

CITY OF FORT SCOTT
SPECIAL CITY COMMISSION MEETING
123 SOUTH MAIN STREET
FORT SCOTT, KANSAS 66701
6:00 P.M..

Minutes of August 5, 2021

Special Meeting #20

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A special meeting of the Fort Scott City Commission was held August 5th, 2021, at 6:00 p.m. in the City Commission Meeting Room, 123 S. Main Street, Fort Scott, Kansas.

ROLL CALL:

Commissioners Pete Allen and Randy Nichols were present with Mayor Josh Jones presiding. L. Watts was present via telephone. K. Allen arrived at 8:04 p.m.

AUDIENCE IN ATTENDANCE: Rob Harrington, Mark McCoy, Travis Shelton, Crystal Mason, Stacy Wood, Jason Dickman, Nancy Maze, Bailey Lyons, Michael Hoyt, Jackson Tough, Lance Anderson, Rachel Thompson, Susan Bancroft and representing the press, Tammy Helm, Editor, Fort Scott Tribune.

CONSIDERATION:

- a. Discussion regarding Cooper, National and Horton Bids (Jason Dickman)- Jason Dickman said that they had a rebid meeting this afternoon and there were two contractors present. One was Marbery Concrete and the other was Heck & Wicker. On Cooper Avenue, an addendum was added for asphalt versus concrete. The contractors are also concerned about running out of time to lay the asphalt this year. As it gets colder, it would affect the asphalt. He said that the earliest they could start could possibly be September 1st, but probably more like October 1st. The Commission could amend the start date to 2022. Jason said that National Avenue is the big issue. It's small enough that we should be able to get a good bid and they can squeeze it in. The others are a decision to bid now with a later start date or wait to bid for Cooper and Horton Streets.

Discussion was held on Cooper Street to make sure the maintainer is used on this street.

Pete said that we should make a deal with the County. Josh said that the County does not have time, and their product would not be good past two years. Jason said that they would need to change their rock that they use for our asphalt.

Discussion was held concrete versus asphalt for Cooper Street.

K. Allen moved to amend the Cooper Street bid from asphalt to concrete. Bids will be due on August 12th, 2021. J. Jones seconded. All voted aye.

APPROVED TO AMEND THE COOPER STREET BID FROM ASPHALT TO CONCRETE. BIDS WILL BE DUE ON AUGUST 12TH, 2021.

J. Jones made a motion to bid out Horton and Cooper, as is, with a start date in Spring of 2022. The bids will be due on August 12th. L. Watts seconded. R. Nichols, L. Watts, and J. Jones voted aye. K. Allen and P. Allen abstained. Motion carried 3-2.

APPROVED TO BID OUT HORTON AND COOPER AS IS WITH A START DATE IN SPRING OF 2022. THE BIDS WILL BE DUE ON AUGUST 12TH.

- b. Approve Broker for Lake Lot Properties – Josh said that this was discussed yesterday. He asked the realtors if any would like to address the Commission.

Bailey Lyons said that she is opposed to having the lake properties auctioned off. She thinks there is a bigger pool of buyers when selling the property versus auctioning the property. Her commission level is 6% and she stated that in her packet she gave the Commission.

Lance Anderson said that he can auction off the property. He is also a realtor with Stewart Realty. He stated that a lot of times property will bring more money during an auction than just selling the property. He thinks this will be more profitable. He said he would sell four properties this fall and the remaining properties next year. His commission level is 5%. He discussed putting a reserve bid on the properties.

City Attorney said that a special meeting would need to be held to discuss if an auction bid could be accepted or not.

Stacy Wood said that she wanted to discuss the commercial building that the City owns and wants to sell. She gave some statistics of the sale of commercial buildings in Fort Scott and how the building needs to be marketed.

Jared Leek, Front Door Real Estate, said that he gave them a packet also. He has sold over \$2,000,000 in properties at Lake Fort Scott since 2019. He has three agents that would be representing the lake. His commission is 5%.

The Commissioners thanked all the realtors and auctioneer that were present tonight.

R. Nichols moved to appoint Front Door Real Estate to sell the Lake Fort Scott property. L. Watts seconded. R. Nichols and L. Watts voted aye. K. Allen and P. Allen voted no. J. Jones abstained. Motion denied.

DENIED MOTION TO APPOINT FRONT DOOR REAL ESTATE TO SELL THE LAKE FORT SCOTT PROPERTY.

K. Allen moved to auction the property. If it doesn't sell, or the Commission doesn't agree or reach the sale price, they agree on, the properties will be distributed to realtors. P. Allen seconded. K. Allen and P. Allen voted aye. R. Nichols and L. Watts voted no. J. Jones abstained. Motion denied.

DENIED TO AUCTION THE FOUR LOTS AT LAKE FORT SCOTT. IF IT DOESN'T SELL OR THE COMMISSION DOESN'T AGREE, THE PROPERTIES WILL BE DISTRIBUTED TO REALTORS.

Josh recommended putting the realtors name in a hat and drawing for the properties and then selecting a realtor that way.

K. Allen made a motion to sell four lots at Lake Fort Scott at the 5% commission rate and give one lot to each of the four realtors. R. Nichols seconded the motion. P. Allen, R. Nichols, and K. Allen voted aye. K. Allen was not present for vote. J. Jones abstained. Motion carried 3-1.

APPROVED TO SELL FOUR LOTS AT LAKE FORT SCOTT AT THE 5% COMMISSION RATE AND GIVE ONE LOT TO EACH OF THE FOUR REALTORS.

- c. Approve broker for 4500 Campbell Drive – Josh said that we need to pick a realtor and move on for the sale of 4500 Campbell Drive.

R. Nichols moved to approve Front Door Real Estate to sell the property at 4500 Campbell Drive. L. Watts seconded. R. Nichols and L. Watts voted aye. K. Allen and P. Allen voted no. J. Jones abstained. Motion denied.

DENIED MOTION TO APPROVE FRONT DOOR REAL ESTATE TO SELL THE PROPERTY AT 4500 CAMPBELL DRIVE.

L. Watts moved to approve Lyons Realty Group to sell the property at 4500 Campbell Drive. R. Nichols seconded. P. Allen, R. Nichols, and L. Watts voted aye. K. Allen voted no. J. Jones abstained. Motion carried 3-1-1.

APPROVED LYONS REALTY GROUP TO SELL THE PROPERTY AT 4500 CAMPBELL DRIVE.

- d. **Executive Session:**

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J. Jones moved that the City Commission recess into Executive Session for the purpose of discussing non-elected personnel in K.S.A. 75-4319(b)(1). The open meeting will resume in the Commission meeting room at City Hall at 7:57 p.m. L. Watts seconded. All voted aye. This included the City Commission, and City Attorney.

L. Watts moved that the City Commission come out of Executive Session at 7:57 p.m. J. Jones 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 in K.S.A. 75-4319(b)(1). The open meeting will resume in the Commission meeting room at City Hall at 8:08 p.m. L. Watts seconded. All voted aye. This included the City Commission, and City Attorney.

L. Watts moved that the City Commission come out of Executive Session at 8:08 p.m. K. Allen 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 in K.S.A. 75-4319(b)(1). The open meeting will resume in the Commission meeting room at City Hall at 8:34 p.m. L. Watts seconded. All voted aye. This included the City Commission, and City Attorney.

J. Jones moved that the City Commission come out of Executive Session at 8:34 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 in K.S.A. 75-4319(b)(1). The open meeting will resume in the Commission meeting room at City Hall at 8:50 p.m. L. Watts seconded. All voted aye. This included the City Commission, City Attorney and Finance Director.

J. Jones moved that the City Commission come out of Executive Session at 8:50 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 in K.S.A. 75-4319(b)(1). The open meeting will resume in the Commission meeting room at City Hall at 9:00 p.m.

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L. Watts seconded. All voted aye. This included the City Commission. City Attorney, and Mark McCoy.

J. Jones moved that the City Commission come out of Executive Session at 9:00 p.m. K. Allen seconded. All voted aye. Motion carried.

Executive Session:

L. Watts moved that the City Commission recess into Executive Session for the purpose of discussing non-elected personnel in K.S.A. 75-4319(b)(1). The open meeting will resume in the Commission meeting room at City Hall at 9:05 p.m. R. Nichols seconded. All voted aye. This included the City Commission. City Attorney, and Mark McCoy.

J. Jones moved that the City Commission come out of Executive Session at 9:05 p.m. K. Allen seconded. All voted aye. Motion carried.

J. Jones made a motion to enter into a contract with Mark McCoy as Interim City Manager for the City of Fort Scott. L. Watts seconded. All voted aye.

APPROVED TO ENTER INTO A CONTRACT WITH MARK MCCOY AS INTERIM CITY MANAGER FOR THE CITY OF FORT SCOTT.

ADJOURNMENT:

J. Jones moved to adjourn the special meeting at 9:07 p.m. L. Watts seconded. All voted aye.

ADJOURNED MEETING AT 9:07 P.M.

Respectfully submitted,

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