

**CITY OF FORT SCOTT
CITY COMMISSION MEETING**

Minutes of November 20, 2018

Regular Meeting #22

The regular meeting of the Fort Scott City Commission was held November 20th, 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 Jared Witt, First Presbyterian Church, 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, Darrell Parker, Larry Gazaway, Paul Ballou, Deb Needleman, Michael Mix, Billy Keith, Frank Durossette, Mary Durossette, Diana Mitchell, Rachel Pruitt, Carl Jowers, Myra Jowers, Bill Hall, Jared Witt, Stephanie Witt, Barbara Ritter, Bryan Ritter, Dave Bruner, Dusty Drake, Lindsey Watts, Chrystal Cowan, Frank Adamson, and Clayton Miller, and representing the press, Jason Silvers, Fort Scott Tribune.

PROCLAMATIONS/RECOGNITIONS: Recognition of Veteran's Day Weekend - Peerless Products, Boiler Room Brewhaus, VFW Post #1165, Live Local BB, American Legion Post #25, Fort Scott Area Community Foundation, Community Christian Church, Bill Hall, Carl and Myra Jowers, and Wayne, Dee, & Barrett Young. - Larry Gazaway and Mayor Mitchell recognized the above individuals and groups with a Certificate of Recognition for their assistance in the 1st Annual Veteran's Day Weekend celebration event.

APPROVAL OF MINUTES AND APPROPRIATIONS/CONSENT AGENDA:

- A. Approval of minutes of the regular meeting of November 6th, 2018.
- B. Approval of Appropriation Ordinance 1227-A totaling \$277,010.59.
- C. Christmas Parade Permit Form- December 4th, 2018.

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

APPROVED CONSENT AGENDA.

APPEARANCE/COMMENTS/PUBLIC HEARING:

- A. APPEARANCE:** Diana Mitchell, Closure of Gunn Park - Christmas in the Park - December 1st, 2018 - 5:00 p.m. to 8:00 p.m. - Diana Mitchell appeared before the Commission to request that Gunn Park be closed to the public on Friday, November 30th, and Saturday December 1st, 2018

to allow the Christmas in the Park event. People will be bused in from various parking lots and taken through the park. Shelter #5 will have chili and Santa will be present also for the children. Their group will provide security on Friday night and Saturday for this event.

Parker moved to approve the Christmas in the Park event and close Gunn Park to the public on Friday, November 30th and Saturday, December 1st, 2018. Nichols seconded. All voted aye.

APPROVED TO CLOSE GUNN PARK TO THE PUBLIC ON FRIDAY, NOVEMBER 30TH, AND SATURDAY, DECEMBER 1ST TO HOLD THE CHRISTMAS IN THE PARK EVENT.

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 6:19 p.m. Bartelsmeyer seconded. All voted aye.

OPENED PUBLIC HEARING AT 6:19 P.M.

6:15 p.m. Resolution directing the repair or removal of an unsafe and dangerous structure located at 14 S. Margrave Street - Rhonda Dunn, Finance/Codes Director, informed the Commission that this structure has been on the Codes list since 2009. There has been no response from the property owner. She shared photos with the Commission of this dilapidated structure. There have been no utilities to this structure since 2015 and it is unoccupied. She recommended a time frame of ten days to either repair or remove this structure.

Mitchell moved to approve Resolution 45-2018 directing the repair or removal of this structure by December 3rd, 2018. Parker seconded. All voted aye.

APPROVED RESOLUTION NO. 45-2018 DIRECTING THE REPAIR OR REMOVAL OF AN UNSAFE AND DANGEROUS STRUCTURE LOCATED AT 14 S. MARGRAVE STREET. STRUCTURE MUST BE BROUGHT UP TO 2012 INTERNATIONAL BUILDING CODE BY DECEMBER 3rd, 2018 OR DEMOLITION PROCEEDINGS WILL BEGIN.

Mitchell moved to close the Public Hearing at 6:21 p.m. Bartelsmeyer seconded. All voted aye.

CLOSED PUBLIC HEARING AT 6:21 P.M.

CONSIDERATION:

1. Update on 523 S. Main Street – Rhonda Dunn, Finance/Codes Director, informed the Commission that she drove by this property today and no progress has been made since the last time this was on the Commission agenda. She will issue a citation to the McKenney family to appear in Municipal Court and keep issuing citations until progress begins. She does not want to condemn or tear this structure down.
2. Consideration of change of zoning from M-U (Mixed Use) to CBD (Central Business District) for the property at 19 S. Hill Street – Approval of Ordinance No. 3541 - Rhonda Dunn, Finance/Codes Director, informed the Commission that the Planning Commission met on October 29th, 2018 to hear this case. Mr. Durossette plans to put in a four bay auto mechanic shop. It will be a 30' X 60' metal building with four doors and an office area and would face Wall Street. The zoning needs changed from Mixed Use to Central Business District to allow this business.

Bartelsmeyer moved to approve the zoning change from Mixed Use to Central Business District for the property at 19 S. Hill Street and approve Ordinance No. 3541. Mitchell seconded. All voted aye.

APPROVED ORDINANCE NO. 3541 CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF FORT SCOTT, KANSAS, UNDER THE AUTHORITY GRANTED BY K.S.A. 1973, SUPP. 12-708 – CHANGE OF ZONING FROM MIXED USE (M-U) TO CENTRAL BUSINESS DISTRICT (CBD) FOR THE PROPERTY AT 19 S. HILL STREET.

3. Consideration of a Conditional Use Permit to operate an automotive mechanic shop at Lots 1, 3, 5, 7, & 9, Block 82, Fort Scott Addition, more commonly known as 19 S. Hill - Rhonda Dunn, Finance/Codes Director, informed the Commission that the Planning Commission also approved at their October 29th, 2018 meeting that a Conditional Use Permit be given to allow the operation of an automotive shop at 19 S. Hill. Under the Central Business District, it is not an allowable use.

Parker moved to approve the Conditional Use Permit for the property at 19 S. Hill Street to operate an automotive shop. Nichols seconded. All voted aye.

APPROVED CONDITIONAL USE PERMIT FOR THE PROPERTY AT 19 S. HILL STREET TO OPERATE AN AUTOMOTIVE SHOP.

4. Consideration of adoption of 2018 Comprehensive Plan Ordinance No. 3542 - Rhonda Dunn, Finance/Codes Director, informed the

Commission that the Planning Commission held a public hearing on October 29th, 2018 to recommend the approval of the 2018 Comprehensive Plan. Commissioner Parker and Commissioner Nichols both assisted in reviewing this plan. The Planning Commission approved the recommendations made by the City Commission.

There were no comments from the audience.

Commissioners thanked the Planning Commission for all their hard work on this plan.

Nichols moved to approve Ordinance No. 3542 approving the 2018 Comprehensive Plan. Bartelsmeyer seconded. All voted aye.

APPROVED ORDINANCE NO. 3542 ADOPTING THE 2018 COMPREHENSIVE PLAN FOR THE CITY OF FORT SCOTT, KANSAS; INCORPORATING SUCH PLAN BY REFERENCE PURSUANT TO K.S.A. 12-741 ET SEQ., K.S.A. 12-3009:3012 AND K.S.A. 12-3301:3302.

5. Consideration of appointment of Edna Erie as resident commissioner to replace Vickie Morgan – Fort Scott Housing Authority Board – Diane Clay, City Clerk, informed the Commission that she was notified by Patty Simpson, Executive Director of the Fort Scott Housing Authority, that Vickie Morgan, the resident commissioner on the board of commissioners has resigned. The Housing Authority requested the approval of Edna Erie to fill her vacancy which would expire on May 3, 2020.

Parker moved to approve the appointment of Edna Erie as the Resident Commissioner on the Fort Scott Housing Authority. Adamson seconded. All voted aye.

APPROVED THE APPOINTMENT OF EDNA ERIE AS THE RESIDENT COMMISSIONER ON THE FORT SCOTT HOUSING AUTHORITY BOARD OF COMMISSIONERS WITH THE TERM EXPIRING ON MAY 3, 2020.

6. Consideration of purchase of two additional VFD's in the high service pump station – Water Production – Michael Mix, Public Utility Director, informed the Commission that he wishes to install VFD's for each of his three pumps. This will increase reliability and redundancy for this critical station. He received a quote from Brock Electric in the amount of \$9,354.50. Approval was recommended.

Bartelsmeyer moved to approve the quote from Brock Electric in the amount of \$9,354.50 for the installation of the VFD's. Parker seconded. All voted aye.

APPROVED QUOTE FROM BROCK ELECTRIC IN THE AMOUNT OF \$9,354.50 FOR THE INSTALLATION OF THE VFD'S FOR THE WATER TREATMENT PLANT.

COMMISSION/STAFF:

A. Director Updates:

Ambulance Update - Dave Bruner – Dave gave the Commission an update on the new Bourbon County Emergency Medical Service ambulance. There was a meeting held this morning with the Bourbon County Commissioners. The contract is done and the budget is completed. This will go before the Bourbon County Commission for approval on December 4th, 2018 and the City Commission on the same date. He thanked Rhonda Dunn, Robert Uhler, Kristi Keating, Jody Hoener, and Deb Needleman for their assistance with the contract and the budget.

Health Care Update - Rachel Pruitt – Rachel updated the Commission on progress on health care in our community. She reminded the Commission of the three primary principals the City is looking at: Primary Care; EMS/Ambulance, and ER. She said that the City is welcoming CHC/SEK into our community to cover the primary care services. In regards to ER, discussions continue with Via Christi. She said that they have not committed, but have not declined. She stated that it has been 50 days since the announcement for Mercy which allocates to 34 working days. There are 40 days left until the hospital closes. The City has left no stone unturned. The City needs to look at the future of the hospital facility itself also. During the first week of November, a very good meeting was held with Mercy officials from Springfield, St. Louis, and Joplin to discuss the fate of the hospital and the facility. The City received positive feedback from Mercy and was told they would work with the City and any other interested providers. There was also another recent meeting held with a firm that offers health care consultations. There are more meetings scheduled next week and the City is very focused on the next 40 days and continuing health care in this community.

B. City Commission:

Adamson – Nothing to report.

Nichols – Commented that Rachel's comments are spot on. He has been included in several meetings and the City is working for this community. He feels good about it.

Parker – Thanked the whole team working on health care for our community. There has been lots of time, effort, and listening for the best needs of our community.

Bartelsmeyer – Echoed Commissioner Parker’s comments.

Mitchell – Thanked the whole team and said she appreciates all they have done.

C. City Attorney: Not present.

D. City Manager:

1. Health Care – Dave said that a citizen stopped him at the store and asked how he ran the City while trying to find health care for the community. He thanked the other directors who have stepped up and helped other departments. It is a team effort and he feels confident we will have health care here.
2. Employee Christmas Dinner – Dave informed the Commission that the City Employee Christmas dinner will be held on Tuesday, December 11th, 2018, at 6:00 p.m. at Buck Run Community Center. He invited all to attend.
3. City Crews – Dave thanked the City crews who worked to treat icy streets after the recent winter storm. He also thanked Bill Lemke and the Water Distribution crews who worked a large water main break in the Industrial Park and worked all night. The next day another break occurred and some of the same employees were called out to work that break also. He thanked them for their hard work.
4. Wished all a Happy Thanksgiving!

ADJOURNMENT:

Parker moved to adjourn the meeting at 6:41 p.m. Adamson seconded. All voted aye.

ADJOURNED MEETING AT 6:41 P.M.

The next regularly scheduled meeting is to be held on December 4th, 2018 at **4:00 p.m.**

RECORDED BY:

DIANE K. CLAY
CITY CLERK