

**CITY OF FORT SCOTT
CITY COMMISSION MEETING**

Minutes of September 19, 2017

Regular Meeting #17

The regular meeting of the Fort Scott City Commission was held September 19th, 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 Dale Cummins, Freedom Spirit Church, said a prayer asking God for guidance for the city and all government officials.

AUDIENCE IN ATTENDANCE: Travis Shelton, Clayton Miller, Paul Ballou, Janet Braun, Dustin McClure, Jeanie Parker, Darrell Parker, Dale Cummins, Jim Cox, Karla Cox, Jim Shoemaker, Chad Brown, Michael Mix, Carol MacArthur, Rhonda Dunn, Deb Needleman, Kenny Howard, and Jason Silvers, representing the Fort Scott Tribune.

PROCLAMATIONS/RECOGNITIONS: Recognition of Jim Cox Retirement – Deb Needleman, Human Resource Director, recognized Jim Cox as he will be retiring on Friday, September 22nd, 2017, after 32 years of service with the City. He will be missed.

Deb also informed the Commission that the City was recently presented with the Gold Star Award at the League of Kansas Municipalities Annual Meeting held in Wichita, Kansas this last weekend. The K.M.I.T. (Kansas Municipal Insurance Trust) award is for our Work Comp rating.

APPROVAL OF MINUTES AND APPROPRIATIONS/CONSENT AGENDA:

- A. Approval of minutes of the regular meeting of September 5th, 2017.
- B. Approval of Appropriation Ordinance 1199-A totaling \$1,500,559.70.
- C. Certificate of Appropriateness – 18 Scott Ave – Placement of fence.
- D. Resolution 27-2017 – Notice of Hearing with Reference to Alleged Unsafe and Dangerous Structure and Accessory Structure located at 747 S. Wilson Street – Public Hearing Date – November 7th, 2017 at 6:15 p.m.
- E. Resolution 28-2017 – Notice of Hearing with Reference to Alleged Unsafe and Dangerous Structure and Accessory Structure located at 1311 S. National Avenue – Public Hearing Date – November 7th, 2017 at 6:15 p.m.

- F. Resolution 29-2017 – Notice of Hearing with Reference to Alleged Unsafe and Dangerous Structure located at 1837 E. 1st Street – Public Hearing Date – November 7th, 2017 at 6:15 p.m.
- G. Resolution 30-2017 – Notice of Hearing with Reference to Alleged Unsafe and Dangerous Structure located at 616 S. Horton Street – Public Hearing Date – November 7th, 2017 at 6:15 p.m.
- H. Resolution 31-2017 – Notice of Hearing with Reference to Alleged Unsafe and Dangerous Structure and Accessory Structure located at 701 S. Barbee Street – Public Hearing Date – November 7th, 2017 at 6:15 p.m.

Adams moved to approve the Consent Agenda. The motion died for lack of a second.

Commissioner Nichols remarked that he has an issue with the chain link fence being exposed to Main Street with the Unsung Heroes Park being developed there close by. The Design Review Board did recommend approval but it looked like it was a lengthy meeting.

Commissioner Adams stated that there is already chain link fence in the downtown area and that the adjacent property owner has plans to erect a wooden fence there. He said that Mr. Shoemaker keeps his property up very nice.

Jim Shoemaker stated that he has already purchased the fence and it is on the trailer and should arrive this week. He is putting the fence up to keep his property secure. He has put a lot of money into the upkeep of his property.

City Attorney said that the Commission can approve all of the consent agenda with the exception of Item C and have that sent back to the Design Review Board again for reconsideration.

City Manager asked the Commission to let Mr. Shoemaker, Rhonda Dunn, Arnold Schofield, and himself meet to discuss this issue and then bring back before the Commission at a later date.

Mitchell moved to approve the Consent Agenda with the removal of Item C, Certificate of Appropriateness for 18 Scott Avenue. Bartelsmeyer seconded. Bartelsmeyer, Nichols, and Mitchell voted aye. Adams voted no. Motion carried.

**APPROVED CONSENT AGENDA WITH REMOVAL OF ITEM C –
CERTIFICATE OF APPROPRIATENESS FOR 18 SCOTT AVENUE.**

APPEARANCE/COMMENTS/PUBLIC HEARING:

A. APPEARANCE: None

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

C. PUBLIC HEARINGS: None

CONSIDERATION:

1. Discussion of replacement of City Commissioner Sam Mason – City Attorney said that our Ordinance states that in the case of any vacancy in the office of Mayor or Commissioner, the remaining members of the Board shall within ten days or at their next scheduled meeting elect a suitable person who shall reside inside the City limits and be a qualified elector to fill this unexpired term. He advised them they could talk among themselves about who they wish to appoint.

Commissioner Adams said that he was aware of a conversation that Sam Mason had with Jeanie Parker, who he had much respect for, and that he wished for her to take his place should something ever happen.

City Manager stated that he knew Sam wanted this to happen and relayed that to him also.

The Mayor asked Jeanie Parker if she would be interested.

Jeanie Parker said she had stepped down several years ago, but Sam did ask her about taking his spot should something happen, and she told him she would be honored if asked.

Adams moved to appoint Jeanie Parker to replace the unexpired term of Sam Mason. Bartelsmeyer seconded. All voted aye.

APPOINTED JEANIE PARKER TO REPLACE THE UNEXPIRED TERM OF SAM MASON AS CITY COMMISSIONER.

Diane Clay, City Clerk, administered the Oath of Office to Jeanie Parker, new City Commissioner.

Diane Clay, City Clerk, informed the Mayor that a replacement for President of the City Commission will need to be appointed as Sam Mason served in that capacity also.

Nichols moved to appoint Cindy Bartelsmeyer as President of the City Commission. Mitchell seconded. All voted aye.

APPOINTED CINDY BARTLESMEYER AS PRESIDENT OF THE CITY COMMISSION TO FILL SAM MASON'S POSITION ON THE BOARD.

2. Consideration of approval of Development Agreement with Briggs of Fort Scott, Kansas.
3. Consideration of approval of Sales Tax Rebate Agreement with Briggs of Fort Scott, Kansas.
4. Consideration of approval of Ordinance 3516 authorizing the Execution and Delivery of a Sales Tax Rebate Agreement and Development with Briggs of Fort Scott, Inc.

City Manager asked the Commission to table Items 2, 3, and 4 at this time.

Mitchell moved to table Items 2, 3, and 4 at this time. Adams seconded. All voted aye.

TABLED ITEMS 2, 3, AND 4 AT THIS TIME.

City Manager asked the City Commission to hold a special meeting on Thursday, September 21st, 2017 at 12:00 noon to consider the Briggs development issue.

Adams moved to have a special meeting on Thursday, September 21st, 2017 at 12:00 p.m. to consider the Briggs development issue. Nichols seconded. All voted aye.

APPROVED TO HOLD A SPECIAL MEETING ON THURSDAY, SEPTEMBER 21ST, 2017 AT 12:00 P.M. TO CONSIDER THE BRIGGS DEVELOPMENT ISSUE.

5. Change Order Supplemental Agreement #3 – Apron & Taxi-lane Rehabilitation Project – Change Order Amount \$4,001.97 – New Total Contract Amount - \$696,389.87 – Kenny Howard, Airport Director, informed the Commission that this Change Order is due to extra materials needed for the drainage ditch that was installed. The quantities changed due to this. The change order is in the amount of \$4,001.97.

Jon Garrison, Director of Finance, informed them that the total project cost is now \$698,704.87.

Adams moved to approve Change Order #3 in the amount of \$4,001.97. Bartelsmeyer seconded. All voted aye.

APPROVED CHANGE ORDER #3 IN THE AMOUNT OF \$4,001.97 MAKING THE TOTAL PROJECT COST \$698,704.87 FOR THE AIRPORT APRON AND TAXI-LANE REHABILITATION PROJECT.

6. Consideration of sewer repairs through the Joplin Tool Box – Michael Mix, Public Utilities Director, informed the Commission that through the Joplin Tool Box, over 16,000 square feet of sewer main has been inspected. He shared a video of the sewer main inspection with the Commission. This square footage amounts to about three miles. He does have budget monies left and requested to have more sewer mains inspected and repaired.

Jon Garrison said there is \$150,000 left in his budget. He recommended allowing up to \$100,000 for the inspection and repairs of sewer main through the Joplin Tool Box.

Bartlesmeyer moved to approve to allocate up to \$100,000 for the inspection and repair of sewer mains through the Joplin Tool Box. Adams seconded. All voted aye.

APPROVED TO ALLOCATE UP TO \$100,000 FOR THE INSPECTION AND REPAIR OF SEWER MAINS THROUGH THE JOPLIN TOOL BOX.

7. Consideration of Bids – College Booster Station Update project - Michael Mix, Public Utilities Director, informed the Commission that bids were taken for the College Booster Station update. There were four bids received with the low bid and alternate bid in the total amount of \$248,353.27 from McInroy Contractors of Nevada, Missouri. The engineering estimate was \$244,165.00. He asked for approval for the bid from McInroy Contractors.

Mitchell moved to approve the bid and alternate bid from McInroy Contractors of Nevada, Missouri in the amount of \$248,353.27 for the College Booster Station update. Nichols seconded. All voted aye.

APPROVED THE BID AND ALTERNATE BID FROM MCINROY CONTRACTORS OF NEVADA, MISSOURI IN THE AMOUNT OF \$248,353.27 FOR THE COLLEGE BOOSTER STATION UPDATE.

8. Consideration of Agreement with George K Baum Company to provide Municipal Advisory Services to the City of Fort Scott in connection with the Airport Runway Expansion project – Jon Garrison, Director of Finance, informed the Commission that this agreement is with the financial advisor the City has used in the past which is George K. Baum Company. This agreement asks for George K. Baum to be the financial advisor of record at a cost of \$250.00 per hour and for bond issues at a \$15,000 flat rate.

Mitchell moved to approve the Agreement with George K. Baum Company to be the City's financial advisor. Bartelsmeyer seconded. All voted aye.

APPROVED AGREEMENT WITH GEORGE K. BAUM COMPANY TO BE THE CITY'S FINANCIAL ADVISOR AT A RATE OF \$250.00/HOUR AND \$15,000 PER BOND ISSUE.

COMMISSION/STAFF:

A. Director Updates: Rhonda Dunn, Community Development Director, informed the Commission on the following items:

- There are three demolitions that will be taking place this week: 102 N. Holbrook, 801 S. Margrave and 805 S. Margrave
- Demolitions – She will be starting a new process that will inform the Commission who the structure belongs to and any other pertinent information.
- Depot on Scott Avenue – She said that the depot at Scott Avenue and Wall Street is finally getting a new paint job. It should be completed this week.
- Paint Program – She is looking to start a paint program within the City through a grant process where the City would supply the paint to property owners and help rehabilitate houses in town.
- Land Bank – She said that she learned more about land banks during the recent conference she attended and will be making a date to bring in someone to visit with the Commission regarding this.
- Relocation of Codes Department – She asked the City Commission to consider researching the relocation of the Codes Department into the City Hall building to better serve the citizens and provide better customer service. She said that research will need to be done as to where to hold the Commission meetings and Municipal Court.

Adams moved to research the relocation of the Codes Department to the City Hall building. Bartelsmeyer seconded. All voted aye.

APPROVED TO RESEARCH THE RELOCATION OF THE CODES DEPARTMENT TO THE CITY HALL BUILDING.

B. City Commission:

Bartelsmeyer – Nothing to report.

Nichols – Remarked that he registered his dog this week with the City. He asked that this be advertised more when the dog tags are due and notify citizens. He also stated he would like to see a feral cat program in the City and have cats registered also.

Adams – Remarked that he has done some research with Lees Paws and Claws and they are looking to secure grants to assist with cats.

He also asked that Zoe Self be recognized at an upcoming Commission meeting for her history project.

Parker – Thanked the Commission for putting her back into the Commission seat and she will do the best she can.

Mitchell – Nothing to report.

C. City Attorney: Said that he attended the City Attorney meeting with the League last Friday and relayed to his colleagues about what a great Commission he has to work with.

D. Director of Finance: Nothing to report.

E. City Manager:

1. Licensing of Dogs – City Manager said that he checked with the local vets and they are open to looking at licensing dogs when they are vaccinating them. There would need to be changes made to the City's ordinance but he will continue to look into this.
2. Cat Issue – City Manager said that cats will be very difficult to monitor. It is not in the City's budget this year but he will continue to look into it.
3. Lowell Milken Center event – City Manager said that he met with Mr. Lowell Milken last week when he was in town. He is very impressed with Fort Scott and the future of the City and excited about the upcoming projects.
4. Economic Development – City Manager said that Rachel Pruitt is developing a spreadsheet for the Commission so you will be updated on projects every meeting.

ADJOURNMENT:

Adams moved to adjourn the meeting at 7:03 p.m. Nichols seconded. All voted aye.

ADJOURNED MEETING AT 7:03 P.M.

The next regularly scheduled meeting is to be held on October 3rd, 2017 at 6:00 p.m.

RECORDED BY:

DIANE K. CLAY
CITY CLERK