

**CITY OF FORT SCOTT
CITY COMMISSION MEETING**

Minutes of June 15th, 2021

Regular Meeting #12

The regular meeting of the Fort Scott City Commission was held June 15th, 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 K. Allen, P. Allen, R. Nichols, and L. Watts were present with Mayor J. Jones presiding.

INVOCATION: Travis Shelton, Chief of Police, said a prayer asking God for guidance for the City, our Government and City officials.

AUDIENCE IN ATTENDANCE: Travis Shelton, Russell Lingerfelt, Jason Dickman, Bill Lemke, Michael Hoyt, Bob Reed, Traci Reed, Tom Coffman, Stewart Gulager, Tim VanHoecke, Steve Anthony, Rob Harrington, Nancy Maze, and Allyson Turvey. Susan Bancroft was present via telephone.

PROCLAMATIONS/RECOGNITIONS: None

ADDITIONS TO AGENDA: Mayor Jones asked that Item #E - Teresa Ahmadi - Request to Pay - be added to the Consent Agenda in the amount of \$398.98.

L. Watts moved to add the Request to Pay, Item #3 to Teresa Ahmadi in the amount of \$398.98 to the Consent Agenda. R. Nichols seconded. P. Allen, R. Nichols, L. Watts, and J. Jones voted aye. K. Allen voted no. Motion carried 4-1.

ADDED THE REQUEST TO PAY, ITEM #E FOR TERESA AHMADI IN THE AMOUNT OF \$398.98 TO THE CONSENT AGENDA.

CONSENT AGENDA:

- A. Approval of minutes of the regular meeting of June 1st, 2021.
- B. Approval of Appropriation Ordinance 1290-A totaling \$433,403.91.
- C. Request to Pay – HDR Engineering, Inc - \$13,993.75 – River Intake Project
- D. May financials
- E. Teresa Ahmadi – Refund for Water Overpayment - \$398.98

R. Nichols moved to approve the Consent Agenda. L. Watts seconded. K. Allen, R. Nichols, L. Watts, and J. Jones voted aye. P. Allen voted no. Motion carried 4-1.

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)

Michael Hoyt – Mr. Hoyt spoke in opposition to the bond issue for the Union Lofts Project and in opposition to Bob Farmer, City Attorney’s comments from the previous meeting.

City Manager Report and Comments: Jeremy Frazier, City Manager, informed the Commission that he handed them his report and it was before them.

Engineering Firm Update: Jason Dickman, Earles Engineering, Inc. gave the Commission an update on several items.

Manhole #148 (Old Faithful) – They are getting ready for the design phase of the project.

Cooper Street – This is in the final review stage and will be ready to go out for bid soon.

CDBG Sewer Project – A part of this grant submittal was due today and sent to the State. Jason said he has emailed the State and they will get back with us.

Durkee Street Vacation – They met with the property owner and determined what easement is needed. They have drawn up a drainage easement.

Appearances: Bob Reed – Street Closure Request for Bourbon County Fair - Bob Reed and Stewart Gulager appeared and requested 21st Street to 23rd Street on Huntington in front of the Bourbon County Fairgrounds be closed from July 10th through July 16th for the Bourbon County Fair to allow for foot traffic.

R. Nichols moved to approve the street closure request for the Bourbon County Fair from July 10th to July 16th for 21st Street to 23rd Street be closed to vehicle traffic. J. Jones seconded. All voted aye.

APPROVED THE STREET CLOSURE REQUEST FOR THE BOURBON COUNTY FAIR FROM JULY 10TH TO JULY 16TH FOR 21ST STREET TO 23RD STREET ON HUNTINGTON BE CLOSED TO VEHICLE TRAFFIC.

Bob Reed also requested the City help sponsor funding for the Fair Board. The Fair Board has done a lot of work to the arena at the Fairgrounds and brought many events to town recently. He listed all the events that have occurred in the last year at the Fairgrounds. Mr. Reed said that Bourbon County allocates \$10,000 to the Fair Board.

J. Jones moved to allow \$5,000 to the Bourbon County Fair Board. L. Watts seconded. All voted aye.

APPROVED TO DONATE \$5,000 TO THE BOURBON COUNTY FAIR BOARD.

Director Reports: None

Old Business: None

Public Hearings: None

New Business:

1. Resolution No. 8-2021 – Resolution accepting the 2022 Street recommendations from the Street Advisory Board for the 2022 budget. - City Manager stated that this resolution accepts the recommendation from the Street Advisory Board for the 2022 street improvements.

R. Nichols moved to approve Resolution 8-2021 accepting the 2022 Street recommendations from the Street Advisory Board for the 2022 Budget. L. Watts seconded. All voted aye.

APPROVED RESOLUTION 8-2021 ACCEPTING THE 2022 STREET RECOMMENDATIONS FROM THE STREET ADVISORY BOARD FOR THE 2022 BUDGET.

2. Consideration of Proposal – Utility Locating and Marking Services – USIC – Bill Lemke said that the Water Distribution Department is responsible for the processing of Kansas One Call Locate Tickets that are submitted by contractors and residents of Fort Scott. This involves the locating and marking of the City’s underground utility systems (water, sanitary sewer, storm drains, electrical lines, etc.). The coverage area includes the City limits, the Fort Scott Lake area, and a few placed outside the City limits which are served by City utilities. The locate request is received by the City and is required to be done within three (3) days of the receipt of the request. If it is an emergency request, it must be done within two (2) hours of receipt. In the six years prior to 2014, the City received an average of 1,000 locate requests per year. From 2015 to 2020, the average number of locates increased to 1,500 per year. As of May 31st, 2021, there have been 682 locate requests to date.

The Water Distribution manpower status for the last several years has consisted of five (5) positions which include the supervisor, crew of three individuals, and meter reader. As of this date only three of the five positions are manned. The supervisor is also serving currently as Interim Public Works Director and there is one experienced water crewman, and one experienced meter reader. The department lost one of its employees to another company and the fourth crewman is fulfilling his military duties.

The estimated costs of outsourcing the locate requests is \$50,000 to \$75,000 depending on the number of locates and level of service provided by the vendor. The selected vendor will have personnel experienced in locating underground utilities with the City, as well as access to our GIS mapping as needed. He

recommended reviewing this contract annually for renewal or discontinuance with the department taking the locate requests back again.

Discussion was held regarding bidding this service out and seeing the costs from other vendors as well as seeing the costs of hiring a person to do this job to review the difference.

L. Watts moved to go out for bid for a utility locating and marking service and also to review the costs of hiring an employee to do this job. J. Jones seconded. All voted aye.

APPROVED TO GO OUT FOR BID FOR A UTILITY LOCATING AND MARKING SERVICE AND ALSO TO REVIEW THE COSTS OF HIRING AN EMPLOYEE TO DO THIS JOB.

3. Approval to purchase Four Post Vehicle Lift - Bill Lemke and Tom Coffman appeared before the Commission on this item. They said that this vehicle lift is for equipment over one ton in weight or longer than normal use. The amount of this purchase is \$42,050.56 and is a budgeted item. The cost is a Sourcewell government contract price.

Discussion was held regarding the installation of two rolling jacks and if Tom could install them. Discussion was also held regarding warranty.

R. Nichols moved to approve the purchase through the government contract of a four post vehicle lift through Mohawk Lifts in the amount of \$42,050.56. City Manager will have final approval regarding the installation. L. Watts seconded. All voted aye.

APPROVED THE PURCHASE THROUGH THE GOVERNMENT CONTRACT OF A FOUR POST VEHICLE LIFT THROUGH MOHAWK LIFTS IN THE AMOUNT OF \$42,050.56. CITY MANAGER WILL HAVE FINAL APPROVAL REGARDING THE INSTALLATION.

4. Approval to purchase Bobcat Track Loader - Bill Lemke said that this request is to purchase a new T76 T4 Bobcat Track Loader via the Government Contract through KC Bobcat of Olathe, Kansas in the amount of \$57,801.86 and is a budgeted item. This piece of equipment would be available for use by all City departments as needed.

Discussion was held about the warranty and used versus new equipment.

Bill said that the warranty is two years or 2,000 hours.

Discussion was held regarding tracks versus wheels. Bill said that their current track loader will not currently start, and Tom is working on it.

K. Allen moved to authorize to spend up to \$40,000 for a used loader and he would like to stay local if possible and be part of the process on this purchase. L. Watts seconded. All voted aye.

APPROVED TO AUTHORIZE TO SPEND UP TO \$40,000 FOR A USED LOADER AND STAY LOCAL IF POSSIBLE AND ALLOW KEVIN ALLEN TO BE PART OF THE PROCESS ON THIS PURCHASE.

5. Consideration of Temporary Street Closure – July 4th – 300 Block of Coates Street
Travis Shelton said that Jay Wright has requested that the 300 Block of Coates Street be closed for the shooting off of fireworks on July 4th from 10 a.m. to 10 p.m.

Discussion was held regarding if all the adjoining neighbors had been notified of the street closure. Chief Shelton will make sure that they are notified.

K. Allen moved to close the 300 block of Coates Street on July 4th from 10:00 a.m. to 10 p.m. to allow them to shoot off fireworks. L. Watts seconded. All voted aye.

APPROVED TO CLOSE THE 300 BLOCK OF COATES STREET ON JULY 4TH FROM 10:00 A.M. TO 10 P.M. TO ALLOW THEM TO SHOOT OFF FIREWORKS.

6. Consideration of Temporary Street Closure – Burke Street Parade – Block Party -
Travis Shelton said that this request is for the annual Burke Street parade and closure of streets for this event. The annual Burke Street parade will be held on July 4th at 10:00 a.m. Approval to close 10th and Burke to Marblecrest and Lakin for parade route and then 10th and Burke and Lakin and Burke for Block Party.

J. Jones moved to approve to close Burke Street for the annual Burke Street Parade on July 4th and for their block party afterwards. K. Allen seconded. All voted aye.

APPROVED TO CLOSE BURKE STREET FOR THE ANNUAL BURKE STREET PARADE ON JULY 4TH AND FOR THEIR BLOCK PARTY AFTERWARDS.

7. Approval to bid out front staircase of Memorial Hall - Allyson Turvey said that this request is to solicit bids for the repair of the front staircase of the steps of Memorial Hall. There is an estimate of \$33,000 and is a budgeted item. She said that she applied for a historical grant to replace the steps but it was not approved.

K. Allen moved to approve to go out for bids for the steps at Memorial Hall. L. Watts seconded. All voted aye.

APPROVED TO GO OUT FOR BIDS FOR THE STEPS AT MEMORIAL HALL.

8. Discussion of survey of Lake Fort Scott lots and approval to record the lots – City Manager said that AG Engineering has surveyed the Lake Fort Scott lots. City Manager is asking approval to record the lots at the Courthouse in the Register of Deeds Office. This doesn't bind the City Commission to sell, but it is required to have them recorded.

Josh asked that the Lake Advisory Board recommendations and how to proceed with the sale of the lake lots be added to the next agenda.

Kevin discussed the size of the lake lots.

Jeremy said that the northern portion was surveyed. The southern portion was omitted by him, but he went back and surveyed them. He received those survey results late today.

Kevin asked Josh about the property owner who was concerned about the property line to the north and the waterway.

Nancy Maze discussed the bluff there and the size of the lots.

Kevin said he was out there with Pete and stepped it off and thinks bigger lots will bring more money.

City Attorney said that if a person wants a bigger lot, they can buy more than one.

K. Allen made a motion to change the survey on the south to two lots with the dimensions for two lots and the other survey to be recorded at the Bourbon County Courthouse. J. Jones seconded. All voted aye.

APPROVED TO CHANGE THE SURVEY ON THE SOUTH TO TWO LOTS WITH THE DIMENSIONS FOR TWO LOTS AND THE OTHER SURVEY TO BE RECORDED AT THE BOURBON COUNTY COURTHOUSE.

9. Discussion of Golf Cart Ordinance - Mayor Josh Jones asked that this item be placed on the agenda. He specifically discussed the operation of golf carts on National Avenue which is prohibited in the original ordinance as well as the fact that golf carts can only be operated from sunrise to sunset. He would like to see these restrictions lifted.

Discussion was held regarding the Standard Traffic Ordinance guidelines and the 35 mph speed restriction. It was also asked who would do inspections to ensure that the lights are on the golf cart.

City Attorney said he would look at the ordinance and make necessary changes and bring back before them.

10. Revisitation of previous discussion of mowing contract - Ally reported that as of Friday, there were 210 properties to be mowed on the mowing list given to Justin

Uhler, and only 50 had been completed. It is still her recommendation to award the mowing contract to Doug Miller.

Josh said that he has been contacted by Justin Uhler who stated he cannot get a call back from the Codes Department or Ally or Jeremy.

Lots of discussion was held regarding communication between the Codes Department and Justin Uhler and that he had not been paid yet for any yards he had mowed.

J. Jones moved to table at this time until a meeting can be held with Jeremy Frazier, Ally Turvey, and Justin Uhler. K. Allen seconded. All voted aye.

APPROVED TO TABLE AT THIS TIME UNTIL A MEETING CAN BE HELD WITH JEREMY FRAZIER, ALLY TURVEY, AND JUSTIN UHLER.

11. Consideration of Engineering Proposal for National Avenue Reconstruction from 13th to 17th Street. City Manager said that this proposal would provide for the final design of National Avenue reconstruction from 13th to 17th and will include milling the existing asphalt down to the original grade and remove and replace all curb and gutter and overlay with 2" of asphalt. Cost of engineering is \$50,000. The total project would amount to over \$1,000,000.

Discussion was held regarding this project and whether to mill from 13th to 17th down to brick on National and then overlay from 17th and National to Highway 69.

P. Allen moved to table at this time. J. Jones seconded. All voted aye.

TABLED AT THIS TIME.

12. Re-discussion of Mill and Overlay of National – 13th to Highway 69 – City Manager said that this is an updated proposal from Bettis Asphalt to mill from 13th to Highway 69 and to asphalt from 17th and National to U.S. Highway 69 in the amount of \$76,083.00.

Discussion was held about how long 13th to 17th on National would be down to brick.

Pete said it would be as short as possible.

P. Allen moved to approve the proposal from Bettis Asphalt in the amount of \$76,083.00 to mill from 13th and National to Highway 69 and to mill and asphalt from 17th and National to Highway 69. K. Allen seconded. K. Allen, P. Allen, L. Watts, and J. Jones voted aye. R. Nichols voted no. Motion carried 4-1.

APPROVED THE PROPOSAL FROM BETTIS ASPHALT IN THE AMOUNT OF \$76,083.00 TO MILL FROM 13TH AND NATIONAL TO HIGHWAY 69 AND TO MILL AND ASPHALT FROM 17TH AND NATIONAL TO HIGHWAY 69.

Reports and Comments:

A. Commissioner Reports and Comments:

L. Watts – Asked about the timeline for Bettis Asphalt on National. Jeremy said that they should start on Friday of this week.

R. Nichols – Asked about the core drilling on Horton Street and if that had been completed. Bill said that they are waiting on the machine which they hope to have this week. The engineer said once the sample is received, they can evaluate it quickly.

P. Allen – Pete informed the Commission that he would like the City to purchase a curb machine. He thinks it would be an integral part of the City.

P. Allen made a motion to purchase a Gomaco curb machine. The motion died for lack of a second.

J. Jones made a motion to go out for bid for a curb and gutter machine and bring the costs back to the Commission. L. Watts seconded. K. Allen, P. Allen, L. Watts, and J. Jones voted aye. R. Nichols voted no. Motion carried 4-1.

APPROVED TO GO OUT FOR BID FOR A CURB AND GUTTER MACHINE AND BRING THE COSTS BACK TO THE COMMISSION.

Pete shared a seven (7) minute video with the Commission about his knowledge of streets and his background.

K. Allen – Kevin had a few items to address:

He asked about the campground at the lake and said it has not been mowed yet and looks terrible.

He asked about the shelter at the lake and said there is about 1” of mud inside of it and it needs cleaned and painted.

He asked about Lake Road and 195th Street and when it would be completed. Jeremy told him that Jerry Morgan had been out of the office for a couple of weeks and when he returns, it will be completed.

He asked about 2nd Street and gravel. Bill said that the skid steer was down and they are waiting on it to be repaired.

He mentioned purchasing a small road grader that could go through all the alleys and repair them.

He mentioned the waterway at Horton and Sunset by the Mike Dunn property. Bill said that this might involve some engineering assistance. Pete said that it needs a wingwall.

He asked about gravel at Shelter House #1 at Gunn Park.

J. Jones – SRO Officer Update – Josh said that he talked with Travis earlier on this and should know more in a couple of weeks.

Municipal Court Update – Josh said that he talked to Travis about this also.

Lee's Circle Drive – He would love to see what we need to do to finish this street up completely.

City Hall Relocation – Josh said that he and Jeremy met with the County Commission, and they are possibly working on a contract between the City and the County to make this happen. He asked Jeremy to continue working on this to see if this is something that we want to happen.

First Source Building Update – Rachel reminded the Commission that this building was built with an E.D.A. grant which required the City to own the building for 20 years. It was appraised in 2017 at \$961,000. She got a broker opinion recently and it came in at \$850,000. She is working on getting another commercial appraisal. She has shown the building six to eight times. There is a very interested party still in the building, but an offer will not be made for probably six to eight weeks. If the Commission decides to sell the building, an R.F.P. would need to go out for a realtor.

Smart Growth Update – Jeremy said that he talked to the individual that oversees Smart Growth and asked him if he could come and present an update to the Commission. He wants to appear at one of the August work sessions and discuss Smart Growth with the Commission. This will either be in zoom or in person.

Budget Survey – Josh said that he looked over the budget survey that Ally had sent to them. There were some things in there that showed some good and bad. He mentioned a few:

Retains and attracts small business	20% favorable
Retains and expands business	15% favorable
Has a healthy economy	13% favorable

He would like to see the City Commission instruct Jeremy to enter into talks with Bedco about possibly using their services to help with some of the areas that the survey showed we need assistance with. At the next meeting, Bedco or Jeremy could present what they could offer in those areas.

City Attorney Report and Comments: Nothing to report.

Executive Session:

J. Jones moved that the City Commission recess into Executive Session for the purpose of discussing attorney/client privilege in K.S.A. 75-4319(b)(2). The open meeting will resume in the Commission meeting room at City Hall at 9:49 p.m. R. Nichols 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 9:49 p.m. K. Allen seconded. All voted aye. Motion carried.

Adjournment:

R. Nichols moved to adjourn the meeting at 9:49 p.m. J. Jones seconded. All voted aye.

ADJOURNED MEETING AT 9:49 P.M.

Respectfully submitted,

Diane K. Clay, M.M.C.
City Clerk