

**CITY OF FORT SCOTT
CITY COMMISSION MEETING**

Minutes of March 16th, 2021

Regular Meeting #6

The regular meeting of the Fort Scott City Commission was held March 16th, 2021 at 6:00 p.m. in the City Commission Meeting Room at City Hall, 123 S. Main Street, Fort Scott, Kansas.

ROLL CALL:

Commissioners P. Allen, K. Allen, R. Nichols, and L. Watts were present with Mayor J. Jones presiding.

INVOCATION: Diane Clay, City Clerk, said a prayer asking God for guidance for the City, our Government and City officials.

AUDIENCE IN ATTENDANCE: Travis Shelton, Russell Lingerfelt, Steve James, Robert Childers, Mitch Quick, Shannon O'Neil, Wayne Thorpe, Devin Tally, Steve Anthony, Ben Cole, Zack Bradley, Ann Rawlins, John George, Steve Harry, Deb McCoy, Billy Madison, Jody Hoener, Lindsay Madison, Sandra Stinnett, Michael Mix, Michael Hoyt, Susan Bancroft, and Allyson Turvey via speaker phone.

PROCLAMATIONS/RECOGNITIONS:

ADDITIONS TO AGENDA: There were no additions to the agenda.

L. Watts moved to approve the agenda. R. Nichols seconded. All voted aye.

APPROVED AGENDA.

CONSENT AGENDA:

A. Approval of minutes of the regular meeting of March 2nd, 2021 and special meeting minutes of March 4th, 2021.

B. Approval of Appropriation Ordinance 1284-A totaling \$382,130.14.

C. Request to Pay – Pipe Detectives - \$87,755.50.

D. Request to Pay – Lauber Municipal Law, LLC – February - \$8,557.50

K. Allen asked if Pipe Detectives was paid in full now.

Susan Bancroft said yes.

P. Allen asked if there was documentation from Pipe Detectives that the work was completed.

Michael Mix said that he has hours of video.

Pete said that he is okay with it if Michael has watched it.

City Manager said that he will provide them a copy or a link to drop-box where the videos can be viewed.

L. Watts moved to approve the Consent Agenda. R. Nichols seconded. All voted aye.

APPROVED CONSENT AGENDA.

Public Comment:

(Sign up required. Comments on any topic not on the agenda and limited to 5 minutes per person, at Commission discretion)

Steve Jones – Mr. Jones asked if he could play an audio recording to the Commission which he did. He said that he lives at 732 S. Margrave and has a disabled blind child. His neighbor has dogs that constantly come up to his fence barking. He asked them to listen to this and close their eyes and imagine his daughter and how annoying this is. He said that he has called the Police and they say that they did not see it. He called the Codes Department, and they won't come over and write a ticket to them. They are in violation of Section 6.04.020 – Animal Nuisance. They can't be kept that way when their dogs are annoying. One dog is on a chain and the other four are Chihuahuas. He was told to contact his landlord. He doesn't need to contact his landlord unless his house is on fire or something. Section 6.08.160 of the City code states that anything that meows, goes cluck, cluck, squawks, or barks and one person complains, that is a nuisance. When he calls the Police Department, he shouldn't be told that they didn't see it happen. He should be told if I'm willing to sign a complaint, we will go over and enforce it. He is tired of it. This has been going on for two years. He would like some answers.

Chief Shelton said that he has spoke to Mr. Jones several times. If he is willing to sign a complaint, and he is willing to come to court if needed, we will issue the citation.

Josh said that Steve can go to the Police Department and file a complaint.

Kevin asked why Steve has to be involved. Can he report this unanimously?

Travis said he will have to come to court and testify that he has taken the video. Drug cases are different in nature than a nuisance as far as anonymity. He asked Mr. Jones to call him tomorrow morning at the station.

Ann Rawlins - She said that she was here tonight to give them an update on a claim she placed with the City of Fort Scott insurance carrier KCAMP. If you recall she came to them in September asking what would you do if raw sewage backed up into your house repeatedly. What would you do if the force of the sewage blew the cover off the line outside your dining room and the front entrance of your house and spewed several inches of raw sewage over the flower bed? She was advised to place a claim with David Martin, the previous City

Manager. He gave her a claim form to fill out and send to KCAMP for processing. She and her daughter did as instructed. They received a response from KCAMP stating they would pay them \$500.00 if they would drop all claims and not discuss the sewer issue from that date forward. She wrote declined across the offer because that was ridiculous. She didn't get a response from KCAMP, so she called KCAMP last week and was advised the claim was closed. They didn't have the authority to pay more than the \$500.00 goodwill amount. The insurance with the City only allows claims for basements of homes, not damage to first floors or outside ground. Why then was she asked to place a claim that was not covered. As you know, there has been a continuing problem with the sewer lines in Fort Scott. How are we supposed to protect our family and property from contamination by the City of Fort Scott or even file a claim for assistance if damage does occur? She cleaned the raw sewage, and her family breathed the disgusting sewage that was left behind and it was never our issue. It was the City of Fort Scott's issue. They love this community and there is so much to offer families in this community. Please let her know what she can do to help her solve this issue.

Kevin said he remembered when she came in. When you turn insurance into KCAMP, which we have now dropped, are they resistant to pay anything? Do we need to talk to our new insurance company about it? This is a slap in the face and should never happen. The City is probably somewhat responsible.

Jeff Deane said that KCAMP would give you a different answer whether you were on their insurance or off their insurance. If it is covered, it is and if not, it isn't. He didn't hear from anyone at the City about this. He would assume the denial letter was sent to the City also.

Kevin asked if she delivered her claim to the City.

Ann said that she mailed her form to KCAMP per Dave Martin. She was not notified that the claim was closed.

Kevin said that this needs to be investigated. He asked to give them two weeks.

City Manager said that claims are given to the H.R. Director and she processes them to the insurance carrier. He asked her to reach out to them tomorrow on this.

Ann said she may have brought the claim form into City Hall.

Pete said someone within the City advised KCAMP to close it.

Josh said we can't say that.

City Manager asked her to contact him.

Michael Hoyt – He said that he had questions on this mystery three-mile limit outside the City limits. It seems to be that City taxpayers are being taken advantage of by people receiving City services but living in the County. Anyone that lives within the City limits is receiving City services, and also paying property taxes, so they get to pay for both sides. If Anne Dare was here, she probably wished all those windmills fell within that three-mile zone because there is zoning, and we would not probably have allowed those. That is a zoned area. There are folks out there that is getting property zoned within the three-mile limit at the City's gift, taking advantage of that zoning, and also things that he has read, taking advantage of our permits that we have received as a City in that three mile limit. That's a problem. We don't know what those fluids are and do they comply with N.P.D.E.S. permit. Will we be allowed to find out first? Right now we have a Conditional Use Permit before you that has no conditions. They can make that up as they go along. There should be at least one condition. We need a stormwater pollution prevention plan. We need wastewater information, and at least some say in what expansion could take place on that property. We've heard it's going to start off with hogs, and it will grow to cattle. That should be a condition of our Conditional Use Permit to have a say in how we go forward.

Kevin said that they are going to speak to that tonight.

Jeff Deane said that these were just general statements as we cannot take public comments tonight.

Wayne Thorpe – Mr. Thorpe said that he has concerns with the City Attorney issue and Bob Farmer. He doesn't think you want him in. Several years ago he tried to swindle his mother out of a farm. He made out illegal deeds and filed them at the courthouse. He gave the Commission the background on what he believes happened incorrectly. He read some of the court records to the Commission. He asked them not to appoint Bob Farmer as their new attorney.

City Manager Report and Comments: Jeremy Frazier, City Manager, informed the Commission that he has had lots of meetings. He has started a new process internally and each department is giving him their version of what is important to each specific department. The report is about 27 pages long. He doesn't know if they want all 27 pages. He can email it out or hand it out if they want to look at it.

Director Reports: None

Old Business: None

Appearances: Steve Anthony & Ben Cole – Request to use tennis courts at Woodland Hills for their golf tournament event – Steve that they plan to hold their Special Olympics Golf Tournament again this year in July. Last year they received they Southeast Kansas Organization of the Year Award from the State of Kansas for this event. They have raised approximately \$40,000 to date for Special Olympics. That money stays here in Southeast Kansas and doesn't go to some politician or to Washington. They asked for approval to use the golf course on July 24th and 25th for their golf scramble. They have 240 players

coming in this year. Hotels are going to be full. There are teams coming from all over. There are 60 teams. They asked permission to use the tennis courts at the golf course for their dinner on Saturday night along with the lights. This dinner will be catered by Dave Lipe of Sharky's/Luther's. They will do a cash bar on Saturday night also. Dave has a catering license so this is permitted in his licensing.

Ben said that there will be lots of autographed items and giveaways they will raffle off along with a golf cart.

Pete asked about the surface of the tennis courts as they were just redone this last year. He asked if something could be put down on top of the courts to prevent any damage to the courts.

Ben said that this is their 4th year of sponsoring this event. The first year they raised \$14,000, the 2nd year was \$24,000 and they look to break \$50,000 this year. This weekend alone will bring in over \$10,000 to the golf course. Ben said that they will put some type of preventive coating down to protect the tennis courts from any damage.

K. Allen moved to approve the use of the tennis courts at the golf course for their Special Olympics golf tournament on July 24th and 25th and to ensure no damage is caused to the courts. L. Watts seconded. All voted aye.

APPROVED TO USE THE TENNIS COURTS AT THE GOLF COURSE FOR THE SPECIAL OLYMPICS GOLF TOURNAMENT DINNER ON JULY 24TH, 2021 AND ENSURE THAT NO DAMAGE IS CAUSED TO THE TENNIS COURTS.

New Business:

1. Consideration of a change in zoning from R-1 (Residential) to C-3 (Commercial for the property at 600 N. Crawford Street – Approval of Ordinance No. 3574 – Jeremy Frazier, City Manager, informed the Commission that is a zoning change from Residential to Commercial. This is for Zack Bradley and will be used for a two-bay cattle washout facility. This case was heard before the Planning Commission on February 22nd, 2021 and approved unanimously. This was discussed with Michael Mix, Public Utilities Director, and the remains out of the trucks will be filtered out and the straw put into bins separately from what will go into the sewer system. Michael has no concerns with what will go into the sewer system. We will also be supplying them with water service. The City Commission will have final approval on this zoning change, and if approved, the ordinance will need to be approved also.

Lindsey said that Zack has worked hard on this project for over a year to see this happen.

K. Allen moved to approve the zoning change from R-1 (Residential) to C-3 (Commercial) for the property at 600 N. Crawford and approve Ordinance No. 3574 approving this zoning change. R. Nichols seconded. All voted aye.

APPROVED THE ZONING CHANGE FROM R-1 (RESIDENTIAL) TO C-3 (COMMERCIAL) FOR THE PROPERTY AT 600 N. CRAWFORD AND APPROVE ORDINANCE NO. 3574 APPROVING THIS ZONING CHANGE. APPROVED ORDINANCE NO. 3574 CHANGING THE ZONING CLASSIFICATIONS OR DISTRICT OF CERTAIN LANDS LOCATED IN THE CITY OF FORT SCOTT, KANSAS UNDER THE AUTHORITY GRANTED BY K.S.A. 1973 SUPP 12-708.

2. Consideration of a Conditional Use Permit for the property between the 1500 and 1600 block of Scott Avenue to operate a storage unit facility - Jeremy Frazier, City Manager, informed the Commission that this is for a Conditional Use Permit to allow a storage unit facility in the 1500 to 1600 block of Scott Avenue. This case was heard before the Planning Commission on February 22nd, 2021 and approved unanimously. The number of units has not been determined yet until construction will begin. This is not located in a flood plain area. This is located across from New Generations Daycare facility.

L. Watts made a motion to approve the Conditional Use Permit for the property between the 1500 and 1600 block of Scott Avenue to operate a storage unit facility. K. Allen seconded. All voted aye.

APPROVED THE CONDITIONAL USE PERMIT FOR THE PROPERTY BETWEEN THE 1500 AND 1600 BLOCK OF SCOTT AVENUE TO OPERATE A STORAGE UNIT FACILITY.

3. Consideration of a Conditional Use Permit for the property south of K.D.O.T. to operate a slaughterhouse - Jeremy Frazier, City Manager, informed the Commission that this is for a Conditional Use Permit to allow a micro meat processing plant for the property south of K.D.O.T. This case was heard before the Planning Commission on March 1st, 2021 and approved unanimously. He said that he has had the privilege of viewing the facility in Spring Hill, Kansas and he was very impressed with the facility. The final decision is up to the City Commission.

Josh asked Michael Mix about the sewage issue and if there would be any issues.

Billy Madison, property owner, informed the Commission about the water and sewage expected amounts. They will be hooked up to City sewer and City water. They expect one truckload a day to start with.

John George of AG Engineering was also present and discussed the design of the proposed plant with the Commission.

Discussion was held how the water and sewer would be metered and how much it would amount to.

Billy Madison said that there is still discussion on the access road in front of K.D.O.T. and determining who owns the road.

City Manager said that the County has told him that there is no issue with the access road.

Josh asked about Smart Growth and if this would affect any growth at LaRoche Baseball Complex.

City Manager said that he has spoken with Adam LaRoche and if they were to enlarge, it would move to the north. Adam has no issues with this plant.

Ally said she didn't think this would affect Smart Growth at all. There are no specific plans for that area currently.

Michael Mix said that he was not aware they would be coming into the City sewer, and hopefully, we can accommodate them. Michael thought it was a different location.

Jody Hoener said that this was brought forward from the beginning.

Michael said that was a different location at first. He said that he needs volume numbers from Mr. Madison.

Mr. Madison estimated 4,000 gallons a day and it would be spread out during the day.

Michael said that the only issue is with the lift station it has to pass through. With his proposed numbers, it should not be a problem.

Randy asked about the expansion of going into cattle production also. He questioned if the land should be divided into plots or if all 46 acres should apply to the Conditional Use Permit. He asked where the cattle plant would be located. He also questioned the offal and if any cooking would occur on the property.

Billy said to the south is where the cattle plant would be located. He said that 46 acres is not much acreage to place a production plant. He said that no cooking will take place on the property and there will be no odor.

Jeff Deane said that they have to be specific to the Conditional Use Permit and what they have requested. Any significant changes would have to be brought back before the Planning Commission again and ultimately the City Commission for approval.

Josh said that the Planning Commission's stipulation included no outside pens.

Jeff Deane said that your motion should include that also and anything else they desired be included.

Josh said that this is a \$2.7 million investment and will bring in 15 to 30 jobs. He asked if there were any concerns from the neighbors.

Mitch Quick, Chairperson of the Planning Commission, said there were no concerns at the Planning Commission meeting.

Kevin said that there were a lot of people in support of this that night as he attended the meeting. He mentioned Steve Buerge and Larry Martin were both in support of this.

Jeff Deane said that the Commission has three options this evening. They can approve the Planning Commission's recommendation with their stipulation of no outside pens, which requires a majority vote of three people. The second option is to send it back to the Planning Commission for further actions. Lastly, if you are going to change the Planning Commission's recommendation with a statement to change or remove their conditions, it has to be approved by a majority of four people.

Pete asked if the public comments have been addressed.

Jeff Deane said it was taken care of during the Planning Commission meeting. We did not post that public comments would be taken and that a 21 day notification would have had to be published. This would have resulted in a violation of Open meetings.

Kevin said that he is not aware of all the rules and apologized to the public. He did say that he had several individuals reach out to them.

R. Nichols moved to approve the Conditional Use Permit for the property south of K.D.O.T. on Highway 69 to allow for a micro meat processing plant with the stipulation that no outside pens be allowed on the property as well as no cooking of offal rendering material. L. Watts seconded. All voted aye.

APPROVED THE CONDITIONAL USE PERMIT FOR THE PROPERTY SOUTH OF K.D.O.T. ON HIGHWAY 69 TO ALLOW FOR A MICRO MEAT PROCESSING PLANT WITH THE STIPULATION THAT NO OUTSIDE PENS BE ALLOWED ON THE PROPERTY AS WELL AS NO COOKING OF OFFAL RENDERING MATERIAL.

4. Consideration of See-Click-Fix Codes software purchase – Jeremy Frazier, City Manager, informed the Commission that he and Ally researched companies for a Codes enforcement software to be used by the City. Their recommendation is See-Click-Fix with Civic Plus. This software has a five (5) phase implementation period which will take about 8 to 12 weeks. The five phases include: introduction and planning, account configuration, user training and testing, marketing planning, and launch and announcement. They will assist us from the beginning in how to use this tool and help educate the public. Citizens will be able to report any issues in their neighborhoods. This will be a win/win situation and greatly assist the Codes Department. The City will receive ten (10) licenses at a cost of

\$10,000.00 with a \$500.00 technology upgrade for the second year. This software has a tracking system that notifies citizens when a request has been received and then resolved.

Jeff Deane said that he is acquainted with this software and that the City of Shawnee, Kansas uses it.

R. Nichols moved to approve to purchase the See-Click-Fix Codes enforcement software at a cost of \$10,000 and a technology upgrade the second year in the amount of \$500.00. K. Allen seconded. All voted aye.

APPROVED TO PURCHASE THE SEE-CLICK-FIX CODES ENFORCEMENT SOFTWARE AT A COST OF \$10,000.00 AND A TECHNOLOGY UPGRADE THE SECOND YEAR IN THE AMOUNT OF \$500.00.

5. Consideration to trade or sell City property at Highway 69 and Wall for a development - Jeremy Frazier, City Manager, informed the Commission that Ally has been working with the property owner on this issue.

Ally said that a map is attached for their review and shows where the property sits. It is east of Greg Schick's property which sits on the corner of Highway 69 and 54. Greg recently sold his parcel to Pete's Corporation so there is a potential for a gas station development at that location. This is a piece that is actually holding up this development which is the access to get to the property. The street that runs between the City property and Pete's property was vacated about 15 years ago. With that vacation, the City got one half of the street and the other property owner got the other half of the street. Now they need the entire street so they can have access for their entire development. They have asked that the City trade, sell, or donate this part of the street to that developer. Greg Schick has requested that this property be given to him first and then he and Gratz Peters will have an agreement to them on how the access will occur. The goal for that property is to place a very small building on it that would be for Golden Arrow Corporation which is Greg Schick's company.

Josh asked why we weren't working with Pete's Corporation directly?

Ally said she has spoken to Gratz Peters about it. His point of view is that he needs the entrance and needs it opened up. He cares about the access point and that the City owns part of it. There could be concerns if we sold it to someone else in the future. This was purchased as part of the Quiet Zone several years ago.

Kevin said that he and Jeremy met with Greg Schick on this property. He thinks there are too many variables out there to make a decision this evening.

K. Allen made a motion to table this until our next meeting so more information can be given. L. Watts seconded. All voted aye.

APPROVED TO TABLE THIS ISSUE UNTIL THE APRIL 6TH, 2021 MEETING SO MORE RESEARCH CAN BE DONE.

6. Consideration of appointment of Tourism Board members (Rhonda Dunn and Rina Desai) – Allyson Turvey, Community Development Director/Tourism, informed the Commission that two Tourism Board members need appointed to the board. They were approved by the Tourism Board unanimously.

R. Nichols moved to approve to appoint Rhonda Dunn and Rina Desai to the Tourism Advisory Board. L. Watts seconded. R. Nichols, L. Watts, and J. Jones voted aye. K. Allen abstained, and P. Allen voted no. Motion carried 3-1-1.

APPROVED TO APPOINT RHONDA DUNN AND RINA DESAI TO THE TOURISM ADVISORY BOARD.

7. Consideration of Resolution No. 6-2021 – Donation Warranty Deed – City of Fort Scott to National Parks Service - Allyson Turvey, Community Development Director, informed the Commission that this was approved back in April of 2020. The federal government does not move very quickly. This is the legal paperwork to transfer that piece of property and the land it sits on at the end of Skubitz Plaza. This authorizes the Mayor to sign the Resolution and the donation warranty deed and have this recorded with the Register of Deeds Office.

R. Nichols moved to approve Resolution No. 6-2021 and authorize the Mayor to sign the Resolution, the Donation Warranty Deed and other paperwork needed to transfer the Lunette Blair Blockhouse to the National Parks Service. L. Watts seconded. P. Allen, R. Nichols, L. Watts, and J. Jones voted aye. K. Allen abstained. Motion carried 4-1.

APPROVED RESOLUTION NO. 6-2021 AND AUTHORIZE THE MAYOR TO SIGN THE RESOLUTION, THE DONATION WARRANTY DEED AND OTHER PAPERWORK NEEDED TO TRANSFER THE LUNETTE BLAIR BLOCKHOUSE TO THE NATIONAL PARKS SERVICE.

8. Consideration of Fee Increase for all City services – Jeremy Frazier, City Manager, informed the Commission that it has been some time since the City has increased their fees at the Golf Course and the Airport. There were proposed increases for the Animal Shelter, Municipal Court and Aquatic Center also. He asked that the Commission consider the Golf Course, Airport, and mowing assessment fees at this time.

Shannon O’Neil, Head Golf Professional, said that fees have not increased since 2019. The new proposed fees are the single golf season pass from \$440 to \$465; family golf membership from \$595 to \$625. Green fees would go from \$13.00 to \$14.00 on a weekday and from \$15.00 to \$16.00 on a weekend. The cart fees would go from \$13.00 to \$14.00. We are not the most expensive place in this area but moves us towards the middle. The Advisory Board recommended a 5% increase for season passes, golf cart

storage, and trail fees. Shannon gave comparison prices of other golf courses in this area.

Discussion was held regarding charging more for individuals out of town to play golf like some other courses do.

Discussion was held regarding a tiered membership option.

Shannon said that the Golf Course Advisory Board can meet and discuss this before their next meeting.

R. Nichols moved to approve the golf increases for Woodland Hills Golf Course and possibly look at a tiered system. L. Watts seconded. P. Allen, R. Nichols, L. Watts, and J. Jones voted aye. K. Allen abstained. Motion carried 4-1.

APPROVED THE GOLF INCREASES FOR WOODLAND HILLS GOLF COURSE FOR 2021 AND POSSIBLY LOOK AT A TIERED SYSTEM.

City Manager said that the Airport Advisory Board recommended raising their fees also. These fees would reflect the following:

| | |
|------------------|--------------------------|
| Hangar Rental #1 | \$100.00 (from \$70.00) |
| Hangar Rental #2 | \$300.00 (from \$200.00) |

L. Watts moved to approve the increase in fees at the Fort Scott Municipal Airport. R. Nichols seconded. All voted aye.

APPROVED THE INCREASE IN FEES AT THE FORT SCOTT MUNICIPAL AIRPORT.

City Manager said that the last fee to look at is the mowing assessment fee. It is currently at \$300.00 that is assessed when a yard is mowed, and they feel this is excessive. It was recommended to lower this to \$75.00 total. An ordinance will be brought before the next meeting for approval to lower this amount.

L. Watts moved to lower the mowing assessment fee from \$300.00 to \$75.00. K. Allen seconded. All voted aye.

APPROVED TO LOWER THE MOWING ASSESSMENT FEE FROM \$300.00 TO \$75.00.

9. Consideration of Resolution No. 5-2021 – Resolution in Reference to the levying of a 1% Countywide Sales Tax Allocation - Jeremy Frazier, City Manager, informed the Commission that on October 6th, 2020, the City Commission approved the allocation on how to allocate the 1% Countywide Sales Tax. It was approved at that meeting that 90% of the sales tax proceeds would be directly applied to pay for streets and highways operations and maintenance, and 10% would be applied to pay for public services. This resolution specifies that breakdown for this allocation.

L. Watts moved to approve Resolution 5-2021 stating the policy of the Fort Scott City Commission in the allocation of the 1% Countywide Sales Tax. R. Nichols seconded. K. Allen, R. Nichols, L. Watts, and J. Jones voted aye. P. Allen voted no. Motion carried 4-1.

APPROVED RESOLUTION NO. 5-2021 STATING THE POLICY OF THE FORT SCOTT CITY COMMISSION WITH REFERENCE TO THE LEVYING OF A 1% COUNTYWIDE RETAILER'S SALES TAX IN BOURBON COUNTY, KANSAS BY THE BOURBON COUNTY BOARD OF COMMISSIONERS.

10. Consideration of a stop sign removal ordinance for 2nd and National – Jeremy Frazier, City Manager, informed the Commission that he consulted with our attorney and discovered that there is no ordinance for the removal of stop signs.

Lindsey said that she is concerned about this and the traffic in the downtown area. She thinks that there are areas where the view is obstructed, and these stop signs are needed.

Discussion was held regarding painting of crosswalks. Discussion was also held regarding Smart Growth and the walkability in the downtown area and how the removal of the stop signs would affect that.

K. Allen moved to approve to remove the stop signs going north and south at 2nd and National. P. Allen seconded. K. Allen, P. Allen, and J. Jones voted aye. R. Nichols and L. Watts voted no. Motion carried 3-2.

APPROVED TO REMOVE THE STOP SIGNS GOING NORTH AND SOUTH AT 2ND AND NATIONAL AVENUE.

11. Consideration of Farm Ground Lease bids – Wastewater Treatment Plant ground - Jeremy Frazier, City Manager, informed the Commission that bids were taken to lease 86 acres at the Wastewater Treatment Plant for farm ground. There were two bids received with the bid from Joe Wimmer in the amount of \$10,000 and the bid from Mike Fritter in the amount of \$13,133.00. He asked approval for the high bid in the amount of \$13,133.00 from Mike Fritter.

K. Allen moved to approve the bid from Mike Fritter in the amount of \$13,133.00 for the farm ground lease. L. Watts seconded. All voted aye.

APPROVED THE BID FROM MIKE FRITTER OF RICHARDS, MISSOURI IN THE AMOUNT OF \$13,133.00 FOR 86 ACRES OF FARM GROUND AT THE WASTEWATER TREATMENT PLANT.

12. Consideration to donate to C.A.S.A. - \$5,000 - Jeremy Frazier, City Manager, informed the Commission that the City has made donations in the past to C.A.S.A. which advocates for abused and neglected children in Bourbon County. These funds come from the Special Alcohol and Drug funds and

the amount donated in the past has been \$5,000.00. That is his recommendation also.

L. Watts moved to approve to authorize the allocation of \$5,000 to C.A.S.A. from the Special Alcohol and Drug fund. R. Nichols seconded. All voted aye.

APPROVED TO AUTHORIZE THE ALLOCATION OF \$5,000 TO C.A.S.A. FROM THE SPECIAL ALCOHOL AND DRUG FUND.

13. Consideration of donation of pool passes – Bourbon County Coalition - Jeremy Frazier, City Manager, informed the Commission that the Bourbon County Coalition has requested a donation of pool passes for this summer for at-risk children in Bourbon County. In the past there have been 20 passes donated. He asked for approval for the same amount this year.

Discussion was held if more should be donated this year.

L. Watts moved to approve the donation of 20 pool passes to Bourbon County Coalition and see if any additional passes are needed. R. Nichols seconded. All voted aye.

APPROVED THE DONATION OF 20 POOL PASSES TO BOUBON COUNTY COALITION AND SEE IF ANY ADDITIONAL PASSES ARE NEEDED.

14. Letter of Intent – Explore relocating City Hall to Bourbon County Courthouse - Jeremy Frazier, City Manager, informed the Commission that he was informed about this possibility before he came to the City. There are a lot of items to be looked at. We currently have some shared services with asphalt production and shared equipment. A letter of intent would need to be created so Bourbon County can start discussions also. He said that this could be a good work session topic also in the future.

K. Allen moved to approve the Letter of Intent to explore the possible relocation of City Hall to the Bourbon County Courthouse. L. Watts seconded. K. Allen, P. Allen, L. Watts, and J. Jones voted aye. R. Nichols voted no. Motion carried 4-1.

APPROVED THE LETTER OF INTENT TO EXPLORE THE POSSIBLE RELOCATION OF CITY HALL TO THE BOURBON COUNTY COURTHOUSE.

15. Approval to go out for bid for mower for Parks Department – Jeremy Frazier, City Manager, informed the Commission that the Parks Department would like to go out to bid a mower for the various parks. Chad has the bid specifications currently. This is a budgeted item for this year.

L. Watts moved to solicit bids for a mower at the Parks Department. J. Jones seconded. All voted aye.

APPROVED TO SOLICIT BIDS FOR A MOWER AT THE PARKS DEPARTMENT.

16. Consideration of City Attorney position – Jeremy Frazier, City Manager, informed the Commission that the City received RFQ’s for City Attorney and interviews were held. There were four RFQ’s submitted and then one withdrew her name. The three individuals interviewed were: Bob Farmer, Justin Meeks, and Jeff Deane.

Randy said that he has hated this whole process. He is friends with these candidates. He knows that Justin and Bob would both be good attorneys. He thinks that Lauber is the best candidate and they have helped us through a very trying year. We have numerous legal issues they are working with us on. Their bills have lowered which is what we wanted.

Pete said he didn’t see any reason legally why we could not switch. He said our insurance attorneys are handling our legal issues.

Kevin said that we went out for bid like we have on other items. We want the best bang for our buck. There will be people that like and dislike every candidate. He has worked with Bob before when he served as Commissioner and he did a great job for the City.

P. Allen made a motion to terminate our agreement with Lauber Law Firm and hire Bob Farmer as City Attorney. K. Allen seconded. K. Allen, P. Allen, and J. Jones voted aye. R. Nichols and L. Watts voted no. Motion carried 3-2.

APPROVED TO TERMINATE OUR AGREEMENT WITH LAUBER LAW FIRM AND HIRE BOB FARMER AS CITY ATTORNEY.

Reports and Comments:

A. Commissioner Reports and Comments:

L. Watts – Lindsey asked about the skating rink and if City staff was working with Craig Campbell.

Jeremy said that he will get with Ally as she has been the contact person on this project.

Lindsey asked if we had a contract with Bourbon County for asphalt yet.

Jeremy said that he has reached out to them and should have something soon.

R. Nichols – Thanked Jeff Deane for all he and his firm have done for the City of Fort Scott.

P. Allen – Asked for an executive session for non-elected personnel.

Executive Session:

J. Jones moved that the City Commission recess into Executive Session for the purpose of discussing non-elected personnel job performance in K.S.A. 75-4319(b)(1). The open meeting will resume in the Commission meeting room at City Hall at 9:57 p.m. K. Allen seconded. All voted aye. This included the City Commission, City Manager, and City Attorney.

J. Jones moved that the City Commission come out of Executive Session at 9:57 p.m. L. Watts seconded. All voted aye. Motion carried.

Executive Session:

J. Jones moved that the City Commission recess into Executive Session for the purpose of discussing non-elected personnel job performance in K.S.A. 75-4319(b)(1). The open meeting will resume in the Commission meeting room at City Hall at 10:10 p.m. L. Wats seconded. All voted aye. This included the City Commission, City Manager, and City Attorney.

J. Jones moved that the City Commission come out of Executive Session at 10:10 p.m. L. Watts seconded. All voted aye. Motion carried.

Rest of Commissioner Comments:

K. Allen – Thanked whoever put the City Commission notebooks together.

He told Jeff Deane he had nothing personal against him and just wants the best for the City.

He also thanked Michael Hoyt for organizing his agenda in the past.

J. Jones – Josh read an apology that he wrote to the Fort Scott Tribune: “At last Tuesday’s Fort Scott City Commission work session to discuss economic development, he made a statement that said, Until you hear direction from us on which way we are going then I would disregard anything you hear in the paper. I want to make it clear that this statement was in no way supposed to be a negative statement towards the paper. I think over the last couple of years the paper has done an excellent job in reporting the news to the citizens of Fort Scott”.

He also said that with budgets coming up, he wants to find a way to reduce the mill levy two or three mills. He has reached out to the County and to the School District and will also the College. He thinks it is doable. He wants to get everyone on board. He would like to see the mill reduced by 5% which is at least two mills.

City Attorney Report and Comments: Jeff said that it has been an honor and a privilege to work for the City of Fort Scott.

Jeff reminded the Commission that his firm will be hosting K.O.M.A./K.O.R.A. training in LaCygne, Kansas on Friday, March 19th, 2021 from 9:00 a.m. to 2:00 p.m. Lunch will be included.

Adjournment:

L. Watts moved to adjourn the meeting at 10:15 p.m. J. Jones seconded. All voted aye.

ADJOURNED MEETING AT 10:15 P.M.

Respectfully submitted,

Diane K. Clay, MMC
City Clerk