

**CITY OF FORT SCOTT
CITY COMMISSION MEETING**

Minutes of February 21, 2023

Regular Meeting

The regular meeting of the Fort Scott City Commission was held February 21, 2023, at 6:00 p.m. in the City Commission Meeting Room at City Hall, 123 S. Main Street, Fort Scott, Kansas.

ROLL CALL:

Commissioners J. Jones, T. Van Hoecke, K. Harrington, E. Woellhof were present with Mayor M. Wells.

FLAG SALUTE AND INVOCATION: T. Shelton, said a prayer asking God for guidance for the City, our Government and City officials.

AUDIENCE IN ATTENDANCE: Brad Matkin/Interim City Manager, Travis Shelton/Police Chief, Dave Bruner/Fire Chief, Jason Dickman/City Engineer, Ben Hart/BakerTilly Financial Director, Bob Farmer/City Attorney, Thomas Russell/Codes Enforcement, Lisa Lewis/City Clerk, Marquece Hayes, Kennedy Webb, and Thade Yates

AMENDMENTS TO AGENDA:

M. Wells stated that there will be an addition to the City Commission meeting agenda, item number IV that will be Approval of Agenda. This will be the time to make amendments to the meeting agenda to avoid last-minute motions and decisions that were not on the posted agenda.

L. Lewis stated there was an amendment to the agenda for the Consideration of the Contract of Brad Matkin for the position of City Manager.

T. VanHoecke moved to add the requested amendment for the Consideration of the Contract of Brad Matkin for the position of City Manager to New Business as item H with the recommendation of moving into Executive Session. J. Jones seconded. All voted aye.

APPROVED TO AMEND THE AGENDA TO ADD THE REQUESTED AMENDMENT FOR THE CONSIDERATION OF THE CONTRACT OF BRAD MATKIN FOR THE POSITION OF CITY MANAGER TO NEW BUSINESS AS ITEM H WITH THE RECOMMENDATION OF MOVING INTO EXECUTIVE SESSION.

CONSENT AGENDA:

A. Approval of minutes of the regular meeting of February 7, 2023.

B. Approval of Appropriation Ordinance 1330-A totaling **\$190,921.53**

C. Request to Pay – AVFUEL Corporation - **\$13,141.00**

D. Request to Pay – Earles Engineering - \$40,236.10

1. 1/31/2023 – S. Horton and W. 6th – Survey 100% - \$800.00
Preliminary Design 70% - \$13,800.00
\$14,600.00
2. 1/31/2023 – Sanitary Sewer Project – Final 100% - \$2,900.00
Bidding 80% - \$3,150.00
\$6,050.00
3. 1/31/2023 – S. Industrial Pk. Waterline – Final 80% – \$590.00
4. 1/31/2023 – City Engineer – Monthly Fee - \$4,243.60
5. 2/6/2023 – System Designs - Addenda phase II - \$2,512.50
Phase III - \$12,240.00
\$14,752.50

**E. Request to Pay – Kansas State Treasurer – Bond Payment –
BI# 0144062716811 – G O REF BDS SR 2016 - \$63,646.88**

**F. Request to Pay – Kansas State Treasurer – Bond Payment –
BI# 0144021821160 – GENERAL OBLIGATION REFUNDING BONDS, SERIES
2021-A - \$21,000.00**

G. January Financial Statements

M. Wells questioned the items in the Expense Approval Report for Planet Tech and Vermont Services.

B. Matkin stated that Vermont Services is for Tyler Technologies. He will check in to Planet Tech.

K. Harrington requested that the State be notified that Janet Guilfoyle no longer works for the City and there is a new contact person. B. Matkin will resolve.

M. Wells questioned the cell phone franchise fees from ATT and Verizon. He would like to make sure that the City is asking all the providers for the same fees.

M. Wells inquired about the two (2) bonds being paid.

T. VanHoecke moved to approve the Consent Agenda. K. Harrington seconded. T. VanHoecke, J. Jones, E. Woellhof and K. Harrington voted aye. M. Well voted nay.

APPROVED THE CONSENT AGENDA.

OLD BUSINESS:

A. Sidewalk, Curb and Gutter Program: B. Matkin stated that citizens have been.

Inquiring about this program that was previously in effect but stopped. He spoke with B. Hart who indicated the funds for the program could come from the Codes Demolition Fund with the request of \$10,000.00 to start. The program is that a citizen pays half of the replacement or a maximum of \$2,000.00. There is a \$23,000.00 carryover from last year's demo budget. B. Matkin stated that this year we can only do as many as the budget allows for the year.

J. Jones moved to approve \$10,000.00 in the Codes Demolition Budget for the Sidewalk, Curb and Gutter Program for 2023. T. VanHoecke seconded. All voted aye.

APPROVED \$10,000.00 IN THE CODES DEMOLITION BUDGET FOR THE SIDEWALK, CURB AND GUTTER PROGRAM FOR 2023.

APPEARANCES:

1. Consideration of re-bid process for airport runway – Brian Coomes/Engineer and Project Manager for Olsson Engineers and Seth Simpson/Airport Manager presented to the Commission the proposal to go out to bid again, after a previous attempt, to resurface all the pavement on the Airfield at the airport and for approval for the amendment of breaking up the bid in to two (2) portions if the bids come back higher; a base bid and an alternate bid. The total funds available will be \$3.2 million. There are additional costs to Olsson to prepare to go out for rebid. B. Coomes discussed the timeline and the grant process. He stated that the City's match is approximately \$447,000.00 for the entire project. Rehabilitation of the connecting taxiway to the box hangar at the south end of the apron. Last year the FAA determined that was an ineligible expense on the grant. The projected cost of that maintenance is approximately \$63,000.00. An application was submitted to KDOT Division of Aviation to cover 90% of the cost of that taxiway. The application was successful and KDOT pledged \$57,000.00 to cover 90% of the cost of that maintenance and the City's local match would be approximately \$390,000.00.

Discussion was had with B. Coomes and the Commissioners regarding specifications on the documents provided.

E. Woellhof motioned to move forward with the re-bid process for the Runway Resurfacing Project.

Discussion was had regarding the language in the bid.

J. Jones seconded. All voted aye.

APPROVED TO MOVE FORWARD WITH THE RE-BID PROCESS FOR THE RUNWAY RESURFACING PROJECT.

T. VanHoecke moved to approve Amendment One to Olsson's agreement for consulting services for the Airport Runway Project. J. Jones seconded. All voted aye.

APPROVED AMENDMENT ONE TO OLSSON'S AGREEMENT FOR CONSULTING SERVICES FOR THE AIRPORT RUNWAY PROJECT.

PUBLIC HEARING:

J. Jones moved to open the Public Hearing for the purpose of evaluating the performance of Grant No 21-IT-002 to address concerns at 8 and 16 N. National Ave. All aspects of the grant will be discussed, and oral and written comments will be recorded and become part of the City of Fort Scott CDBG Citizen Participation Plan. T. VanHoecke seconded. All voted aye.

APPROVED TO OPEN THE PUBLIC HEARING FOR THE PURPOSE OF EVALUATING THE PERFORMANCE OF GRANT NO 21-IT-002 TO ADDRESS CONCERNS ON 8 AND 16 N. NATIONAL AVE. ALL ASPECTS OF THE GRANT WILL BE DISCUSSED, AND ORAL AND WRITTEN COMMENTS WILL BE RECORDED AND BECOME PART OF THE CITY OF FORT SCOTT CDBG CITIZEN PARTICIPATION PLAN.

No one was present to speak regarding the Public Hearing. The grant is to be closed out.

K. Harrington moved to close the Public Hearing. T. VanHoecke seconded. All voted aye.

APPROVED TO CLOSE PUBLIC HEARING.

Public Comments was moved to accommodate speakers who attended to address the Commission but arrived late.

PUBLIC COMMENTS:

Marquee Hayes came to address the Commission regarding students' interest in bringing back the football program at Fort Scott Community College. M. Hayes was informed that the Commission does not have any authority in this matter. M. Wells referred the students to the College Board of Trustees.

NEW BUSINESS:

A. Consideration of window replacements for Bourbon County Senior Citizens Center, 26 N. National. This item was presented to the Design Review Board on February 14, 2023 and recommended to be approved by the City Commission.

Discussion was had regarding the pictures that were supplied.

J. Jones moved to approve the window replacements for Bourbon County Senior Citizens Center, 26 N. National based on the Design Review Board's approval and recommendation. T. VanHoecke seconded. All voted aye.

APPROVED THE WINDOW REPLACEMENTS FOR BOURBON COUNTY SENIOR CITIZENS CENTER, 26 N. NATIONAL BASED ON THE DESIGN REVIEW BOARD'S APPROVAL AND RECOMMENDATION.

B. Consideration of replacing the WWTP Grit Removal System – Jason Dickman spoke for Peter Earles. He stated that he created a bid package that is a sole source situation. He is before the Commission to make sure the project is moving forward. M. Wells stated it was not a budgeted item for this year but was brought to the Commission because it is an improvement that must be made to the Water Treatment Plant.

Discussion was had about the Grit Removal System.

B. Hart stated that there is enough money in the ADM account to cover the cost, but Commission approval is needed.

J. Dickman was asked to explain the purpose and importance of this system.

Discussion was had on sole source items and bidding out for needed materials.

J. Dickman was asked to explain why the Grit Removal System is not a three (3) bid process. He explained that equipment for the WWTP is only produced by a handful of companies because it is specialized equipment.

Commissioner concern about due diligence with the bid process for items that may not be sole source providers and prioritizing the issues was discussed.

T. VanHoecke moved to go out for bids for the Booster Station and tank. J. Jones seconded. All voted aye.

APPROVED TO GO OUT FOR BIDS FOR THE BOOSTER STATION AND TANK FOR THE WWTP.

J. Jones moved to approve the contract for the Grit Removal System for the WWTP as presented. K. Harrington seconded. J. Jones, K. Harrington, T. VanHoecke and M. Wells voted aye. E. Woellhof voted nay.

APPROVED THE CONTRACT FOR THE GRIT REMOVAL SYSTEM FOR THE WWTP AS PRESENTED.

J. Jones asked E. Woellhof why he voted against the motion for the Grit Removal System. E. Woellhof stated that he believes that there should be more than one proposal to consider for that system.

Discussion was had about the City's current Bid Process.

C. Update on 1107 W. 6th Street: T. Russell stated that he could answer some questions, but would suggest that this item be rescheduled so that Jesse Milburn can come before the Commission.

T. VanHoecke motioned to move J. Milburn's appearance before the Commission regarding 1107 W. 6th Street to the March 7th City Commission Meeting. J. Jones seconded. All voted aye.

APPROVED TO MOVE J. MILBURN'S APPEARANCE BEFORE THE COMMISSION REGARDING 1107 W. 6TH STREET TO THE MARCH 7TH CITY COMMISSION MEETING.

D. Consideration of Annual Water Meter Changeout Program: B. Lemke was not able to attend the meeting due to illness. B. Matkin requested to table the item until the March 7th, 2023, City Commission meeting.

K. Harrington moved to table Consideration of the Annual Water Meter Changeout Program to the March 7th, City Commission Meeting. J. Jones seconded. All voted aye.

APPROVED TO TABLE CONSIDERATION OF THE ANNUAL WATER METER CHANGEOUT PROGRAM TO THE MARCH 7TH, CITY COMMISSION MEETING.

E. Consideration of Memorial Hall rentals and fees: B. Matkin brought to discussion the use and rental fees of Memorial Hall. He stated that in the past 18-19 months, the current policy has not been followed. He would like the Commission to decide whether the City will use the policy and charge for the use of Memorial Hall or not for the sake of consistency and procedure for the staff at City Hall. He also stated that he promoted Doug Gunns to manage operations at Memorial Hall in addition to his current responsibilities.

Discussion was had about the current policy.

~~T. VanHoecke motioned to move the item of Memorial Hall to the next meeting on March 7th, 2023.~~

The Commission agreed to a Work Session prior to the March 7th, 2023, City Commission Meeting.

M. Wells agreed to strike the motion of tabling the issue in favor of the scheduled Work Session.

F. Consideration of reappointment of expired Golf Course Advisory Board members John Leek, Mitch Quick and Steve Harry: T. VanHoecke left the Commission Room. B. Matkin stated that the candidates expressed interest in remaining on the Board until the end of the year.

Discussion was had about the current process of keeping advisory board seats filled.

T. VanHoecke entered the meeting.

J. Jones stated that he believes that all of the advisory boards need to be reevaluated.

The Commission agreed on a Work Session for the purpose of reevaluating the City's Advisory Boards prior to the March 21st, 2023, City Commission Meeting at 5:00 PM.

B. Farmer suggested that the Commission make a decision on the expired seats of the Golf Advisory Board for legal purposes.

J. Jones moved to extend the appointed positions of the Golf Advisory Board members John Leek, Mitch Quick and Steve Harry until the end of the year 2023. E. Woellhof seconded. All voted aye.

APPROVED TO EXTEND THE APPOINTED POSITIONS OF THE GOLF ADVISORY BOARD MEMBERS JOHN LEEK, MITCH QUICK AND STEVE HARRY UNTIL THE END OF THE YEAR 2023.

G. Consideration of Banking Service Bids:

B. Matkin would like to extend the bid deadline until the March 7th, 2023 meeting because it was stated that a bank did not receive their personal Invitation to Bid letter in enough time to provide a bid. Letters were sent, the bid was posted on the City's website and in the Newspaper of Record. One bid was received.

J. Jones moved to re-open the bid for the City's Banking Services until Monday, March 6th at 3:00 PM. K. Harrington seconded. All voted aye.

APPROVED TO RE-OPEN THE BID FOR THE CITY'S BANKING SERVICES UNTIL MONDAY, MARCH 6TH AT 3:00 PM.

H. Consideration of the Contract of Brad Matkin for the position of City Manager:

T. VanHoecke motioned to move in to Executive Session for the purpose of the discussion of a contract pursuant to the personnel matters of non-elected personnel exception in K.S.A. 75-4319(b)(1). In the Executive Session will be the five (5) City Commissioners and the City Attorney. The Session will be held in Jeff Hancock's office and will reconvene at 7:50PM in the City Commission Room.

K. Harrington seconded. All voted aye.

APPROVED TO MOVE IN TO EXECUTIVE SESSION FOR THE PURPOSE OF THE DISCUSSION OF A CONTRACT PURSUANT TO THE PERSONNEL MATTERS OF NON-ELECTED PERSONNEL EXCEPTION IN K.S.A. 75-4319(B)(1). IN THE EXECUTIVE SESSION WILL BE THE FIVE (5) CITY COMMISSIONERS AND THE CITY ATTORNEY. THE SESSION WILL BE HELD IN JEFF HANCOCK'S OFFICE AND WILL RECONVENE AT 7:50PM IN THE CITY COMMISSION ROOM.

T. VanHoecke motioned to move out of Executive Session. M. Wells seconded. All voted aye.

APPROVED TO MOVE OUT OF EXECUTIVE SESSION.

T. VanHoecke moved table the item and to direct Bob Farmer/City Attorney to continue contract negotiations with Brad Matkin/Interim City Manager. K. Harrington seconded. All voted aye.

APPROVED TO TABLE THE ITEM AND TO DIRECT BOB FARMER/CITY ATTORNEY TO CONTINUE CONTRACT NEGOTIATIONS WITH BRAD MATKIN/INTERIM CITY MANAGER.

REPORTS AND COMMENTS:

Interim City Manager: B. Matkin

1. Boat ramp is complete and open at Lake Fort Scott.
2. Sound system for the Commission Room is on order and should arrive within thirty (30) days.
3. Meeting with the Chamber on Thursday to discuss a parking plan.
4. Gunn Park Gazebo – a couple of citizens are interested in possibly moving it or restoring it for the City. They were given two (2) weeks to decide.
5. RV Park Update – estimates on parts and labor for the installation of electricity will be approximately \$10,000.00. Water will be done also. Will have three (3) bids for the labor for the electric.
6. School Zone Lights – meeting with Superintendent Destry Brown next week.
7. Floating T-Dock for Fern Lake – spoke with Don George about getting a quote and financial help to make it happen. Would be beneficial to have a safety precaution on it and would be located at the north side of Fern Lake for fishing.
8. Common Ground alley crossing issue: talking with them about a possible dome mirror. J. Jones stated he has a dome mirror and will donate it if they would like it.
9. See-Click-Fix – getting a quote because it would be beneficial to citizens

10. Police Chief Travis Shelton's last City Commission Meeting – Retirement Reception to be held on Tuesday, February 28th.

L. Lewis stated that the Commission needs to make a motion to close out the CDBG Grant NO 21-IT-002 that was the topic of the Public Hearing.

J. Jones motioned to close out the CDBG Grant NO 21-IT-002 for 8 and 16 N. National Ave. K. Harrington seconded. All voted aye.

APPROVED TO CLOSE OUT THE CDBG GRANT NO 21-IT-002 FOR 8 AND 16 N. NATIONAL AVE.

B. Matkin stated that Susan Galemore will replace the City's current CDBG Representative Carey Spoon effective February 28th, 2023.

Engineering: J. Dickman

1. School Zone Light – looking into a state program with the State Traffic Engineer that helps cover the cost for school zone lights.

2. CCLIP Program for FY 2025 and 2026 is now open. They will put together another exhibit and package to continue the Wall Street project for funding in 2025.

3. Second Addendum for the Sanitary Sewer Project sent yesterday. The wage rates remained the same therefore nothing had to be advertised for that issue.

COMMISSIONERS' COMMENTS:

E. Woellhof – No comments to add.

J. Jones –

1. Would like to consider putting funds in CDs
2. Citizen concerns about school pick up/drop off lines at 3rd and Margrave
3. Director updates – getting directors to come to Commission meetings
4. Gunn Park Caretakers house – citizen suggested Airbnb
5. Commissioner replacement – Election year, possibly take 4th in line this year
6. Appreciates working with Travis Shelton
7. Thank all who came out to Reza show on Friday. Thank you to Bailey, Katie, Meredith and Kelly for all of their work to make the event a huge success.

K. Harrington – Appreciates Chief Shelton

T. VanHoecke –

1. Expressed honor to work with Chief Shelton. Wished him well in his retirement.
2. Congratulations to the volunteers of Reza
3. Wants to look at Codes and violations
4. Any information regarding US Hwy 69. B. Matkin stated he was told about two (2) months until completion.

M. Wells –

1. Consider refurbished I-Pads with stylus instead of paper agenda packets
 2. Citizen concern regarding a dock at Lake Fort Scott in small cove due to disturbance from late night parties
 3. Consider a CDBG grant for Memorial Hall to fix the steps and other issues
- B. Matkin stated that he talked to a contractor this week about a price for the steps.

J. Jones stated that he had been asked by a citizen if the City-owned land between the Artificers and Sharkey's can go over to the Land Bank and put out for proposals.

M. Wells stated that he would like to hear proposals for ideas citizens have before the City turns it over to the Land Bank.

M. Wells stated he wanted to celebrate the guys getting the boat ramp done, the work on Judson Street, emulsion tank is up, alleys fixed our guys have been working exceptionally hard. He also thanked Chief Travis Shelton and expressed his appreciation.

City Attorney Comments: Worked with Travis Shelton since the first day (Travis) started. Has always been a true professional and wishes him the very best.

Adjournment:

T. VanHoecke moved to adjourn at 8:20 PM. J. Jones seconded. All voted aye.

ADJOURNED MEETING AT 8:20 P.M.

Respectfully submitted,

Lisa Lewis
City Clerk