

Adams moved to approve to close Huntington Street across from the Fairgrounds during the week of the Bourbon County Fair. Nichols seconded. All voted aye.

**APPROVED TO CLOSE HUNTINGTON STREET ACROSS FROM
THE FAIRGROUNDS DURING THE WEEK OF THE BOURBON
COUNTY FAIR.**

3. Aquatic Center Slide – City Manager said that after the latest legislation was approved the slides at the aquatic center had to be shut down on July 1st due to safety reasons. The City is waiting on an inspector from the State to come and inspect the slides. The City has learned that it will cost \$1,500 per year for the slides to be there and there should be an inspector here next week to check the slides out. They will hopefully reopen after that.

ADJOURNMENT:

Adams moved to adjourn the meeting at 7:01 p.m. Bartelsmeyer seconded. All voted aye.

ADJOURNED MEETING AT 7:01 P.M.

The next regularly scheduled meeting is to be held on August 8th, 2017 at 6:00 p.m.

RECORDED BY:

**DIANE K. CLAY
CITY CLERK**