

**CITY OF FORT SCOTT
SPECIAL CITY COMMISSION MEETING**

Minutes of September 28, 2020

Special Meeting #10

A special meeting of the Fort Scott City Commission was held September 28th, 2020 at 11:00 a.m. in the City Commission Meeting Room, 123 S. Main Street, Fort Scott, Kansas.

ROLL CALL:

Commissioners Kevin Allen, Pete Allen, Randy Nichols, and Lindsey Watts were present with Mayor JoLynne Mitchell presiding.

AUDIENCE IN ATTENDANCE: Susan Bancroft, Janice Allen, Seth Simpson, Michael Hoyt, Travis, Rachel Pruitt, and Allyson Turvey.

I. CONSIDERATION:

1. Consideration of applicant for Kansas Moderate Housing Grant – Rachel Pruitt, Economic Development Director, informed the Commission that Ally also assisted with this grant. She and Ally met with Commissioner Lindsey Watts last Friday to review the applications that had been received for this grant. The application was included in the packet, but in addition there were several other documents that were needed. The total application had 200 pages to it.

L. Watts said that the City missed getting it out to the media and to contractors in a proper time. It sounds like the City will be implementing some policies to ensure this does not happen again. This project submitted is a thought-out good project.

Ally said that this is a quick review of our current application. The applicant is required to submit monthly progress reports, final accounting of funds, and annual tenant income from rental developments. Our applicant this year is also the applicant who was awarded last year. They have rehabbed four homes in 2020 and plan to rehab three locations and four homes in 2021.

K. Allen asked when this applicant was notified about the grant program opening.

Ally said from the City's perspective, they were notified the same time as the other contractors. They have been in constant contact with Kansas Housing since they had the award from the previous year, so it is possible they heard from Kansas Housing about the grant.

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K. Allen asked if local contractors could check with Kansas Housing also rather than depending on the City.

Ally said that on the Kansas Housing website, anyone can sign up for their emails and be notified.

K. Allen asked if the City receives those emails.

Ally said that we had not been but are now signed up. We will be better prepared in the future than we were this year.

P. Allen said that he would like to address this situation. He said that we as Commissioners were elected to represent the citizens of Fort Scott, and that is his intention. He's heard comments from other Commissioners that they were here to represent the City Manager and City Staff. He doesn't think that is their duty. He's heard nothing but foul remarks about this situation and how this issue was handled. This issue was known about in July and the first we heard about it, and the first the contractors and citizens heard about it was last Friday. The applications had to be turned in four days. He doesn't think this is right and the citizens of Fort Scott would approve of. \$400,000 in your pocket with no strings or some strings attached and no requirement to pay back would be a dream come true for any contractor. He's had a contractor call him and ask how can we do this? How can we make this thing appear to be appropriate when it's not. We had the opportunity last July to put our program together and we didn't do it because of staff. Staff has failed to do this. We are paying staff a huge sum of money to take care of business for the City of Fort Scott, and he doesn't feel in this issue that the Staff has done their job. They have failed the citizens and failed the contractors. This should not in any way move forward. It should have been tabled last Friday when we voted on it because no one has enough time. This is a dream come true two years in a row for the same person. He said that is wrong. This should be pulled from the table and it should not be acted on. We should pass and go on to the next year. Next year it should be put on a level playing field. This happened last year and now it has happened again. This is not a good representation for the City of Fort Scott and he's ashamed of it.

L. Watts said that she agrees that we should have known and moved forward in different ways on this. We were aware of the project last year and knew it was coming up in July. We would have talked about it at the September 15th Commission meeting, but we weren't able to have that meeting. We had to speak about it at the special meeting. She said she has also talked to contractors in town. She does not agree with putting off the opportunity to possibly help the City of Fort Scott by bringing \$400,000 this year. Last year the application was

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\$385,479 we were awarded \$249,675. This year the application is for \$441,000 and that maximum amount of the application is \$400,000. She doesn't want to turn down an opportunity that would help our City in housing in the amount of \$400,000.

K. Allen said that what we are dealing with is perception. When these instances reoccur, the first one, okay. The second one makes people wonder. He asked if this was a grant or a loan.

Ally said it was a grant.

K. Allen again when the City knew about it.

Rachel said that she didn't know the exact date. It was brought up in Staff meeting on September 9th. We were informed that it needed Commission approval due to the new purchasing policy. It was on the September 15th agenda.

P. Allen asked when the purchasing policy came into effect and if she read it.

Rachel said that she read the purchasing policy.

K. Allen said that the application process was very extensive. They would not have time to put it altogether to be a candidate. He asked if the application the City was turning in was complete.

Ally said she believes it is.

L. Watts said that it was complete in its entirety. She said that we need to work in the future with more developers to put together this application.

K. Allen said that as we went through this last year, this same subject came up. Did we work with any other contractors on this application process?

Ally said that she had a couple other contractors that reached out for information and when she replied, she was told it was too late, and the bank had told them they couldn't get the documentation they needed.

K. Allen asked if she worked with this contractor that submitted the application?

Ally said yes.

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K. Allen asked again if it was complete.

Ally said it was complete.

K. Allen asked Jeff Deane, City Attorney if there were any ramifications towards the City for other contractors not being able to be involved in this process.

Jeff Deane, City Attorney, said that anyone can file a claim. He hasn't heard anything that there is any evidence to file one. Bidders do have rights to challenge an award.

P. Allen said that most everything we do in this administration is surrounded by controversy. We spent the last couple of months defending ourselves on controversial items. We are not transparent and doing things that we act like we know what we are doing. He said he spoke to a potential developer who told him that he reached out to Ally and she never got back to him.

Ally said that she isn't sure which developer he is referring to.

P. Allen said that he wasn't going to say, just that he reached out to her and she didn't get back to him.

R. Nichols moved to approve the application from R-2 Concrete to be submitted for the Kansas Moderate Housing Grant to the State of Kansas. L. Watts seconded. R. Nichols, L. Watts, and J. Mitchell voted aye. K. Allen and P. Allen voted no. Motion carried 3-2.

APPROVED THE APPLICATION FROM R-2 CONCRETE TO BE SUBMITTED FOR THE KANSAS MODERATE HOUSING GRANT TO THE STATE OF KANSAS.

2. Consideration to submit KDOT grant for fuel pedestal system at the Fort Scott Municipal Airport – Seth Simpson, Airport Manager, informed the Commission that their current fuel pedestal system at the Airport is a MT3000. This version is no longer made, and parts and technical service is no longer available. He received a quote for a M4000 fuel pedestal system in the amount of \$15,000. That does not include installation. He thinks the total would amount to \$25,000 or less. This grant requires a 15% match from the City which is a budgeted item.

L. Watts moved to approve the submission of a KDOT grant for a fuel pedestal system at the Fort Scott Municipal Airport. J. Mitchell seconded. All voted aye.

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**APPROVED THE SUBMISSION OF A KDOT GRANT FOR A FUEL
PEDESTAL SYSTEM AT THE FORT SCOTT MUNICIPAL AIRPORT.
THIS REQUIRES A 15% CITY MATCH.**

II. MOTION FOR ADJOURNMENT: *ROLL CALL*

R. Nichols moved to adjourn the special meeting at 11:30 a.m. L. Watts seconded. All voted aye. Motion carried.

ADJOURNED SPECIAL MEETING AT 11:30 A.M.

The next regularly scheduled meeting is to be held on October 6th, 2020 at 6:00 p.m.

RECORDED BY:

**DIANE K. CLAY
CITY CLERK**