

**SPECIAL MEETING AGENDA
FORT SCOTT CITY COMMISSION
CITY HALL COMMISSION ROOM
123 S MAIN STREET
JULY 19, 2021
5:30 P.M.**

I. K. ALLEN P. ALLEN R NICHOLS L WATTS J. JONES

II. CONSIDERATION:

- A. Approval of Resolution 16-2021 regarding governing body's intent to levy a property tax exceeding the revenue neutral rate.
- B. Resolution 17-2021 - Emergency Resolution for Unsafe and Dangerous Structure located at 14 S. Main St. - Public Hearing Date - 7/20/2021 at 6:15 p.m.
- C. Discussion of Eagle Block Building

Resolution No. 16-2021

A RESOLUTION OF THE CITY OF FORT SCOTT, KANSAS REGARDING THE GOVERNING BODY'S INTENT TO LEVY A PROPERTY TAX EXCEEDING THE REVENUE NEUTRAL RATE;

WHEREAS, the Revenue Neutral Rate for the City of Fort Scott was calculated as 46.963 mills by the Bourbon County Clerk; and

WHEREAS, the budget proposed by the Governing Body of the City of Fort Scott will require the levy of a property tax rate exceeding the Revenue Neutral Rate; and

WHEREAS, the Governing Body intends to hold a hearing and hear testimony from all interested taxpayers desiring to be heard as required by state law.

WHEREAS, the Governing Body intends to keep the mill levy at the same levy as 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FORT SCOTT, KANSAS;

Section 1. The Governing Body of the City of Fort Scott hereby sets a public hearing regarding its intention to exceed the Revenue Neutral Rate for September 7, 2021, at 6:15 PM to be held at City Hall, 123 S. Main Street, Fort Scott, KS and directs that notice of the public hearing be given as required by state law.

Section 2. The Governing Body of the City of Fort Scott expresses its intention to exceed the Revenue Neutral Rate with a proposed mill levy of 47.701 mills.

Section 3. The Governing Body of the City of Fort Scott directs the City Clerk to provide this resolution to the Bourbon County Clerk as notice of the City's proposed intent to exceed the Revenue Neutral Rate.

This resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Governing Body.

ADOPTED this **20th** day of **July 2021** and **SIGNED** by the Mayor.

Joshua Jones, Mayor

Attested:

Susan Bancroft, Acting City Clerk

Notes:

- 1) The notice required by SB 13 (as modified by HB 2104) does not have to take the form of a resolution. Pursuant to the legislation, the notice must come from the governing body, and must include a statement of intent to exceed the revenue neutral rate, the date, time and location of the public hearing, and the city's proposed tax rate. Because the notice must come from the governing body, some official action will need to be taken by the body to give the notice. A resolution like this sample may be the easiest form for that notice to take, as it will require an official action of the governing body to pass the resolution and the written resolution can be sent to the County Clerk to serve as the notice.
- 2) This resolution as drafted contains only the information explicitly required by SB 13 (as modified by HB 2104). The city can, at the discretion of the governing body, include more in this resolution. For example, the governing body could include "whereas" statements explaining the rationale for exceeding the revenue neutral rate.

RESOLUTION NO. 17-2021

**RESOLUTION FOR ALLEGED UNSAFE AND DANGEROUS STRUCTURE
AND
ACCESSORY STRUCTURE**

Whereas, the Fort Scott City Commission through the recommendation of Chief of the Fire Department and the Building Official of the City of Fort Scott, Kansas, pursuant to the provisions of Ordinance No. 3147 and 3487 of said City, has filed with the Board of Commissioners, the body of said City, a statement in writing that the structure located at 14 N. National Ave is unsafe for human habitation as it has partially collapsed due to the dilapidated, unrepaired, and unsanitary condition of the structure located at: South Twenty-five Feet of Lot Six, Block 68, in Bourbon County, in the City of Fort Scott, Kansas, is unsafe and dangerous.

This action is taken on an emergency basis as the above referenced structure has already partially collapsed and is in danger of total collapse which could damage remaining buildings and adjoining properties and endanger human lives.

The City of Fort Scott has had the building inspected and received a written report of the lack of structural integrity and the fact that the building will continue to collapse unless it is removed and made safe.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FORT SCOTT, KANSAS;

Section 1. That City of Fort Scott does not have time for a formal public hearing under the normal conditions but will set one up for its next regular meeting on July 20, 2021, at 6:00 P.M. to be held in the City Commissioners Meeting Room at City Hall, 123 South Main, of the City of Fort Scott, Kansas.

Section 2. The owner(s), his or their agent(s), any lienholders of record, and any occupant of such structure and any other person having an interest in said structure may appear at said hearing and show cause why such structure should not be condemned and ordered repair or demolished.

Section 3. If the governing body of the City at said hearing shall find that such structure is unsafe and dangerous, said governing body will by resolution direct the structure to be repaired or removed and the premises made safe and secure pursuant to said Ordinance No. 3147 and 3487 and the provisions of K.S.A. 12-1750 to 12-1756 inclusive, as amended. Such resolution shall be published in the official City paper and a copy mailed to the owner(s), agent(s), lienholder(s) of record and occupant and other persons having an interest in the structure and accessory structure in the same manner provided for in the notice of hearing.

Section 4. This resolution shall be in full force and effect from and after the date of its adoption and publication.

Introduced, adopted and approved this **19th** day of July, 2021.

ATTEST: (Seal)

Joshua A. Jones, Mayor

Susan Bancroft, Acting City Clerk