

**CITY OF FORT SCOTT
CITY COMMISSION MEETING**

Minutes of November 6, 2018

Regular Meeting #21

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

ROLL CALL:

Commissioners Adamson, Bartelsmeyer, Nichols, and Parker were present with Mayor Mitchell presiding.

INVOCATION: Pastor Matthew Hunt, Faith Christian Center, said a prayer asking God for guidance for the City and all Government and City officials.

AUDIENCE IN ATTENDANCE: Janet Braun, Travis Shelton, Rhonda Dunn, Robert Uhler, Darrell Parker, Larry Gazaway, Dave Bruner, Paul Ballou, Deb Needleman, Christy Humerickhouse, Curtis Wondra, Elaine Buerge, Michael Mix, Matthew Hunt, Lori Smith, Kenny Howard, Ally Turvey, Jean Tucker, Don Tucker, Mark McKenney, and Clayton Miller, and representing the press, Jason Silvers, Fort Scott Tribune.

PROCLAMATIONS/RECOGNITIONS:

APPROVAL OF MINUTES AND APPROPRIATIONS/CONSENT AGENDA:

- A. Approval of minutes of the regular meeting of October 16th, 2018.
- B. Approval of Appropriation Ordinance 1226-A totaling \$467,651.58.
- C. Parade Permit – Veteran’s Day Parade – November 10th, 2018

Bartelsmeyer moved the Consent Agenda. Parker seconded. All voted aye.

APPROVED CONSENT AGENDA.

APPEARANCE/COMMENTS/PUBLIC HEARING:

- A. APPEARANCE:** None
- B. CITIZEN COMMENTS** (Concerning Items Not on Agenda – 3 minute limit per citizen) - None
- C. PUBLIC HEARINGS:**

Mitchell moved to open the Public Hearing at 6:14 p.m. Bartelsmeyer seconded. All voted aye.

OPENED PUBLIC HEARING AT 6:14 P.M.

6:00 p.m. Vacation of alley – Michael & Megan Rogers, 3RK LLC, and Robert & Patricia Love, and Stuart & Haley Troutman – Alley between Lots 7, 9, 11, 13 & 15, Block 4 and Lots 8, 10, 12, 14, 16, Block 4, McDonald's Addition – Approval of Ordinance No. 3540 – Rhonda Dunn, Finance/Codes Director, showed the Commission a map of the proposed vacation of alley which is by Shepherd and Mosher Streets. The three property owners all signed a voluntary petition to vacate this property.

There were no comments from the audience.

Nichols moved to approve Ordinance No. 3540 vacating the alley by Shepherd and Mosher Streets. Parker seconded. All voted aye.

APPROVED ORDINANCE NO. 3540 VACATING THE 18' PLATTED ALLEY WHICH RUNS NORTH AND SOUTH BETWEEN LOTS 7, 9, 11, 13 & 15, BLOCK 4, MCDONALD'S ADDITION TO THE CITY OF FORT SCOTT, KANSAS AND LOTS 8, 10, 12, 14, 16, BLOCK 4, MCDONALD'S ADDITION TO THE CITY OF FORT SCOTT AND THE PLATTED ALLEY WHICH RUNS EAST AND WEST LYING DIRECTING NORTH OF LOT 7, BLOCK 4, MCDONALD'S ADDITION TO THE CITY OF FORT SCOTT.

Mitchell moved to close the Public Hearing at 6:17 p.m. Adamson seconded. All voted aye.

CLOSED PUBLIC HEARING AT 6:17 P.M.

Bartelsmeyer moved to open the Public Hearing at 6:18 p.m. Nichols seconded. All voted aye.

OPENED PUBLIC HEARING AT 6:18 P.M.

6:15 p.m. – Resolution 42-2018 - directing the repair or removal of an alleged unsafe and dangerous accessory structure located at 302 S. Lowman Street - Rhonda Dunn, Finance/Codes Director, informed the Commission that the owner is present tonight. She inherited this house but was in a bad car accident and has been unable to make repairs due to her limited means of income. There are four buildings on this property including the main house. Rhonda said that she has contacted the Good Neighbor Action Team to assist this property owner with repairs on the main house. There is one accessory structure on the southeast corner that she recommends demolition on.

Lori Smith said that she inherited this property. Her daughter and family lived there for a while but moved to Lees Summit, Missouri. She is getting ready to have back surgery on Friday at K.U. Medical Center. The water and electric have been updated at the main house and the roof is solid and does not leak. She plans to pay the City back for the demolition costs of the accessory structure.

Rhonda asked approval to repair or remove this structure in 7 days.

Parker moved to approve Resolution 42-2018 directing the repair or removal of this accessory structure by November 19, 2018. Bartelsmeyer seconded. All voted aye.

APPROVED RESOLUTION NO. 42-2018 DIRECTING THE REPAIR OR REMOVAL OF AN UNSAFE AND DANGEROUS ACCESSORY STRUCTURE LOCATED AT 302 S LOWMAN STREET. ACCESSORY STRUCTURE MUST BE BROUGHT UP TO 2012 INTERNATIONAL BUILDING CODE BY NOVEMBER 19TH, 2018 OR DEMOLITION PROCEEDINGS WILL BEGIN.

6:15 p.m. – Resolution 43-2018 - directing the repair or removal of an alleged unsafe and dangerous structure and accessory structure located at 421 W. 5th Street - Rhonda Dunn, Finance/Codes Director, informed the Commission that this structure is owned by the McKenney family. Mark McKenney is here representing the family tonight. This structure has had codes issues since 2005. There have been no changes in the last two years. The porch was shored up. There are windows out of the structure and the roof is bad. There are no utilities to the house. She recommended giving him 30 days to either repair or remove the structure.

Mark McKenney said that at one time Tim McKenney had chosen to tear the structure down but changed his mind. Tim recently took bids to have siding put on the house but is waiting on another bid. He said he would talk with the family, and if they want to demolish the structure that their family would do it.

City Attorney reminded the Commission that they just have to declare that the house is dangerous and unsafe and give them a time frame for repairs. If an extension is needed by that time frame, one can be given if approved.

Nichols moved to approve Resolution 43-2018 directing the repair or removal of this structure and accessory structure by December 14th, 2018. Parker seconded. All voted aye.

APPROVED RESOLUTION NO. 43-2018 DIRECTING THE REPAIR OR REMOVAL OF AN UNSAFE AND DANGEROUS STRUCTURE AND ACCESSORY STRUCTURE LOCATED AT 421 W. 5TH STREET. STRUCTURE MUST BE BROUGHT UP TO 2012 INTERNATIONAL BUILDING CODE BY DECEMBER 14TH, 2018 OR DEMOLITION PROCEEDINGS WILL BEGIN.

6:15 p.m. – Resolution 44-2018 - directing the repair or removal of an alleged unsafe and dangerous accessory structure located at the Vacant Lot south of 711 S. Barbee Street - Rhonda Dunn, Finance/Codes Director, informed the Commission that the property owner has removed this accessory structure.

6:15 p.m. – Resolution 44-2018 - directing the repair or removal of an alleged unsafe and dangerous structure and accessory structure located at 1110 Scott Avenue - Rhonda Dunn, Finance/Codes Director, informed the Commission that this structure has an issue with the porch. It is owned by Mark McKenney. He has placed some scaffolding by the porch but no repairs have been made yet. This house has a new roof and the inside is in good condition. She recommended giving him 30 days to either repair or remove the structure.

Mark McKenney said he would have the repairs made to the porch in 30 days.

Parker moved to approve Resolution 44-2018 directing the repair or removal of this structure and accessory structure by December 14th, 2018. Bartelsmeyer seconded. All voted aye.

APPROVED RESOLUTION NO. 44-2018 DIRECTING THE REPAIR OR REMOVAL OF AN UNSAFE AND DANGEROUS STRUCTURE AND ACCESSORY STRUCTURE LOCATED AT 1110 SCOTT AVENUE. STRUCTURE MUST BE BROUGHT UP TO 2012 INTERNATIONAL BUILDING CODE BY DECEMBER 14TH, 2018 OR DEMOLITION PROCEEDINGS WILL BEGIN.

Mitchell moved to close the Public Hearings at 6:32 p.m. Nichols seconded. All voted aye.

CLOSED PUBLIC HEARING AT 6:32 P.M.

CONSIDERATION:

1. Consideration of Bid – Cutting of Waterway – 23rd Street to Highway 69 - Rhonda Dunn, Finance/Codes Director, shared photos with the Commission of the removal of the brush at 7th and National. This company did a great job on that location. She asked for approval for the other part of this bid which is the removal of the brush at the waterway from 23rd Street to Highway 69. The same company, SMM Holdings, LLC was the low bid at \$6,925.00.

Parker moved to approve the bid from SMM Holdings, LLC in the amount of \$6,925.00 for the brush removal at 23rd Street to Highway 69. Adamson seconded. All voted aye.

APPROVED BID FROM SMM HOLDINGS, LLC OF FORT SCOTT, KANSAS IN THE AMOUNT OF \$6,925.00 FOR THE REMOVAL OF BRUSH AT 23RD STREET TO HIGHWAY 69.

Rhonda also gave the Commission a short update on a couple of Codes issues.

She informed them that there is a bedbug infestation at a house on Oak Street. She said that the owner is a hoarder. This property cannot be treated until it has been cleaned up. The debris they are removing cannot go to the local landfill and has to go to Arcadia. There is a dumpster behind the house. It is her hopes that no one is removing anything from the dumpster as that would spread the infestation.

City Attorney recommended putting up No Trespassing signs on the property and the dumpster.

Rhonda also gave an update on the structure at 310 N. Cleveland. This structure is owned by the Peterson's. The First Steps program has been working with the owners without much progress. The G.N.A.T. was also involved but no progress has been made by the property owners. There have been no utilities to this structure since 2016 and they still live there. She will now work with the City Attorney to start legal proceedings to remove the owners and demolish the structure.

2. Consideration of Fort Scott Public Library appointment – Diane Clay, City Clerk, informed the Commission that Gabrielle Studer and Jared Witt have both resigned from the Library board. Letters of interest were received for these two open positions. There were four letters of interest received: Deborah Hall, Maybelle Mertz, Lissa Gorman, and Bob Eckles. The Library board met on October 17th, 2018 and recommended that Lissa Gorman and Bob Eckles be appointed to their board.

Bartelsmeyer moved to approve the appointments of Lissa Gorman and Bob Eckles to the Fort Scott Public Library Board. Parker seconded. All voted aye.

APPROVED APPOINTMENTS OF LISSA GORMAN AND BOB ECKLES TO THE FORT SCOTT PUBLIC LIBRARY BOARD.

3. Consideration to waive bid process for purchase of three sets of bunker gear for the Fire Department – Paul Ballou, Fire Chief, informed the Commission that he is requesting the Commission waive the bid process in order to purchase three sets of bunker gear for the Fire Department. This gear is needed for the three newest firefighters. The condition and fit of the current gear will not work for the new firefighters. He asked for approval to purchase three new sets of gear from Weis Fire Safety in the amount of \$6,968.10.

Parker moved to approve to waive the bid process and approve the purchase of three sets of bunker gear for the Fire Department in the amount of \$6,968.10 from Weis Fire Safety. Nichols seconded. All voted aye.

APPROVED TO WAIVE THE BID PROCESS AND APPROVE THE PURCHASE OF THREE SETS OF BUNKER GEAR FOR THE FIRE DEPARTMENT IN THE AMOUNT OF \$6,968.10 FROM WEIS FIRE SAFETY.

4. Presentation of preliminary Energy Audit by CTS Energy Group – Michael Mix, Water Utility Director, introduced to the Commission, Curtis Wondra and Christy Humerickhouse of CTS Group to share with them information regarding an energy audit.

Curtis Wondra shared with them the goals and challenges of saving energy. He shared how the process works beginning with a Preliminary Infrastructure Audit completed, the RFQ for qualified providers and then the selection of a partner, the detailed analysis and design, the project implementation, and ongoing measurement and verification. He has toured some of the City facilities, especially Memorial Hall and Buck Run Community Center, and gathered information. The next step is a RFQ and then the selection of a firm.

Parker moved to approve to go out for Request for Qualifications for this project. Nichols seconded. All voted aye.

APPROVED TO GO OUT FOR REQUEST FOR QUALIFICATIONS FOR THE ENERGY AUDIT.

5. Consideration of quotes to replace windows at Water Treatment Plant - Michael Mix, Water Utility Director, informed the Commission that there are several windows at the Water Treatment Plant that need replaced due to a broken pane or unsightly etching due to the loss of the seal. Many of these windows have not functioned for many years and many were filled with foam for some reason. He requested quotes from the two local window vendors located here in town. The low quote was from Peerless Products in the amount of \$21,982.00. This is a budgeted item.

Nichols moved to approve the low quote from Peerless Products in the amount of \$21,982.00 to replace the windows at the Water Treatment Plant facility. Bartelsmeyer seconded. All voted aye.

APPROVED THE LOW QUOTE FROM PEERLESS PRODUCTS IN THE AMOUNT OF \$21,982.00 TO REPLACE THE WINDOWS AT THE WATER TREATMENT PLANT FACILITY.

6. Consideration to replace service truck for Water Treatment Plant - Michael Mix, Water Utility Director, informed the Commission that he had budgeted to purchase a service truck for the Water Treatment Plant. Their current pickup they use has over 100,000 miles on it and has some engine issues. They would continue to keep this vehicle at their plant still. The newer, used service truck would be used to go to all the various locations that they service.

City Manager asked for approval to purchase a service utility vehicle up to \$28,000 and work with Tom Coffman, the City's mechanic and Michael Mix. This purchase will be made locally if at all possible.

Mitchell moved to authorize up to \$28,000 to purchase a used service truck for the Water Treatment Plant. Parker seconded. All voted aye.

APPROVED TO AUTHORIZE UP TO \$28,000 TO PURCHASE A USED SERVICE TRUCK FOR THE WATER TREATMENT PLANT.

7. Consideration to solicit RFQ's for Scope of Services for 2018-2019 for Water Treatment Plan Evaluation for our drinking water - Michael Mix, Water Utility Director, informed the Commission he wants to solicit RFQ's to evaluate the City's drinking water. He wants to pursue excellence in our drinking water. There is no cost for soliciting RFQ's. Approval was recommended.

Nichols moved to solicit RFQ's for the Water Treatment Plant drinking water evaluation. Adamson seconded. All voted aye.

APPROVED TO SOLICIT REQUEST FOR QUALIFICATIONS FOR AN ENGINEERING FIRM TO EVALUATE THE CITY'S DRINKING WATER.

8. Consideration to change membership section of the Employee Council Bylaws - Deb Needleman, Human Resource Director, informed the Commission that she and Dave Martin both sit on the Employee Council for the City. It was originally made up of eight members from different departments. Due to the size of the departments, the Employee Council discussed combining some of the departments taking the members down to six. The departments will be combined as follows:

Fire Department/Communications (Dispatch)
Police Department
Streets/Water Distribution
Wastewater/Wastewater Collections/Airport/Parks
Water Production
City Hall/Codes/Tourism/Golf Course

The Employee Council met on November 1st and approved this change to the bylaws.

Dave Martin also said that at each of the meetings, opportunity is given for the members of the council to ask questions of him or Deb. Also, there are suggestion boxes at various locations throughout the City where employees can place any suggestions they may have. These are read at the Employee Council meetings and discussed.

Mitchell moved to approve the membership section change on the Employee Council bylaws. Parker seconded. All voted aye.

**APPROVED THE MEMBERSHIP SECTION CHANGE ON THE
EMPLOYEE COUNCIL BYLAWS.**

COMMISSION/STAFF:

A. Director Updates:

Larry Gazaway – Larry recognized Allyson Turvey, Administrative Assistant for the City for the recent awards she was given. TIAK is the Travel Industry Association of Kansas. They are involved in training, education, and advocacy in the State of Kansas. The Kansas Destination Certification Program is designed to familiarize and further one's knowledge of the State of Kansas, tourism marketing, and leadership. To achieve this certification, one must complete three book reports; one on Kansas history, one on marketing, and another on leadership. One must also spend several hours a year in training, live or from webinars, and finally visit an attraction at least 50 miles from your home. Ally successfully completed all the requirements and two weeks ago, during the TIAK Conference, she was one of only six individuals to receive this certification. In August, Ally also received her Kansas Certified Professional Travel Counselor Certification. This certification comes from the Kansas Department of Wildlife, Parks and Tourism and assures that Ally delivers high quality travel information services. She is only one of three in the State of Kansas that has this certification. Ally will also be handling all the co-op advertising for TourKs, which is a statewide organization that is tasked with attracting bus tours to the state. She will be working with 63 cities and counties to make sure the State of Kansas is represented in various print magazines throughout the country.

Larry also reminded the Commission about the upcoming Veterans weekend. Friday night is a reception at the Boiler Room Brewhaus. Saturday morning is a program at Memorial Hall, 5:00 p.m. is the Veterans parade, and Saturday night at 7:00 p.m. is the Grand Ball at Memorial Hall. On Sunday at 9:00 a.m., is the church service at Community Christian Church. At 11:00 a.m. is the service at the National Cemetery and a luncheon to be held at the V.F.W. at noon. He also announced that there was a \$4,000 grant awarded for this event for 2019 from the Community Foundation.

Dave Bruner - In regards to the recent announcement of the closing of Mercy Fort Scott, as we all are probably aware, this also effects the ambulance service. Mercy EMS will no longer be operating as of March 31st. With that announcement, Bourbon County has been faced with a difficult task to come up with a solution for an EMS service for the residents of Bourbon County. A task force was formed to develop a working relationship between the County and City to continue to provide emergency medical services to the residents once April 1st arrives. Last week an announcement was made by the Bourbon County Commissioners that they will assume ownership of the ambulance

service which will be called Bourbon County Emergency Medical Services. That being said, the City was approached by County officials in a meeting on Monday in an effort to work out the details for the City to partner and continue the current relationship in which the City and Mercy EMS formed dating back as far as 15 years ago. Fifteen years ago, Mercy EMS and Fort Scott Fire Department worked out a contractual agreement to provide a second staffed ambulance. Most recently, another relationship was formed between the Fire Department and Mercy EMS to house the duty ambulance and staff at Fire Station #1 in efforts to attract personnel.

How does this look? The County will be taking on Mercy's role and contract services from the City.

Staffing: The City will provide human resource services to full time positions for the service. All current Mercy EMS employees will be transitioned. An EMS Director position will be added to the staff. All staff will report to the Fire Department administration as well as City administration.

Bourbon County will reimburse for salaries and operational cost.

Our team of personnel from the Fire Department and Mercy EMS are prepared and experienced to take on the challenge for the efficiency of the taxpayers. We are looking forward to working with County officials to build this service and continue to provide the quality service that Mercy EMS has provided since 1991.

He asked the Commission for their approval to continue with the development of the EMS service.

City Manager said that Deb Needleman will be involved in hiring the EMS Director and testing individuals as she does now.

Mitchell moved to authorize the continuation of the development of the EMS service between the City and the County. Bartelsmeyer seconded. All voted aye.

APPROVED THE CONTINUATION OF THE DEVELOPMENT OF THE EMS SERVICE BETWEEN THE CITY AND THE COUNTY.

Kenny Howard – Kenny shared photos of the beach pavilion and improvements that have been made to it recently. The pavilion was built in 1964. They repaired the inside and installed a new picnic table. They completed all these repairs for around \$1,800.

Commissioners told him that it looked great!

B. City Commission:

Bartelsmeyer – Thanked all who are working on the health care project. It is a big project.

Parker – Thanked the Fire Department who helped honor a man who served his country for a long time today. This is a great hometown that honors their own!

Adamson – Nothing to report.

Nichols – Nothing to report.

Mitchell – Nothing to report.

C. City Attorney: Nothing to report.

D. City Manager:

1. Change of time of December 4th, 2018 City Commission meeting to 4:00 p.m. due to Downtown Christmas Parade

Parker moved to change the time of the December 4th meeting to 4:00 p.m. for the Downtown Christmas parade. Bartelsmeyer seconded. All voted aye.

APPROVED TO CHANGE THE TIME OF THE DECEMBER 4TH, 2018 MEETING TO 4:00 P.M.

2. Health Care – Dave stated that Mercy is not willing to come to the table currently. He is still working with the task force to get health care here.
3. Police Department Night Training – Dave said that Mike Trim informed him that the Police Department will be doing night shooting training on November 7th and November 14th. He encouraged the Commission to go and watch this training.
4. Wreath Ride Fundraiser – Dave said that Cole Wagner has requested permission to hold a fundraiser on April 13th, 2019. It will be a Ruck Run. Participants will wear vests and run/march from the Crossfit facility to the National Cemetery.

Nichols moved to approve this fundraiser to hold a Ruck Run on April 13th, 2019. Adamson seconded. All voted aye.

APPROVED TO HOLD RUCK RUN FUNDRAISER ON APRIL 13TH, 2019.

ADJOURNMENT:

Nichols moved to adjourn the meeting at 7:24 p.m. Parker seconded. All voted aye.

ADJOURNED MEETING AT 7:24 P.M.

The next regularly scheduled meeting is to be held on November 20th, 2018 at 6:00 p.m.

RECORDED BY:

**DIANE K. CLAY
CITY CLERK**