

**CITY OF FORT SCOTT  
CITY COMMISSION MEETING**

**Minutes of July 6<sup>th</sup>, 2021**

**Regular Meeting #13**

The regular meeting of the Fort Scott City Commission was held July 6<sup>th</sup>, 2021 at 5:15 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, and R. Nichols were present with Mayor J. Jones presiding. L. Watts arrived at 5:23 p.m.

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

**AUDIENCE IN ATTENDANCE:** Jason Pickert, Bill Lemke, Michael Hoyt, Doug Guns, Rob Harrington, Judy Warren, Gregg Motley, Nancy VanEtten, Jimmy Kemmerer, Kateyna Braim, Michael Braim, Rachel Pruitt, Allyson Turvey, Andy Snyder, and Jason Dickman.

**PROCLAMATIONS/RECOGNITIONS:** None

**ADDITIONS TO AGENDA:** None

**CONSENT AGENDA:**

A. Approval of minutes of the regular meeting of June 15<sup>th</sup>, 2021, special meeting of June 17<sup>th</sup>, 2021 and special meeting of June 22<sup>nd</sup>, 2021.

B. Approval of Appropriation Ordinance 1291-A totaling \$555,302.20.

C. Request to Pay – ProSeal, Inc - \$36,476.00 – Rejuvenator Application – National Avenue

D. Request to Pay – ProSeal, Inc - \$24,684.00 – Crack Sealing – National Avenue

Discussion was held on the crack sealing and rejuvenator application project.

J. Jones moved to approve the Consent Agenda. K. Allen 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 Braim** – Mr. Braim informed the Commission that our parks look terrible. He said that the beach at Lake Fort Scott is in terrible shape and sand needs brought in. He challenged the City Manager to assist in getting sand to the beach at the Lake. He is scheduling a group of volunteers for this Saturday morning to work at the lake and cut brush and clean and work on the beach area. He asked who was responsible for the condition of the beach area and wanted a name of that person. He said that he called a couple of quarries in town and relayed what their sand prices are for 70 ton of sand. He said that this is the only place that citizens can go and cool off free. He would like this done by next week.

Kevin Allen told him that Doug Guns and the City Manager are working on this project already and have sand ordered to be delivered in the next day or so. He asked him to be patient with the City,

**City Manager Report and Comments:** Jeremy Frazier, City Manager, informed the Commission that he handed them his report and it was before them. He said that he attended a Southeast Kansas Regional Planning Commission meeting recently as he is on the Board of Directors. He met with A.D.M. officials about their contract renewal. His other updates are included in his report.

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

Cooper Street – Plans are complete and this is ready to bid out.

Old Faithful Manhole- Plans are being revised currently.

National Avenue – Plans to overlay 13<sup>th</sup> to 17<sup>th</sup> are being prepared.

**Appearances:**

Jody Hoener – Bottle Filling Stations Presentation – Was not present.

Rob Harrington, Bedco Presentation -Mr. Harrington appeared before the Commission and gave them an update on Bedco which has been renamed Bourbon County R.E.D.I. He shared his visions and goals for the next five years. He is also working with Noble Health to bring a hospital to the community. He invited them to contact him with any questions they may have. He said that economic development is a top priority for him.

**Director Reports:** None

**Old Business:** None

**Public Hearings:** 6:15 p.m. Vacation of Durkee Street and Approval of Utility Easement for the North 50' of Lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26 & 28, Block 4, Durkee & Stout Addition

J. Jones moved to open the Public Hearing at 6:17 p.m. L. Watts seconded. All voted aye.

**OPENED PUBLIC HEARING AT 6:17 P.M.**

Ally Turvey said that a utility easement was drawn up by the City Attorney and Mr. Eden, the property owner has signed it contingent upon the vacation of Durkee Street being approved.

Michael Hoyt spoke in opposition to the vacation of the street due to concerns of drainage at Ironquill Estates.

Jason Dickman, Earles Engineering, explained the utility easement to him and to the Commission.

P. Allen moved to approve Ordinance No. 3579 vacating Durkee Street. J. Jones seconded. All voted aye.

**APPROVED ORDINANCE NO. 3579 VACATING THE PLATTED DURKEE STREET LOCATED BETWEEN LOTS 1-28, BLOCK AND LOTS 2-28, BLOCK 4, DURKEE AND STOUT ADDITION TO THE CITY OF FORT SCOTT, MORE COMMONLY KNOWN AS 70 FEET OF DURKEE STREET.**

L. Watts moved to close the Public Hearing at 6:32 p.m. J. Jones seconded. All voted aye.

**CLOSED PUBLIC HEARING AT 6:32 P.M.**

**New Business:**

1. Discussion and Approval of St. Martin's Sewer Agreement – Susan Bancroft, Director of Finance, informed the Commission that this agreement is ready for approval. She stated on page two that there was a typo and twenty-three should reflect twenty-two. They have a meter on their lift station and it will be read monthly. They will pay all of their water usage in arrears to the City plus a \$20.00 monthly fee.

L. Watts moved to approve the St. Martin's Sewer Agreement with the City of Fort Scott. J. Jones seconded. All voted aye.

**APPROVED ST. MARTIN'S SEWER AGREEMENT.**

2. Cooper Street Right-of-Way Easements – Jeremy Frazier, City Manager, said that he was working with the property owners to sign over the right-of-way easements for Cooper Street.

Discussion was held regarding the east and west sides of Cooper Street and right-of-way.

J. Jones moved to approve the right-of-way easements and allow the City Staff to work with property owners over rights-of-way. L. Watts seconded, All voted aye.

**APPROVED CITY STAFF TO WORK WITH THE PROPERTY OWNERS FOR RIGHT-OF-WAY EASEMENTS FOR COOPER STREET.**

3. Request approval to bid out Cooper Street project (Plans available at City Hall – link: <https://earlesengineering.sharefile.com/dsca64eac8d8584b4094c5b45ce3d4572f> City Manager said that

City Manager said that this project was not engineered to start with, but it has been now. It is ready to be bid out to contractors. The City does need to obtain some right-of-way easements from property owners on Cooper Street which the engineering firm and the City Attorney are working on. He asked the City Commission to go out for bid on this project.

L. Watts moved to approve to go out for bid on Cooper Street. J. Jones seconded. P. Allen, R. Nichols, L. Watts. and J. Jones voted aye. K. Allen abstained. Motion carried 4-1.

**APPROVED TO GO OUT FOR BID ON COOPER STREET.**

4. Request approval to bid out Union Block Alley – City Manager said that the plans are complete and this is ready to bid out. He knows this has been a long process but it has been engineered and is ready to bid out to contractors.

Jason Dickman, Earles Engineering, discussed asphalt versus concrete for the alley.

L. Watts moved to approve to bid out the Union Block alley with concrete. R. Nichols seconded. All voted aye.

**APPROVED TO GO OUT FOR BID ON THE UNION BLOCK ALLEY WITH CONCRETE.**

5. Request to bid out Horton Street 6<sup>th</sup> to 8<sup>th</sup> - (mill and overlay) – City Manager said that this project is ready to bid out. He would like to send it out as well as the overlay on National Avenue from 13<sup>th</sup> to 17<sup>th</sup> to get a better price.

R. Nichols moved to go out for bid for the mill and overlay from 6<sup>th</sup> to 8<sup>th</sup> on Horton Street, along with National Avenue from 13<sup>th</sup> to 17<sup>th</sup> for the overlay. L. Watts seconded. All voted aye.

**APPROVED TO BID OUT HORTON STREET FROM 6<sup>TH</sup> TO 8<sup>TH</sup> STREET.**

6. Discussion of sale of First Source Building – Rachel Pruitt, Economic Development Director, informed the Commission that she is seeking approval from them on how to proceed with the sale of this building. It is anticipated the City will have an offer on the building by the next meeting in July.

J. Jones moved to seek Requests for Proposals for a Real Estate Agent. L. Watts seconded. P. Allen, R. Nichols, L. Watts, and J. Jones voted aye. K. Allen abstained. Motion carried 4-1.

**APPROVED TO GO OUT FOR REQUEST FOR PROPOSALS FOR A REAL ESTATE AGENT FOR THE FIRST SOURCE BUILDING.**

7. Discussion of sale of lake lots (deed restrictions, covenants, etc.) – J. Jones said that they need to discuss how to sell the lots, where the money from the sale of the lots would go, and what deeds and restrictions would be put on the property.

Discussion was held on soliciting Request for Proposals for a Real Estate Agent to sell the lots. K. Alen also mentioned using Lance Anderson and auctioning the lake lots. It was determined that the City Attorney should be consulted on this issue before proceeding.

J. Jones moved to table the discussion until the City Attorney can be present and consulted. L. Watts seconded. All voted aye.

**APPROVED TO TABLE THE DISCUSSION ON THE SALE OF LAKE LOTS UNTIL THE CITY ATTORNEY IS PRESENT AND CAN BE CONSULTED.**

8. Discussion of moving City Hall to Bourbon County Courthouse building – City Manager said that a work session was held prior to this meeting about the possible move to the Courthouse. Pros and cons of the move were discussed.

Discussion was held regarding the savings that could occur with the move of City Hall to the Courthouse.

Discussion was also held about the possibility of the Police Department moving to the City Hall location. Also, all of the Commissioners have not viewed the space where City employees would be housed and they would like to view it. City Manager will take two of them over to view the building.

J. Jones moved to table this until the next special meeting next Tuesday, July 13<sup>th</sup>. K. Allen seconded. All voted aye.

**APPROVED TO TABLE THE MOVE OF CITY HALL TO THE COURTHOUSE UNTIL THE JULY 13<sup>TH</sup>, 2021 SPECIAL MEETING.**

9. Discussion of potential City/County shared services for Information Technology - City Manager said that before them is a Memorandum of Understanding for IT Support Technician for Shared Services with Bourbon County. The agreement includes that the County will provide an employee, Jimmy Kemmerer, to perform day to day IT assistance to the City. Mr. Kemmerer will be paid by the County at 40 hours a week (\$20,800 or \$400 per week on a 26 pay period. The City will pay \$13,500 per year. The Memorandum of Understanding will expire on December 31, 2021.

R, Nichols moved to approve the Memorandum of Understanding for IT Shared Services. K. Allen seconded. All voted aye.

**APPROVED THE MEMORANDUM OF UNDERSTANDING FOR IT SHARED SERVICES BETWEEN THE CITY AND BOURBON COUNTY TO EMPLOY JAMES KEMMERER, III.**

10. Discussion and request approval to bid overlay of 13<sup>th</sup> to 17<sup>th</sup> on National Avenue (See Item #5) – City Manager said that this was discussed previously. He asked for approval to bid this project out.

R Nichols moved to approve to bid the overlay of 13<sup>th</sup> to 17<sup>th</sup> on National Avenue. L. Watts seconded. All voted aye.

**APPROVED TO BID OUT THE OVERLAY OF 13<sup>TH</sup> TO 17<sup>TH</sup> ON NATIONAL AVENUE.**

11. Discussion of feasibility study – hospital building- City Manager said that Bourbon County has allocated funding for this feasibility study for the hospital building. The City will also receive A.R.C.A. funding in the amount of \$550,000.

Josh recommended to the other Commissioners that the City donate \$200,000 of their A.R.C.A. funding towards this feasibility study.

J. Jones moved to donate \$200,000 of their A.R.C.A. funding towards the feasibility study for the hospital building. L. Watts seconded. All voted aye.

**APPROVED TO DONATE \$200,000 OF THEIR A.R.C.A. FUNDING TOWARDS THE FEASIBILITY STUDY FOR THE HOSPITAL BUILDING.**

12. Approval of purchase of Sewer Camera for Utilities Department – City Manager said that the Utilities Department has looked at three different vendors for sewer cameras.

Jason Dickman informed the Commission that Michael Mix and Mike Embry have viewed these three different units. They liked the trailer with the sewer camera on it the best. The unit they liked the best is from Key Equipment at \$140,000. The other two demos did not meet what they would have specified.

City Manager said that there was \$150,000 budgeted for this item.

R. Nichols moved to approve the sewer camera trailer from Key Equipment in the amount of \$140,000. P. Allen seconded. All voted aye.

**APPROVED THE SEWER CAMERA TRAILER FROM KEY EQUIPMENT IN THE AMOUNT OF \$140,000.**

13. Discussion of future Lake Fort Scott repairs/upkeep – Doug Guns, Parks Director, gave the Commission an update on lake facilities improvements. These include improvements to Sciortino Park, the swim area, the beach area, and camping area, the two pavilions, and the docks and boat ramps.

K. Allen left the meeting room at 9:04 p.m.

14. Consideration of Pay Requests – Skitch’s Hauling & Excavation – Port-a-Potties
- |            |            |
|------------|------------|
| April 2021 | \$2,267.20 |
| May 2021   | \$2,536.00 |
| June 2021  | \$2,640.00 |

J. Jones moved to approve the invoices for April, May and June. L. Watts seconded. P. Allen, R. Nichols, L. Watts, and J. Jones voted aye.

**APPROVED INVOICES FOR SKITCH’S HAULING & EXCAVATION FOR PORT-A-POTTIES FOR APRIL, MAY AND JUNE, 2021.**

K. Allen returned to the meeting room at 9:05 p.m.

15. Discussion of Golf Cart Ordinance – Josh said that he would like to see driving on National be approved and driving after dark provided they have the same regulations as U.T.V.’s.

City Clerk asked if the Police Department would be doing inspections on golf carts.

Captain Pickert said that the Police Department would be willing to do inspections.

Since Bob Farmer, City Attorney, was not present, discussion was held to hold off on approval until the new ordinance was before them to review.

16. Evergy Agreement for Electric Service – Michael Mix said that he asked that this be added to the agenda. There are two electrical services with one at the River Intake structure and one at the College Booster station. Entering into an agreement with Evergy would provide significant savings to the City. The City is able to get off the electric grid if needed, and run on generator. He asked for approval for the Evergy agreement. This would save approximately \$15,000 a year.

L. Watts moved to approve the Evergy Agreement for the two locations for electric service saving the City approximately \$15,000. K. Allen seconded. All voted aye.

**APPROVED EVERGY AGREEMENT FOR THE TWO LOCATIONS – RIVER INTAKE STRUCTURE AND COLLEGE BOOSTER STATION FOR ELECTRIC SERVICES SAVING THE CITY APPROXIMATELY \$15,000.**

**Reports and Comments:**

**A. Commissioner Reports and Comments:**

L. Watts – Nothing to report.

R. Nichols – Asked the City Manager to review the City's Blue Cross/Blue Shield contract.

P. Allen – Pete said that he has been on the Commission for 18 months. He said that the streets that were built in the 1900's can't all be fixed and that is his conclusion. He said that there are over 600 blocks in the City of Fort Scott. He said that the trash trucks have destroyed our streets as well as the concrete and dump trucks. The cost to rebuild those streets is in the millions of dollars.

K. Allen – Asked the City Manager to check sand prices.

He said that he wanted to bring up the removal of the stop sign at 3<sup>rd</sup> and National. He doesn't think there is an issue now since the other stop signs have been removed.

K. Allen made a motion to remove the stop sign at 3<sup>rd</sup> and National going north and south. P. Allen seconded. K. Allen and P. Allen voted aye. R. Nichols, L. Watts and J. Jones voted no. Motion denied.

**DENIED MOTION TO REMOVE STOP SIGN AT 3<sup>RD</sup> AND NATIONAL**

J. Jones – Josh said that he checked on skating at Buck Run. He said he would sponsor the next skating session for up to \$250.00. He would like to see all the skating sessions sponsored by companies or businesses.

**City Attorney Report and Comments:** Not present.

**Adjournment:**

R. Nichols moved to adjourn the meeting at 9:37 p.m. J. Jones seconded. All voted aye.

**ADJOURNED MEETING AT 9:37 P.M.**

Respectfully submitted,

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