

**CITY OF FORT SCOTT
CITY COMMISSION MEETING**

Minutes of July 16, 2019

Regular Meeting #13

The regular meeting of the Fort Scott City Commission was held July 16th, 2019 at 6:00 p.m. in the City Commission Room, 123 S. Main, Fort Scott, Kansas.

ROLL CALL:

Commissioners Adamson, Bartelsmeyer, Mitchell, and Nichols were present with Mayor Parker presiding.

INVOCATION: Pastor James Collins, First Southern Baptist Church, said a prayer asking God for guidance for the City, our Government and City officials.

AUDIENCE IN ATTENDANCE: Robert Uhler, Rachel Pruitt, Darrell Parker, Jason Pickert, Clayton Miller, Deb Needleman, Paul Ballou, Dave Bruner, Shawn O'Brien, Lindsay Watts, Michael Mix, Josh Jones, Bobby Duncan, Don Lindeman, James Collins, Linda Krieger, Mike Krieger, Janet Braun, Deb McCoy, Pete Allen, Teri Hulsey, Chris Reed, Andrew McGee, Bill Osbern, Michael Hoyt, Linda Fox, Kevin Allen, Ed Cox, and representing the press, Jason Silvers of the Fort Scott Tribune.

PROCLAMATIONS/RECOGNITIONS: Recognition of Bourbon County EMS – Dave Bruner, Deputy Fire Marshal, recognized Mike Krieger, Paramedic, Amanda Miller, Paramedic, Chris Reed, AEMT, and Teri Hulsey, EMT of the Bourbon County EMS for their lifesaving efforts on a call on May 27th, 2019. They were called to the west side of Lake Fort Scott for a patient in cardiac arrest. They were able to revive him and get him transported to Via Christi who then air lifted him to Freeman Hospital in Joplin where he underwent heart surgery. The patient sent an email thanking the EMS crew for their efforts and said that because of them he was alive today.

Mayor Parker presented the crew with a Certificate of Recognition. The audience gave them a standing ovation.

APPROVAL OF MINUTES AND APPROPRIATIONS/CONSENT AGENDA:

- A. Approval of minutes of the regular meeting of July 2nd, 2019.
- B. Approval of Appropriation Ordinance 1242-A totaling \$365,643.69.
- C. Approval to rescind Resolution No. 4-2019.
- D. Resolution No. 12-2019 – Notice of Hearing with Reference to Alleged Unsafe and Dangerous Structure located at 505 S. Ransom Street – Public Hearing Date – 9/3/2019 – 6:15 p.m.

- E. Resolution No. 13-2019 – Notice of Hearing with Reference to Alleged Unsafe and Dangerous Structure located at 1012 S. Crawford Street – Public Hearing Date – 9/3/2019 – 6:15 p.m.
- F. Resolution No. 14-2019 – Notice of Hearing with Reference to Alleged Unsafe and Dangerous Structure and Accessory Structure located at 517 S. Clark Street – Public Hearing Date – 9/3/2019 – 6:15 p.m.
- G. Resolution No. 15-2019 – Notice of Hearing with Reference to Alleged Unsafe and Dangerous Structure and Accessory Structure located at 706 S. Clark Street – Public Hearing Date – 9/3/2019 – 6:15 p.m.

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

APPROVED CONSENT AGENDA.

APPEARANCE/COMMENTS/PUBLIC HEARING:

A. APPEARANCE:

Rachel Pruitt, Economic Development Director, introduced Bill Osbern to the Commission.

Bill Osbern, Peerless Products – Mr. Osbern, CEO, Peerless Products, informed the Commission that Peerless needed warehouse space and storage. They located a building in Nevada which was the old American Standard building. They would rather have it here but could get it at a much better price than what they could build it for here. They also need the building space right now. Those are the two reasons they bought the building in Nevada. We could grow both here and in Nevada. It will take a lot to fix the building up in Nevada. We bought 20 acres to the south of their building, the old Arnold land. We are finishing up a trade of property with Labconco to connect our property to that property. We are currently in the middle of moving our sewer and water lines to connect to this property. We have done a lot of automation in our factory and put a lot of money into new machinery and did a makeover with our current building. There is new lighting and new flooring and they are trying to make it look the best. It is important for them when they have customers come in that they look the best. Their next big project, which is being designed by architects and being bid right now, is the expansion of their front office space. It is currently too small. It is important to keep quality employees. They are taking away half of their parking lot away. They will have 15' ceilings now. This is an important project to them right now. They have another major project as they are an aluminum extruder and are looking at a new building and a new extruder operation. There have been several of them traveling all over looking at new equipment in Australia, Italy and Spain. They believe they have the best paint line in the world and are trying to do the best with the aluminum extruder line also.

B. CITIZEN COMMENTS (Concerning Items Not on Agenda – 3 minute limit per citizen)

Bobby Duncan – Mr. Duncan thanked Peerless. He said he installed Peerless windows at a project he did at the Port Authority in Corpus Christi, Texas some time back. It was the best product that the architect that designed it decided. That's why he used them. He has a little issue that came up this week. He'd like to know who authorized the use of public property in a photo op that was clearly designed to sway the elector in the upcoming election to favor certain candidates and political policies. The ladder truck being too far from the building, it was improperly deployed at a very low angle and out the side. The same would be true for a 100 foot truck or a 125 foot ladder. Worse still, a firefighter was at the end of that ladder, bouncing it up and down. That's reckless. He wants to know who authorized this. Another thing that came up in the postings from the Tribune for the candidates, Mrs. Adamson has stated that you are a successful business owner in the downtown historic district because you have always adhered to code regulations. Would you care to post online or give me a copy to review of your 2012 IBC code footprint that is approved as a 2012 IBC code? He would like to see it. Now remember, his was constructed under the Uniform Building Code. It's legal. It's safe. It's fireproof. Yours is not fireproof. Your implication concerning his dilemma in the paper is obvious. So, he pretty much resented that. Thank you.

Pete Allen – Mr. Allen said that he only had two questions tonight. We in Fort Scott are a little shy on population. We've got a lot of population in the outlying areas, particularly the three mile area. He's wondering why we discriminate against those people in the zone outside the three mile limit. Why do we not allow them to vote in our election? I figure they are Fort Scott citizens and they should vote in our election and I think you should redo the ordinance about the three mile area for elected officials. That was around 1991 or sometime around there. I don't understand why we alienate them those people out there. That's one thing I'd like you to take a look at. Also, I'd like you to take a look at Chapter Ordinance Number 7, chapter ordinance number 7 in the ordinance book for the City of Fort Scott that has to do with construction and reconstruction of the sidewalks and streets. I'd like a ruling on that ordinance to see what it really says because he can't understand it. That's all I have.

City Manager said he would get back with him.

C. PUBLIC HEARINGS: None

CONSIDERATION:

1. Consideration of award of contractor for River Intake Structure – Michael Mix, Public Utilities Director, informed the Commission that he was happy to bring this item to them tonight. He shared

pictures of the river intake structure. The original structure was built in 1883 to pump water to the plant. It was fired by a coal engine steam motor. This steam engine pump was in operation until 1950. This facility had some minor upgrades in 1980 but nothing major since then. Some of the electrical is still original from 1950. It does need updated. He reminded the Commission that this is our only means to get water to the treatment plant facility. Bids were taken for the update of the project. Crossland Construction of Columbus, Kansas was the low bidder in the total amount of \$2,287,242.00. He read the statement from U.S.D.A.: In addition, we are now ready to incorporate our current design contract into the required USDA EJCDC E-500 Agreement, and add the construction phase services. This action is required to: 1) fund the construction phase services, and 2) be able to include the design and construction phase services in the USDA funding for the River Intake Structure. He asked for approval to award the bid to Crossland Construction and authorize the Mayor to sign the construction contract and sign the EJCDC E-500 contract for engineering services as required by U.S.D.A.

The time frame is a little less than one year according to the engineer.

City Manager said that this is a two phase project. The structure update is phase one and the dam repair abutment is phase two.

Bartelsmeyer moved to approve to award the bid to Crossland Construction in the amount of \$2,287,242.00 and authorize the Mayor to sign the construction contract and sign the EJCDC E-500 contract for engineering services as required by U.S.D.A. Mitchell seconded. All voted aye.

APPROVED TO AWARD THE RIVER INTAKE STRUCTURE BID TO CROSSLAND CONSTRUCTION IN THE AMOUNT OF \$2,287,242.00 AND AUTHORIZE THE MAYOR TO SIGN THE CONSTRUCTION CONTRACT AND SIGN THE EJCDC E-500 CONTRACT FOR ENGINEERING SERVICES AS REQUIRED BY U.S.D.A.

Michael Hoyt informed the Mayor he had asked to speak.

Mayor Parker informed him his name was not on the signup list to speak as he did not arrive in time. He needs to sign up with the Clerk.

2. Update on fire trucks – Paul Ballou, Fire Chief, informed the Commission that he had originally planned to come to this meeting with some prices on some pumper trucks. Rhonda Dunn is out of town this week and he is still working with H.G.A.C. and wants to get information from them also. He hopes to do that next meeting.

He said to answer Bob Duncan's question, it was him that authorized the ladder truck to be downtown and to some of the residential properties that are off the street. It honestly wasn't meant for a photo op, but to inform the Commission when we decide what to do. We have to find out about the grant before we can talk ladder trucks.

City Manager said that it comes back to him. He was going to address that under his time. He wanted to do research on the Peerless building. We had a fire on a house a couple of weeks ago and the 75' ladder was not high enough. We are just gathering information. We did not put it on social media. We will be showing what we know when you make a decision on the fire truck budget. The State Fire Marshal got a call and called the Fire Chief and Deputy Fire Chief and when they explained what we were doing, they were fine with it.

COMMISSION/STAFF:

A. Director Updates:

Robert Uhler – Robert updated the Commission on Waggoner Associates. When this started last September, this group was going to present the Strategic Implementation Plan. The final report will be given on August 20th to the Commission. This is a very strategic plan that we are doing to look at the next five to ten years. This includes everything we are doing in our town.

Rachel Pruitt – Rachel introduced Breann Martin of the Bourbon County Arts Council to the Commission. The Kansas Creative Arts Industries Commission reached out to the City of Fort Scott and asked if we had any projects in collaboration with the arts. There was a project that we didn't know how we were going to fund. It all came together after the grant application was submitted. We received a reward for over \$8,000 for a downtown mural.

Breann Martin informed the Commission that she is an art teacher and she wanted to incorporate student artwork into a mural for the downtown area. She serves on the Bourbon County Arts Council and heard about the grant opportunity and worked with Rachel on it. This mural will incorporate student artwork. It will be a common theme that kids will be involved in.

Rachel said that \$8,725.00 in grant funds were awarded. The grant was under art integration and innovative partnership. The section applied for was under community development and historic downtowns. It is about revitalizing the downtown. The mural will be an enhancement to the downtown area. The grant award will be \$4,800 and in-kind donations will total the \$8,725.00.

The other item she had was the closure of the 2019 Downtown Building Grant Improvement Fund. There was \$30,000 set aside annually for downtown business owners to renovate and rehab their properties. They helped twelve historic properties this year. So far this year, we have spent \$27,570.43 with a total investment of \$3,119,347.79. A very good return on our investment. These funds are not tax payer funds, but funds from the building lease in the Industrial Park.

B. City Commission:

Nichols – Thanks to Mr. Osbern and Peerless Products. He also thanked Jason (Silvers) for his hard work. He attended the budget work sessions and knows he works late at night also.

Adamson – Thanked Rachel and Breann Martin for the funding that was found for the arts. She is excited to see this come to our downtown.

Mitchell – Remarked that she thinks it's important to recognize that while we have all the negativity on social media regarding the City and all that goes on in our community, we do have citizens that are positive about our services and that believe that we are trying to conduct ourselves in the best manner possible. I know it's important to our firefighters and how far it can reach, it's important to mention that our caregivers, the fire fighters and police departments, even if they never get the needed equipment, they will always do what it takes to save someone in this community.

Bartelsmeyer – Remarked that she is excited about the Water Treatment Plant upgrades and thanked Michael for his work on this project.

Parker – Thanked Tom Robertson who brought in the Cal Ripken Tournament this last weekend. That event brought in around 300 to 350 children and parents. She thanked Tom and the Fire Chief and Chief of Police who cooked and Diane Clay and Courtney Rooks who helped serve all of the guests. We are trying to do the best we can for this community. She thanked the Commission for the time they put in going through budget.

C. City Manager:

1. Budget Review – This is ongoing and he appreciates the Commission attending the meetings. The City is trying to cut approximately \$200,000 in operational costs. This is a mixture of salaries and productivity. We are working hard to put \$1,000,000 into the Street budget.
2. Tourism – Larry Gazaway has resigned and is leaving us for another opportunity. We have about six or seven resumes. This position will be a Manager position and report to Rachel Pruitt.

3. Stout Building – He thanked Kevin Allen (Skitch) for taking down the Stout building safely.

ADJOURNMENT:

Mitchell moved to adjourn the meeting at 6:44 p.m. Nichols seconded. All voted aye.

ADJOURNED MEETING AT 6:44 P.M.

The next regularly scheduled meeting is to be held on August 6th, 2019 at 6:00 p.m.

RECORDED BY:

**DIANE K. CLAY
CITY CLERK**