

**CITY OF FORT SCOTT
CITY COMMISSION MEETING**

Minutes of August 18, 2020

Regular Meeting #16

The regular meeting of the Fort Scott City Commission was held August 18th, 2020 at 6:00 p.m. in the City Commission Room, 123 S. Main, Fort Scott, Kansas.

ROLL CALL:

Commissioners K. Allen, P. Allen, R. Nichols, and L. Watts were present with Mayor J. Mitchell presiding.

INVOCATION: Pastor Brian Rhoades, Grace Baptist Tabernacle, said a prayer asking God for guidance for the City, our Government and City officials.

AUDIENCE IN ATTENDANCE: Travis Shelton, Rachel Pruitt, Nancy Maze, Patty LaRoche, Russell Lingerfelt, Brian Rhoades, Jason Eastwood, Trey Sharp, Logan Probasco, Dave Bruner, Lance Anderson, Amy Marsh, Carol Marsh, Seth Needham, Shaun O'Brien, Allyson Turvey, Nancy Van Etten, Caleb Bell, Kirk Sharp, Sis Sharp, Rhonda Dunn, Justin Meeks, Vince Loffredo, Steve Anthony, Stephanie Anthony, Susan Bancroft, Josh Jones, Michael Hoyt, and representing the press, Tammy Helm, Editor, Fort Scott Tribune.

IV. PROCLAMATIONS/RECOGNITIONS:

Recognition of Jason Eastwood, Police Detective – Travis Shelton, Chief of Police, informed the Commission that on July 1st, Jason was headed home and a medical call came out. Jason responded to a call of an unresponsive man along with EMS and Fire. When he arrived, the man was not breathing but had a pulse. Jason used his Narcan and administered it to him and within a couple of minutes, he was responsive and breathing again. His training with EMS and Fire assisted this man greatly and we are blessed to be provided this training.

Recognition of Trey Sharp, Police Officer – Travis Shelton, Chief of Police, said that Trey Sharp, has worked for the Fire Department, EMS, and the Police Department. On August 4th, 2020, there was a check welfare call for an individual. Trey instantly made an assessment that this person had a substantial medical issue. He got EMS in route and eventually the patient was transported to Kansas City. He thanked him for his quick thinking and response efforts.

Steve Anthony thanked the Commission for letting him appear tonight. He said on August 4th he received a call from his wife, Stephanie, that she was being pulled over by the Police Department. He said he told her to contact him after the stop was over. A few minutes later, he received a call from his wife's mother and said that Trey Sharp needed to speak to him. Trey told him that his wife needed medical attention. He drove to ER and then later received another phone call from Trey asking how his wife was doing. After a while, his wife was sent to St. Luke's Hospital where his wife had suffered a stroke. A day or two

later, he received a text from Trey inquiring how his wife was doing. He thanked Trey for his quick thinking and for his training as he is also an EMT as well as a Police Officer.

Kevin Allen said that Trey is the son of Kirk and Sis Sharp. Trey's grandfather was a police officer with the City of Fort Scott and his name was Will Sharp.

Chief Shelton said that Trey wears his Grandpa's badge today.

V. SERVICE AWARD RECOGNITIONS:

5 years: (Certificate and Gift)

Scott Flater, Water Treatment Plant Supervisor
Jacob May, Fire Captain, Fort Scott Fire Department
Logan Probasco, Police Sergeant, Fort Scott Police Department
Deborah Needleman, Human Resource Director
Roger Rodriguez, Water Treatment Plant Operator I
Brandon Russell, Water Treatment Plant Operator II
Trey Sharp, Police Officer, Fort Scott Police Department

10 years: (Certificate and Gift Card)

Caleb Bell, Police Sergeant, Fort Scott Police Department
Jason Eastwood, Police Detective, Fort Scott Police Department
David Martin, City Manager

Mayor Mitchell read each name and recognized each one for their years of service with the City of Fort Scott and thanked them for their dedicated and loyal service.

VI. CONSENT AGENDA:

Susan Bancroft, Director of Finance, asked that Item D – Rogers & Sons Concrete in the amount of \$25,208.00, and Item E – Schneider Electric Pay Request #7 in the amount of \$76,315.00 be added to the Consent Agenda.

- A. Approval of minutes of the regular meeting of July 21st, 2020, August 4th, 2020 and special meeting of August 5th, 2020.
- B. Approval of Appropriation Ordinance 1269-A totaling \$319,841.77.
- C. Request to Pay #12 – Crossland Heavy Contractors - \$147,877.67 – River Intake Project
- D. Rogers & Sons Concrete – 5th & Andrick Project - \$25,208.00
- E. Schneider Electric – Pay Request #7 - \$76,315.00

Pete Allen said that he has an issue with the Rogers & Sons Concrete invoice. Pete said there was no error made in the bid document. He also has an issue with the driveways as the invoice shows three driveways and the City put one driveway in back in January or February. He does not agree with the footage.

Susan said that Chad met with the contractor today and she included his field notes with the invoice. Chad walked through the project with the contractor.

Pete said he would like this invoice paid based upon the correct footage and correct number of driveways.

Discussion was held to table the Rogers & Sons invoice until Susan can check with Chad.

Kevin Allen asked the City Clerk what changes she had made to the July 21st, 2020 minutes from the August 4th meeting.

Diane Clay, City Clerk, said that she amended the section on the lake meeting and added more comments from Lindsey Watts.

Kevin asked if the minutes had changed as far as the upcoming Lake Advisory Board meeting, the City Commission and the public meeting.

City Clerk said that section remained the same and read the motion aloud to the Commission.

Susan said that she got in touch with Chad Brown on the Andrick project and originally there was a curb cut that the City made, but never completed the driveway, so that is the additional cost to this contract.

Pete said that one driveway was put in by the City and he had pictures.

Susan asked if he would like her to go back and negotiate the price with Ron Rogers for the square footage price. She asked the Commission for approval to pay Rogers & Sons Concrete and come back to the Commission at the next meeting with the approved price. She asked to remove this from the Consent Agenda and add it as an item under consideration.

L. Watts moved to approve the Consent Agenda with the removal of the Rogers & Sons Concrete invoice. J. Mitchell seconded. All voted aye.

APPROVED CONSENT AGENDA WITH REMOVAL OF ROGERS & SONS CONCRETE INVOICE.

VII. APPEARANCE/COMMENTS/PUBLIC HEARING:

- A. APPEARANCE:** Justin Meeks – Resolution for 1% Countywide Sales Tax
– Mr. Meeks said that he was here this evening on the 1% countywide sales tax that was passed in 2011 and will be on the upcoming November ballot to be renewed. The County hopes to get this passed on the ballot to continue their hard surface road program. At their next meeting, the Bourbon County Commission will be following K.S.A. 12-187 and approving to put this back on the ballot for approval by the residents of Bourbon County.

City Manager said that this is a very important sales tax.

B. CITIZEN COMMENTS (Concerning Items Not on Agenda – 5 minute limit per citizen)

Amy Marsh – Pit Bulls in City Limits – Ms. Marsh gave handouts to the City Commissioners. Currently the City has a ban on pit bull dogs and any breed thereof. She has some research and wanted to go over it with them. She said that there is no such thing as a pit bull. Most dogs of mixed breeds are all determined pit bulls. Breed specific laws don't protect communities because all dogs can bite. It doesn't matter if it is a pit bull or not; they can be difficult to enforce. It's unfair to responsible owners. She, nor her mother, never take their dogs out without leashes. They take them to the park with leashes because they are responsible dog owners. The American Kennel Club does not have a pit bull breed standard. She asked the Commission to read the literature that she handed out. She gave out statistics on dog incidents and attacks. She said most of these attacks are from reckless owners who don't teach their dogs obedience. She asked the Commission to consider a breed neutral law.

Kevin Allen asked if the City had a pit bull law.

Amy said yes the City does, but the County does not.

Kevin told her that the Commission would look these documents over and discuss at the next meeting.

Vince Loffredo -Mr. Loffredo said that he came to the last meeting about the lake meeting. He appreciated the clarification about the Lake Advisory Board meeting and the City Commission meeting. He said that he thinks this meeting will help as they want to preserve this land. They would be in favor of not selling the land. There needs to be time for us to invest and think about this land. He said that he got a call from the Lake Advisory Board at the last minute saying that we needed to come up with deed restrictions in three days. That is difficult and not easily done. They are needed for this property.

Kevin Allen said that this property has been there since 1957 and three days is not enough time.

Mr. Loffredo said that delaying the sale of this land would be a good thing. He encouraged them to think about combining the City and County government. There is an opportunity for the beach and boat ramp area for the City to generate revenue. There are lots of people that come to this lake. Revenue could be made through camping spots which could help in maintaining the lake.

He said his last item is that he is the Education Director for American Family of County Physicians for over 300,000 family physicians and does education for COVID-19. A few of us did not wear a mask at the last meeting. He is happy to see all the masks that are being worn tonight. It

starts in this room and people are watching you. People need to see leadership and masks being enforced. He asked them to please wear their masks as Dr. Nichols has encouraged you to also.

Nancy Van Etten – Nancy shared a power point presentation to the Commission. She is the Chairperson of the Lake Advisory Board. She mailed a letter to JoLynne Mitchell, the Mayor on July 21st, 2020, regarding the real estate auction of 17 acres scheduled for August 15th, 2020. At the July 21st City Commission meeting on page 17 of the minutes, the auction was postponed, and the City Commission unanimously voted to meet with the Lake Advisory Board and the public and hold a meeting. Her power point showed pictures of Lake Fort Scott and showed what a beautiful place it is to live. It is a beautiful place for wildlife, a beautiful place to fish, and a beautiful place to play. Lake Fort Scott provides quality residential living with waterfront homes. There are 62 lots developed on the west side which is 190th Street. There are 78 lots developed on the east side which is 195th Street. There are 140 lots total resulting in millions of dollars of valuation generating significant tax dollars for local taxing entities. Concerns from the Lake Advisory Board Committee – This board was created in January 2020 to advise the City on lake issues. There was no input from the Board on the decision to sell the 17 acre plot. The board wishes to keep the lake and surrounding area as beautiful and natural as it is today. The Board would like the opportunity to plan for smart future growth. The Board would like to offer alternative options. Alternative options include: Do not sell the 17 acres of property adjacent to homeowners across 195th Street; Sell City owned waterfront lots rather than treed property; Sell the 17 acres with deed restrictions as agreed between the City and the Lake Advisory Board with the option of individual lot purchase to those properties across 195th Street; and Apply deed restrictions. An example of those deed restrictions are as follows: Not more than one single family dwelling house may be erected or constructed on any one lot, nor more than one other building for garage or storage purposes; No pre-assembled type of housing, trailer house or mobile home; All buildings must be completed within six months from the date construction commences; No duplexes, condominiums, or apartments; No outside toilets. No wastewater shall be permitted to enter into Lake Fort Scott; No commercial, noxious or offensive trade or activity shall be permitted on any lot, nor shall anything be done thereon which shall be or become an annoyance or nuisance to the neighborhood, no animals or fowl shall be kept or maintained on said lot except customary household pets; and fertilizer and insecticide application is prohibited. They want and need smart growth at Lake Fort Scott. She asked that a meeting be set as soon as possible between the City Commission and the Lake Advisory Board and the residents.

Nancy Maze – Mrs. Maze thanked the City Commission for the thankless job that they do serving as City Commissioner. She is here to show support for the Lake Advisory Board to not sell the 17 acres. She isn't sure that they realize that this governing body is their only protection for what goes on at the Lake. Most of the Lake is bordered by property owned by the City of Fort Scott. The reasoning of the leaders that have come before you who kept the City owned property in tact was given no County zoning regulations

whatsoever, there was need for protection on the lake, its property owners, and potential for overcrowding the lake surface – the City’s water supply. Those who live on the Lake full time and those who own property and use the Lake often are hopeful that you will use the power bestowed on you to provide that protection we so desperately need and to not sell the property which buffers the Lake and its residents. For 60 years, Commissioners have found a way to meet their budgets without selling City owned Lake property. Please continue to follow that tradition. Please don’t be the first.

Patty LaRoche – Mrs. LaRoche said that she will not be long because the other Lake owners have said basically what she wanted to say. She thanked the Commission for including the Lake residents in this decision. There has been a lot of confusion about those 17 acres. One of the problems she noticed is how the motions are carried out. There have been motions before the next motion. She got an email from Nancy about deed restrictions. She said that there is a meeting that is going to take place – the Lake owners, the Lake Advisory Board, and the City Commission. She said that there was a motion that was passed. She was just here to clarify that this meeting is going to happen. She researched lake deed restrictions and it is crazy to ask them to look at these legalities. She asked them to please leave this acreage alone. At the south end on 195th Street, there is an old gazebo that could be sold. It is an embarrassment. It would probably bring \$80,000. She encouraged them to follow their motions that are made.

Discussion was held about the last meeting in July and if all Commissioners needed to meet with the Lake Advisory Board Committee and residents and confusion regarding that motion.

Patty said that the minutes do reflect the correct motion to hold a meeting and to postpone the sale of the 17 acres at this time.

Nancy Van Etten said that we need to have this meeting and that the Lake Advisory Board is willing to meet anytime.

Pete Allen said that there is an ordinance that states that the sale of any lake lot that the restrictions is subject like as to any lot in the City of Fort Scott. They will be treated as a lot in the City of Fort Scott. He thinks this ordinance is from 1975.

Seth Needham – Seth said that this is a subject he wants to bring up that he is passionate about. As a citizen, he tries to do a lot to make our Parks better. He brought up a basic maintenance issue that isn’t getting done and creating safety issues. He took his son to Gunn Park and his son sat down on the end of a picnic table and the seat came up. He was able to catch him before he fell, or one of the 2 X 6 boards would have hit him in the head. The seat wasn’t even attached or screwed on. Last week he went to Fisher Park by Buck Run. He put his son in the swing and he thought something wasn’t right. The weld had broken, and he was able to catch him. What if he hadn’t been there to catch him. It’s getting bad out there. The bathrooms are not good either. The lack of maintenance at Nelson Park is bad. Missing tiles were not replaced, and cracks were not filled. It is a big

slimy mess after a rain. He has saw numerous kids fall down there because they slip and fall. The second playground at Gunn Park – the surface is 8” below what the manufacturer recommends. These specifications should be followed. It is not up to code. Some kid is going to get severely hurt. He would like the Commission to address this and come up with a plan.

Kevin Allen asked if there was a Park board and if we should look into this. He asked about the golf course employees during their slow time and if they could help in the parks. There is only two people in the Parks Department. Maybe other employees could help the Parks Department out like the Fire Department.

Seth said that children need to be able to go to the bathroom safely. There were wasps in the toilet paper holder. He would like the City Commission to address this.

Susan said that there is a Park Committee ordinance which is old.

Kevin Allen made a motion to create a Parks Committee. Pete Allen seconded. All voted aye.

APPROVED TO CREATE A PARKS COMMITTEE.

Seth also asked them to check into the electrical issues at the parks.

Vince Loffredo informed the Commission that they could be held liable for issues at the Parks.

Michael Hoyt – Mr. Hoyt asked if there were any ordinances in effect that requires house numbers be placed on houses. He is working for the census and it is difficult to find house numbers. He asked about the Police and Fire Departments and if they require one. He recommended that the City get an ordinance requiring one.

He said he sent each City Commissioner an email and he has only received one response. He said he expects a response from each and every one of them. If not, he will bring it up at a meeting.

Kevin said that he didn't get a copy of it.

Mr. Hoyt said he would get him a paper copy. It refers to the \$10,000 Code of Ethics and how many items we have tabled at these meetings that never come up again. He illustrated at least four. That adds to your confusion as you don't know what is going on. You table it and you never come back to it. He recommended that when you table something you make a date as to when you will bring it back again.

His last item, and he talked with Travis (Shelton) extensively about it and this is the only thing that he and Dr. Nichols have agreed upon, is the guns that he wanted to sell at auction should be destroyed. He has come across some problem areas and he pointed out that the sale of those guns would be

problematic. He recommended a silent contribution for those guns, no one ever takes ownership, and Travis has them destroyed, and the money goes to the Parks. He said that he will make the first contribution towards it of \$500.00.

Pete said that he accepted that challenge.

Kevin said that he had visited with the Sheriff's Department also about this.

Travis Shelton, Chief of Police, said that he found two guns in that lot out of the twelve that he wanted to hold back that he had problems with. A Statute was brought to his attention regarding the two guns.

Pete asked if an auction would still be held and whoever buys them would destroy them?

Travis said that if they don't change hands, he cannot sell them to someone who is not a firearm's dealer.

Mr. Hoyt said who would want to take ownership of a gun that was used in the commission of a crime anyway.

Kevin said that he would like to table this for two weeks.

City Clerk said that a motion was made to sell these firearms. You will need to rescind your motion to sell those firearms.

Pete Allen made a motion to rescind to sell the firearms that were seized by the Police Department. Kevin Allen seconded. K. Allen, P. Allen, R. Nichols, and J. Mitchell voted aye. L. Watts abstained. Motion carried 4-1.

MOVED TO RESCIND THE SALE OF THE FIREARMS THAT WERE SEIZED BY THE POLICE DEPARTMENT.

Randy asked for clarification that Travis will bring back to the Commission in two weeks what can and cannot be done with these firearms?

Dave Martin said that he understood that you will have \$1,000 that will go into Parks. You will need to decide in two weeks.

C. PUBLIC HEARINGS/COMMENTS:

L. Watts moved to open the Public Hearing at 7:38 p.m. R. Nichols seconded. K. Allen, R. Nichols, L. Watts and J. Mitchell voted aye. P. Allen voted no. Motion carried 4-1.

OPENED PUBLIC HEARING AT 7:38 P.M.

6:00 p.m. – 2021 Budget Hearing - Adoption of 2021 Budget – Susan Bancroft, Director of Finance, informed the Commission that the 2021

budget has been presented to them. This is open for public comments and questions.

Michael Hoyt asked if there was an easy way to do a Performa of the budget. If the sales tax does not pass in November, how would this document change?

Susan said that this document would change in January and a budget meeting would be set up with the Commission and \$700,000 would be cut out of the budget. Cuts would need to be made then.

Nancy Van Etten asked where the \$45,000 for the sale of the lake property was in the budget document and what changes would have to be made if this was removed.

Susan said that it was on page 8 in the budget document. There is \$60,000 for this year and \$20,000 for next year. She said that every month adjustments are made to the budget. If it is not sold, some expenditures will need to be cut back on.

Kevin said that he would like that amount removed from the budget. He asked about material defect at the lot on North National that is for sale. He said that there is an old building in that lot. He said that test samples could be taken. He thinks this property should be looked at before it is sold.

City Manager said that he will check into this.

Susan said that she would like to keep the budget as it is. There has been some unexpected revenue that will come from LaRoche Stadium rentals that will assist in this \$60,000 amount. She will plan on not having those funds from the sale of property. She would like to leave the budget as is.

L. Watts moved to close the Public Hearing at 7:53 p.m. R. Nichols seconded. All voted aye.

CLOSED PUBLIC HEARING AT 7:53 P.M.

R. Nichols moved to approve the 2021 Budget. L. Watts seconded. K. Allen, R. Nichols, L. Watts, and J. Mitchell voted aye. P. Allen voted no. Motion carried 4-1.

APPROVED 2021 BUDGET.

VIII. CONSIDERATION:

1. Consideration of Charter Ordinance No. 31 – Sewer/Storm Sewer Ordinance – Susan Bancroft, Director of Finance, informed the Commission that this is a charter ordinance before them. She asked

Jeff Deane, City Attorney, to explain the charter ordinance and the process.

Jeff said that this is a charter ordinance before them and explained the process to the Commission. This does require a $\frac{3}{4}$ majority of the vote of the Commission for passage. There is a 60 day protest period also.

Susan said this ordinance before them allows us to make transfers appropriately. The storm water is part of the sewer fund by definition. She has spoke with the auditor and he is agreeable to it being broke out this way. If this ordinance is not passed, major changes will have to be made to the budget because this is funding the water fund capital reserves, the sewer fund capital reserves, and part of the general fund. This is important and pulls the budget together. She also called the League of Kansas Municipalities about this and they said that everyone interprets the Statute differently. The Statute is 12-8-25(d).

R. Nichols moved to approve the Charter Ordinance No. 31 regarding sewer and storm sewer reserve funds. L. Watts seconded.

Pete said that he strongly opposes this ordinance. We have an ordinance on the books that the revenues from the sewers is to be used only for sewers. That ordinance has been abused and transfers have been made illegally. This happened to the streets in 1987. Administration should not go around our ordinance and use this for other things and he doesn't think it is a wise decision.

Susan said that all these funds support infrastructure. She discussed the transfer amounts for 2020 and 2021. Significant cuts would need to be made to the budget if this is not approved.

Kevin asked if it was possible to table this item for a couple of weeks to discuss it further.

City Clerk said that a motion and a second has been made.

Lindsey said that Staff is trying to make the best decision possible for the City.

Roll call was taken. K. Allen, R. Nichols, L. Watts, and J. Mitchell voted aye. P. Allen voted no. Motion carried 4-1.

APPROVED CHARTER ORDINANCE NO. 31 – EXEMPTING THE CITY OF FORT SCOTT, KANSAS FROM THE PROVISIONS OF K.S.A. 12-631P RELATING TO THE DISPOSITION OF SEWER AND STORM SEWER RESERVE FUNDS.

2. Consideration of Bids – Sanitizing Equipment to be used at PD/FD/EMS buildings (purchased through grant received) – Dave

Bruner, Fire Chief, informed the Commission that the Fire Department received a Federal Coronavirus Emergency Supplement Grant in the amount of \$12,201.00 from the State of Kansas to purchase disinfecting cleaning supplies for Fire Station #1, Fire Station #2, and the EMS building. The Pool and Buck Run can also use this disinfection system. The City received two bids for this equipment. The first bid was from Pur-O-Zone of Lawrence, Kansas in the amount of \$12,546.00 and the other bid was from Four States Maintenance of Independence, Kansas in the amount of \$12,083.89, but this bid did not meet specifications. He asked for approval for the bid from Pur-O-Zone in the amount of \$12,546.00 with the \$345.00 remainder from the grant used from the Fire Department operating fund.

R. Nichols moved to approve the bid from Pur-O-Zone of Lawrence, Kansas in the amount of \$12,546.00 for disinfecting supplies. L. Watts seconded. K. Allen, R. Nichols, L. Watts, and J. Mitchell voted aye. P. Allen abstained. Motion carried 4-1.

APPROVED BID FROM PUR-O-ZONE OF LAWRENCE, KANSAS IN THE AMOUNT OF \$12,546.00 FOR DISINFECTING SUPPLIES.

Kevin Allen left the meeting at 8:29 p.m.

3. Skitch's Hauling & Excavation Invoice – June port-a-potties - \$2,948.00

L. Watts moved to approve the invoice for \$2,948.00. R. Nichols seconded. All voted aye.

APPROVED SKITCH'S HAULING & EXCAVATING INVOICE FOR JUNE 2020 IN THE AMOUNT OF \$2,948.00.

Kevin Allen returned to the meeting at 8:30 p.m.

4. Consideration to allow alcohol at Memorial Hall on September 5th, 2020 for Special Olympics event – Allyson Turvey, Tourism/Community Development Manager, informed the Commission that a local group has requested permission to host a cornhole tournament fundraiser in Memorial Hall on Saturday, September 5th, 2020. The proceeds from this tournament will go to the Kansas Special Olympics. This organization usually sponsors a golf tournament, but it was cancelled this year due to COVID. She asked for approval to allow Sharky's to sell alcohol at this event. She has checked with the Public Health Officer regarding this event. She is in approval of this event as long as signage and social distancing is observed. The City has checked with their insurance carrier also and KCAMP has approved this event.

Discussion was held as to who will monitor the social distancing of this event.

Ally said she will discuss with the organizers of the event regarding these concerns.

K. Allen moved to approve to allow alcohol at Memorial Hall for the Special Olympics event to be held on September 5th, 2020. L. Watts seconded. K. Allen, L. Watts and J. Mitchell voted yes. R. Nichols and P. Allen voted no. Motion carried 3-2.

APPROVED TO ALLOW ALCOHOL AT MEMORIAL HALL FOR THE SPECIAL OLYMPICS EVENT TO BE HELD ON SEPTEMBER 5TH, 2020.

Ally said that she has good news to share about LaRoche Stadium. She has been working hard to market the stadium. She has booked the Midwest Nationals all weekends from September to October of 2020 and now they are wanting next fall booked also. Our local teams have booked their tournaments, so the summer is locked down. Also, the 6A baseball tournament will be held there next May. The National Club Baseball Association has chosen LaRoche Stadium to host their DII event in 2021. This is a six-day tournament estimated at 300 rooms and the economic impact will be between \$250,000 to \$400,000. The goal is to have them have this event here yearly.

5. City building in Industrial Park discussion – Dave Martin, City Manager, informed the Commission that the First Source building will be available in December. We have shown the building to some interested parties. He would like to have the Commission's input on how to proceed with this building. First Source would like to know if the City has any interest in the partitions and cubicles and furniture that they have. He will bring this back before them at the first meeting in September.
6. Sunday liquor sales Ordinance No. 3564 – Dave Martin, City Manager, informed the Commission that the City Clerk had done all the research on this.

Diane Clay, City Clerk, said that this ordinance was approved by Jeff Deane, City Attorney, and by Doug Taylor, Assistant Attorney General for the State of Kansas. This ordinance will allow expanded Sunday alcohol sales in the City of Fort Scott.

The sale at retail of cereal malt beverage in the original packet is allowed within the City of Fort Scott Monday through Saturday from 6:00 a.m. to midnight and on any Sunday, except Easter, between the hours of 12:00 noon and 8:00 p.m.

The sale at retail of alcoholic liquor in the original packet is allowed within the City of Fort Scott Monday through Saturday from 9:00

a.m. to midnight and on any Sunday, except Easter, Thanksgiving, and Christmas Day, between the hours of 12:00 noon and 8:00 p.m.

This ordinance shall take effect 61 days after the publication or on October 23, 2020 unless a sufficient petition for a referendum is filed pursuant to K.S.A. 41-2911(b)(2) in which this ordinance shall become effective upon approval by a major of the electors voting therein.

J. Mitchell moved to approve the Sunday/expanded liquor and cereal malt beverage sales in the City of Fort Scott. K. Allen seconded. All voted aye.

APPROVED ORDINANCE NO. 3564 AUTHORIZING SUNDAY SALES OF ALCOHOLIC LIQUOR AND CEREAL MALT BEVERAGES IN THE ORIGINAL PACKAGE WITHIN THE CITY OF FORT SCOTT, KANSAS, AND REPEALING PORTIONS OF SECTION 5.12.070 OF THE FORT SCOTT MUNICIPAL CODE.

IX. COMMENTS:

A. Director Updates:

Susan Bancroft – Golf Cart Lease Discussion – Susan said that she brought before them at an earlier meeting the golf cart lease. She didn't think that it was handled correctly. She believes it needed to be a sealed bid process. She asked that the Commission rescind their bid from Kansas Golf and Turf from the July 7th, 2020 meeting which approved their lease and to go out for sealed bid.

L. Watts moved to rescind the bid from Kansas Golf and Turf for the golf cart lease. J. Mitchell seconded. All voted aye.

APPROVED TO RESCIND THE BID FROM KANSAS GOLF AND TURF FOR THE GOLF CART LEASE.

L. Watts moved to go out for sealed bid for the golf cart lease for 2021. R. Nichols seconded. All voted aye.

APPROVED TO GO OUT FOR SEALED BID FOR THE GOLF CART LEASE FOR 2021.

Commissioner Pete Allen left the meeting at 8:47 p.m.

Rachel Pruitt – Airport Expansion Public Hearing - Rachel said that a notice was published on an upcoming public hearing to be held on September 15th, 2020 at 5:00 p.m. She handed out a timeline summary of this project and went over this summary with the Commission. She has a copy of the environmental assessment if any of the Commission wishes to view it.

B. Commission:

Randy Nichols – He thanked Vince Loffredo for his reinforcement of the wearing of masks this evening. He also wanted to clarify that the whole City Commission was going to attend the meeting with the Lake Advisory Board.

Lindsey Watts – Lindsey said that yes, we are meeting with the Lake Advisory Board and just need to move forward and get a date set.

Pete Allen – Not present.

Kevin Allen – Kevin said that we passed the Code of Ethics at the last meeting. He wanted to state that he didn't think the City Attorney's quote was very appropriate towards Mr. Hoyt.

City Attorney said that he knows he was very direct and quick to step in. It wasn't something he could not do.

Kevin said the last part where he could hang himself is what he thought was inappropriate.

City Attorney said that there is such a thing as unauthorized practice of law and he should be clear when he is talking.

Kevin said maybe next time he could be kinder.

He said that he is still concerned about streets and them not getting fixed. He mentioned 3rd and Judson. Someone told him they were starting to work on that. He said that there is a storm sewer there.

The drop off at City Hall – the holes on Wall Street.

He thinks we need to have a bigger venue for our meetings.

He asked Dave Martin to get with Seth Needham about the parks. Dave said that he will.

He said that he could help fix up the port-a-potties with some of his to help Seth Needham out.

He mentioned that he is serious about the golf course employees during their slow time to help the Parks Department.

City Manager will check into this.

JoLynne Mitchell – Nothing to report.

C. City Attorney: Nothing to report.

D. City Manager: Nothing to report.

ADJOURNMENT:

R. Nichols moved to adjourn the meeting at 9:15 p.m. L. Watts seconded. All voted aye.

ADJOURNED MEETING AT 9:15 P.M.

The next regularly scheduled meeting is to be held on September 1st, 2020 at 6:00 p.m.

RECORDED BY:

**DIANE K. CLAY
CITY CLERK**