

**CITY OF FORT SCOTT  
CITY COMMISSION MEETING**

**Minutes of November 19<sup>th</sup>, 2019**

**Regular Meeting #21**

The regular meeting of the Fort Scott City Commission was held November 19<sup>th</sup>, 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 Allen Schellack, Compassionate Ministries said a prayer asking God for guidance for the City, our Government and City officials.

**AUDIENCE IN ATTENDANCE:** Dave Bruner, Travis Shelton, Jacky Warren, Deb McCoy, Richard Clark, Michael Hoyt, Chad Brown, Devin Tally, Jenna Campbell, Reita Clark, Burton Harding, Josh Jones, Harold Martin, Jacky Martin, Nancy Van Etten, Seth Needham, Bobbi Kemna, Patrick Wood, Max Daly, Laurie Daly, Allen Schellack, Nick Ruhl, Michael Mix, Jim Adams, Tim Colegrove, Stan Jones, Bret Shogren, Allyson Turvey, Pete Allen, Max Fanning, Kevin Allen, Susan Bancroft, Paul Ballou, Robert Uhler, Deb Needleman, Clayton Miller, and representing the press, Jason Silvers of the Fort Scott Tribune.

**PROCLAMATIONS/RECOGNITIONS:** None

**APPROVAL OF MINUTES AND APPROPRIATIONS/CONSENT AGENDA:**

- A. Approval of minutes of the regular meeting of November 5<sup>th</sup>, 2019.
- B. Approval of Appropriation Ordinance 1250-A totaling \$295,043.24.
- C. Christmas Parade Permit Form- December 3<sup>rd</sup>, 2019.
- D. Certificate of Appropriateness – 3 W. Oak Signage  
Patio Seating with Gates  
Addition of Outbuilding
- E. Certificate of Appropriateness – 5 East Wall Street – Sign
- F. Certificate of Appropriateness – 24 N. National – Addition to building
- G. Resolution No. 25-2019 – Notice of Hearing with Reference to alleged unsafe and dangerous structure located at 510 S. Heylman Street – Public Hearing Date – 1/7/2020 at 6:15 p.m.

H. Resolution No. 27-2019 – Notice of Hearing with Reference to alleged unsafe and dangerous structure located at 501 S. Osburn Street – Public Hearing Date – 1/7/2020 at 6:15 p.m.

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

**APPROVED CONSENT AGENDA.**

**APPEARANCE/COMMENTS/PUBLIC HEARING:**

**A. APPEARANCE:**

Susan Bancroft, Director of Finance, introduced Seth Needham to the Commission. She said he has been a long time friend of hers and he has a vision for the City parks.

Seth Needham said that he left his notes he had wrote out at work. He said that he is an advocate for the parks. He said thirteen (13) days ago he had an idea to bring a few people together to assist with some of the issues at the parks. In that 13 days, he now has 275 members on his Facebook page. They had their first work day and had planned to get about one project done, but ended up getting four projects done. Some people just brought in bottled water to them. Bobbi Kemna volunteered to paint the teeter totter. In the future, they are focusing on Gunn Park and right now the first playground area. People have donated materials for these projects. They look to work on the roof on the bathroom, siding, paint, swing set area, bring in mulch and move onto another area of the park. We can assist the park personnel so they can focus on bigger projects. He thanked Chad Brown and Susan Bancroft for their assistance.

City Manager thanked him and his volunteers for their work.

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

Richard Clark – Mr. Clark said that the Commission is supposed to talk about the sewer increase for the lake tonight. He heard recently where a grinder pump went out and the people had to pay like \$900 and he is concerned about that happening all over. He would like to see a \$1.00 a month extra to cover the grinder pumps and you could replace two or three a year. He would rather replace his with his own grinder pump. He said there are 197 grinder pumps at the lake. These were put in due to poor lake quality and doesn't want that to happen again.

City Manager said he would take this under consideration.

He had one other item. He asked if there were grants available for fire hydrants. On the east side of the lake there are fire hydrants, but on the west side of the lake there are not any. He would be willing to assist in working on a

grant for this. The insurance premiums are much higher on the west side of the lake due to this.

Mayor Parker said that is a good point and the City will look into this.

Michael Hoyt – Mr. Hoyt that said that he attended the Bourbon County Commission meeting this morning and have continued to express his concerns about who is overseeing our overall implementation plan in Bourbon County in case of an emergency. He is not saying what kind of an emergency, a storm emergency, an active shooter emergency, anything, but it became very clear to him that the County wants no part of that leadership role. They went on to say that if anything went on they would call the Department of Homeland Security. They are in Lees Summit, Missouri. It would take them a while to get here. Back to the 911 issue we talked about three or four months ago, he got a call from the communications specialist here. He can't say that he got a full response, but in our latest High School incident, the parental notification system failed. Some parents did not get notified until after 7:00 p.m. in the evening that there was a lockdown in the school. That is not acceptable. The High School has not published their plan. His understanding is that they have to pay a company to monitor social media for key words and then funnel any threats to law enforcement or whomever. I think this needs to be looked at. There needs to be some central coordination. We aren't that big of a county that we can't do that together.

Mayor Parker thanked him for his comments.

Nancy Van Etten – Ms. Van Etten said that she lives at the lake and was recently appointed to the Lake Advisory Board. There has been some questions about the closure of Indian Road and asked if there were any updates. She hasn't seen anything in the newspaper about it.

City Manager said that the environmental are still being conducted. A grant has been applied for but the environmental have to be completed on the land first. A public hearing will be published once these are complete. No other discussions have been held.

### **C. PUBLIC HEARINGS:**

Mitchell moved to open the Public Hearing at 6:15 p.m. Adamson seconded. All voted aye.

#### **OPENED PUBLIC HEARING AT 6:15 P.M.**

6:00 p.m. Lake Sewer District Sewer Increase Public Hearing – Susan Bancroft, Director of Finance, informed the Commission that to give them a little background on this district is that the Lake Sewer District was created in 2011. It was created by Bourbon County and we are under a 40 year agreement. These rates have not been increased since 2011. We went through the proper procedures to notify the Lake residents of this proposed increase. The rate will match what the City residents now pay. It will go

from \$15.77 to \$22.79. It is quite an increase, but considering it has not been raised since 2011, it is bringing it up to what City residents pay. The City residents pay sewer based on their water usage per gallon used. The City does not meter their water at the lake but is based on the annual average user charge of new users within the City limits. This increase will be effective January 1, 2020. In the future, the rate will be increased with any rate increase approved for the City residents. Bourbon County will be notified of any increases each year.

City Manager said that they have found out that the County is not the actual Lake Sewer District board and that one needs to be formed.

Harold Martin, Lake Resident, said that he thinks the increase is inappropriate. He said he has water at the lake that is metered.

Susan Bancroft said that Rural Water supplies their water and they are not willing to share that information with the City.

Mr. Martin said that his water usage is between 1,500 and 2,000 gallons per month and he lives there full time. There are a lot of people who don't live there full time and they would be charged the same amount. He thinks that is unfair.

Mr. Martin said that this should be tabled until the sewer board is put together.

Nancy Van Etten said that she lives at the lake. She thinks the Lake Advisory Board should get together and talk about this first. She said that is too much money and is too big of an increase.

Kevin Allen said that the City and Rural Water needs to work out any issues with billing and metering water use. He said we should work together and take care of any animosity.

Mr. Martin said that it is unfair that the City play catch up on the Lake residents.

City Manager said that the City is a partner with the County on this. This is really a County issue. We charge the rates. City Manager said that he will reach out to the County on this issue.

Bartelsmeyer moved to table this issue at this time until more information can be obtained. Mitchell seconded. All voted aye.

**TABLED THE LAKE SEWER INCREASE UNTIL MORE INFORMATION CAN BE OBTAINED.**

Bartelsmeyer moved to close the Public Hearing at 6:29 p.m. Adamson seconded. All voted aye.

**CLOSED PUBLIC HEARING AT 6:29 P.M.**

**CONSIDERATION:**

1. Consideration of Resolution No. 26-2019 authorizing for sale of General Obligation Temporary Notes, Series 2019-1, of the City of Fort Scott, Kansas – River Intake Project – Susan Bancroft, Director of Finance, introduced Stan Jones and Bret Shogren with Stifel Public Finance to the Commission.

Stan Jones informed the Commission that Stifel is a public finance company who helps cities and schools issue bonds. He is based out of Kansas City and Bret is based out of Wichita. They focus on Kansas bonds. Their company is national with over 7,000 employees. They are able to market bond issues coast to coast which is important. He focuses on small towns and counties. Rates are low right now compared to traditional rates. The ten year treasury is 1.77. At the beginning of the year it was 2.5. He does not think that the rates will skyrocket.

Bret Shogren said that he was based out of Wichita. In previous years, improvements were authorized to the River Intake Structure. U.S.D.A. will be doing the long term financing. Shifel will be doing the short term temporary financing. The total size of the project is \$4,925,000. The project is projected to take 1 to 1 ½ years to complete. They are recommending a note to mature in June of 2022. The note will be advertised nationwide and placed in the local newspaper as well as the Kansas Register. The City has a credit rating of A-2 which is a great rating. A competitive sealed bid will be received and brought before them at their December 3<sup>rd</sup>, 2019 meeting.

Parker moved to approve Resolution 26-2019 authorizing the sale of General Obligation Temporary Notes. Nichols seconded. All voted aye.

**APPROVED RESOLUTION NO. 26-2019 AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION TEMPORARY NOTES, SERIES 2019-1, OF THE CITY OF FORT SCOTT, KANSAS.**

2. Approval of Financials – Susan Bancroft, Director of Finance, informed the Commission that this approval of financials will be on the consent agenda after this meeting, but she wanted to explain the financials to them. She shared with the Commission that the Sales and Compensating Use Tax make up 43% of our general fund. The Ad valorem taxes (personal property tax) make up 24% of the general fund. The franchise fees from private utilities make up 18% of the general fund. As of October 31<sup>st</sup>, 2019, 84% of the budget has been expended. This is on target for

the number of months we have encountered for the year. Spending will be tightened as the end of the year draws near to meet cash carryover targets. She also showed the bank reconciliation figures showing that the books are balanced each month.

**COMMISSION/STAFF:**

**A. Director Updates:**

Allyson Turvey – Ally informed the Commission that she created a Fort Scott Animal Shelter Facebook page for the Police Department. In two weeks since it was created, there have been over 300 likes. There have been four dogs posted with over 3,500 views. She invited the Commission to check out and like the page.

Veteran's Weekend – Ally said that the Veteran's Day celebration actually turned into a four day celebration. This event was made possible with a grant from the Fort Scott Area Community Foundation. The V.F.W. was heavily involved. Live Local sponsored the Veteran's Day Parade. The Fort Scott Southern Baptist Church sponsored a concert. The E-3 Foundation cooked hamburgers. The Friends of the Fort sponsored their annual Grand Ball. The Boiler Room Brewhaus hosted a parade watch party. The Fort Scott Nazarene Church hosted a church service and did free Veteran portraits. The Fort hosted events the entire weekend. The Lowell Milken Center provided freebies for the Veteran's along with a ton of community involvement. She said the goal was to get people to come to the event. Last year there were 14 Veterans which were local. This year there were 44 Veteran's with a few from out of town. They plan to hold it again next year.

Robert Uhler – Robert said that he has a couple of projects to update them on. The first is the Capital Recovery and Reinvestment Project which is the energy audit upgrade project. They have been to all the City facilities since April and made suggestions for improvements. We are now looking at the scope of work and looking at financing for these improvements. More information regarding this project and financing will be heard at the December 3<sup>rd</sup>, 2019 meeting.

Smart Growth America – The City of Fort Scott was chosen as one of six communities in the United States to serve with a technical assistance program. Representatives will be in Fort Scott on January 14<sup>th</sup> and 15<sup>th</sup> and will help us look at our long term strategic plan and our economic liability about how we grow and make sure we grow smart. This is exciting for Fort Scott. This is about a \$90,000 grant.

**B. City Commission:**

Bartelsmeyer – Nothing to report.

Mitchell – Nothing to report.

Nichols – Nothing to report.

Adamson – Nothing to report.

Parker – Nothing to report.

**C. City Manager:**

1. Lake Sewer Increase – City Manager said he wanted to make sure in reading the contracts that the City is really a vendor in this process. The County doesn't have a wastewater treatment plant. The sewer comes through our sewer plant just like the City residents. We are a support system for your sewer system. We want to work together and work with the Rural Water District also. It can't just be the City – it has to be everybody. We are here to support the sewer system at the lake.

Harold Martin said that every time they look one of the utilities is raising their rates. He is charged \$30.00 availability fee every month for his electric bill.

2. City Manager asked that the next meeting time be changed due to the Christmas parade to 5:00 p.m.

Bartelsmeyer moved to change the time of the December 3<sup>rd</sup>, 2019 meeting to 5:00 p.m. for the Downtown Christmas parade. Parker seconded. All voted aye.

**APPROVED TO CHANGE THE TIME OF THE DECEMBER 3<sup>rd</sup>, 2019 MEETING TO 5:00 P.M.**

**EXECUTIVE SESSION:**

City Manager asked for a 15 minute Executive Session to discuss personnel matters of non-elected personnel. He asked that the City Commission, Director of Finance, and himself be included in this meeting. There is no action anticipated.

Nichols moved to adjourn into a 15 minute Executive Session to discuss personnel matters on non-elected personnel to include the City Commission, City Manager, and Director of Finance with no action anticipated. Parker seconded. All voted aye.

**ADJOURNED INTO EXECUTIVE SESSION AT 7:02 P.M.**

Bartelsmeyer moved to come out of Executive Session at 7:07 p.m. Adamson seconded. All voted aye.

**EXITED OUT OF EXECUTIVE SESSION AT 7:07 P.M.**

**ADJOURNMENT:**

Nichols moved to adjourn the meeting at 7:08 p.m. Mitchell seconded. All voted aye.

**ADJOURNED MEETING AT 7:08 P.M.**

The next regularly scheduled meeting is to be held on December 3<sup>rd</sup>, 2019 at **5:00 p.m.**

**RECORDED BY:**

**DIANE K. CLAY  
CITY CLERK**