

**CITY OF FORT SCOTT  
CITY COMMISSION MEETING**

**Minutes of April 18, 2023**

**Regular Meeting**

The regular meeting of the Fort Scott City Commission was held April 18, 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 T. Van Hoecke (via Microsoft Teams), K. Harrington, E. Woellhof were present with Mayor M. Wells.

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

**AUDIENCE IN ATTENDANCE:** Brad Matkin/City Manager, Bob Farmer/City Attorney, Ben Hart/BakerTilly, Lisa Lewis/City Clerk, Police Chief Jason Pickert, Scott Flater/Director of Water Utilities, Jason Dickman/Earles Engineering, Rob Harrington/REDI, Jesse Hazen, Rachel Carpenter/Healthy Bourbon County Action Team (HBCAT), Jody Hoener/HBCAT, Bill Michaud, Mark McCoy/REDI, Peyton Coyne/REDI, Jared Keylon/FSCC Director of Facilities and Operations

**APPROVAL OF AGENDA:**

J. Jones moved to approve the agenda as submitted for April 18, 2023. E. Woellhof seconded. All voted aye.

**APPROVED AGENDA AS SUBMITTED FOR APRIL 18, 2023.**

**CONSENT AGENDA:**

- A. Approval of minutes of the regular meeting of April 4, 2023
- B. Approval of Appropriation Ordinance 1334-A totaling \$664,633.78
- C. Request to Pay Earles Engineering & Inspection, Inc. – \$18,851.35
  - 1. Invoice 16438 – System Designs Phase Addenda Phase II - \$3,400.00 Phase III – \$4,187.50
  - 2. Invoice 16440 – Bidding \$450.00
  - 3. Invoice 16441 – Cooper Street Inspection Shane Redfern - \$291.00 Amanda Simpson – \$145.50 Miles – \$74.75
  - 4. Invoice 16442 – South Horton Street and West 6th Street Preliminary Design 82% - \$1,380.00
  - 5. Invoice 16443 – City Engineer – Monthly Fee - \$4,243.60
  - 6. Invoice 16444 – US-54 CCLIP – Phase I – Survey 30% - \$3,600.00
  - 7. Invoice 16445 – CDBG Sanitary Sewer Project I Jason Dickman - \$885.00 Shane Redfern - \$194.00

J. Jones moved to approve the Consent Agenda. T. VanHoecke seconded. All voted aye.

**APPROVED THE CONSENT AGENDA.**

**PUBLIC COMMENTS:** None

**OLD BUSINESS:**

A. Consideration of Body Cam Purchase for Police Department – Police Chief J. Pickert  
J. Pickert presented a proposal to purchase an update for body cameras for the Police Department. Three (3) quotes were presented to the Commission from Axon Enterprises, Kustom Signal and Motorola Solutions. Chief Pickert recommended the approval of an agreement with Motorola Solutions.

Discussion was had about the funding for this update. This will not be a one-time purchase. There will be an annual fee for services. M. Wells requested that the money from the seizure of the land sale be added to one of the funds to help pay for the recurring annual services. B. Hart agreed.

J. Jones moved to accept Chief J. Pickert's recommendation to purchase the body cameras from Motorola Solutions for an initial purchase amount of \$38,733.34 and the amount of \$25,452.00 for years (2) through (5) for body worn cameras, dash cameras and evidence software needs as stated in the submitted proposal. K. Harrington seconded. All voted aye.

**APPROVED CHIEF J. PICKERT'S RECOMMENDATION TO PURCHASE THE BODY CAMERAS FROM MOTOROLA SOLUTIONS FOR AN INITIAL PURCHASE AMOUNT OF \$38,733.34 AND THE AMOUNT OF \$25,452.00 FOR YEARS (2) THROUGH (5) FOR BODY WORN CAMERAS, DASH CAMERAS AND EVIDENCE SOFTWARE NEEDS AS STATED IN THE SUBMITTED PROPOSAL.**

B. Consideration of bid for Fort Scott Pavilion – J. Dickman:

J. Dickman stated that (3) renderings of color options were submitted as requested for consideration by the Commission. He said that Sprouls Construction agreed to a proposal from the Pavilion Committee to purchase the project materials and hold them for a reasonable amount of time for the construction if the bid is approved.

M. Wells stated the cost of steel is due to increase 8% to 10% by the end of the week and another increase is predicted in (30) to (40) days. He also said that the Fort Scott Pavilion Committee asked him to bring the consideration to the Commission to approve the purchase of the materials while fundraising continues for the remainder of the funds needed for construction.

T. VanHoecke asked M. Wells if anyone had verified that the T-Mobile Grant was still viable. R. Harrington stated that he had reached out to the grant contact but had not received a response.

Discussion was had about the funding and acceptable timing of completion for the Pavilion.

J. Jones moved to approve the Fort Scott Pavilion bid for the 70' x 150' metal structure for the amount of \$191,357.00 from Sprouls Construction. Sprouls agreed to purchase the materials at the current price of \$119,412.00 with funds to be bridged from the General Fund. E. Woellhof seconded. All voted aye.

**APPROVED THE FORT SCOTT PAVILION BID FOR THE 70' X 150' METAL STRUCTURE FOR THE AMOUNT OF \$191,357.00 FROM SPROULS CONSTRUCTION. SPROULS AGREED TO PURCHASE THE MATERIALS AT THE CURRENT PRICE OF \$119,412.00 WITH FUNDS TO BE BRIDGED FROM THE GENERAL FUND.**

Further discussion was had on the full site map and presenting the Pavilion Committee's color choice to the Design Review Board for consideration.

C. Consideration of WWTP Reuse Water Booster Pump System – B. Matkin:

S. Flater submitted a request to replace the existing reuse water booster system at WWTP. Three (3) proposals were submitted: Haynes Equipment using Grundfos pumps for \$27,800.00, Letts Van Kirk using Wilo pumps for an estimated \$26,500.00, and Fluid Equipment using Xylem/Goulds pumps for \$41,684.99. S. Flater recommended the Hayes Equipment/Grundfos system proposal.

J. Jones asked why this request did not go out for bids. He stated that the purchasing policy stated that anything over \$10,000.00 must go out for bid and not just (3) quotes submitted.

J. Dickman stated that was considered, but this was considered an equipment replacement.

Further discussion was had on the City's Purchasing Policy.

K. Harrington moved to accept the proposal from Haynes Equipment for the Grundfos pumps for the amount of \$27,800.00 for the reuse water booster pump system for the Wastewater Treatment Plant. E. Woellhof seconded. All voted aye.

**APPROVED TO ACCEPT THE PROPOSAL FROM HAYNES EQUIPMENT FOR THE GRUNDFOS PUMPS FOR THE AMOUNT OF \$27,800.00 FOR THE REUSE WATER BOOSTER PUMP SYSTEM FOR THE WASTEWATER TREATMENT PLANT.**

**APPEARANCES:**

1 & 2. Jesse Hazen – Request for Temporary Park Closure – Riverfront Park – Riverfront Car & Bike Show – June 3, 2023 – 9:00AM – 5:00PM and Request for Temporary Street Closure – N. National Ave. between Linker St. and Maple St. – June 3, 2023 – 8:00AM – 3:00PM: M. Wells had concerns about the road closure being the truck route used for the Sale Barn at the requested time. An alternate plan was agreed upon.

J. Jones moved to temporarily close Riverfront Park on June 3, 2023, from 9:00AM – 5:00PM and North Riverfront Road and South Riverfront Road for June 3, 2023, from 8:00AM-3:00PM. K. Harrington seconded.

Jesse Hazen will keep B. Matkin posted on his needs for City assistance.

All voted aye.

**APPROVED TO TEMPORARILY CLOSE DOWN RIVERFRONT PARK ON JUNE 3, 2023, FROM 9:00AM – 5:00PM AND NORTH RIVERFRONT ROAD AND SOUTH RIVERFRONT ROAD FOR JUNE 3, 2023, FROM 8:00AM-3:00PM.**

3. FSCC Project: Jared Keylon presented a (3) Phase Project for the Pond Restoration that Fort Scott Community College (FSCC) is undertaking in the near future. They are asking for the City's cooperation for Phase I with in-kind donation with the use of heavy equipment and an operator.

J. Jones moved to approve the City's in-kind donation of the use of appropriate equipment, an operator and the possibility of fuel if needed, at the discretion of the City Manager, at a time to be determined later. K. Harrington seconded. All voted aye.

**APPROVED THE CITY'S IN-KIND DONATION OF THE USE OF APPROPRIATE EQUIPMENT, AN OPERATOR AND THE POSSIBILITY OF FUEL IF NEEDED, AT THE DISCRETION OF THE CITY MANAGER, AT A TIME TO BE DETERMINED LATER.**

4. Rachel Carpenter – HBCAT's 3<sup>rd</sup> Street Park Project: R. Carpenter, Director of the Center for Economic Growth at HBCAT addressed the Commission to present their proposal for their program Stronger Together: Building Up Our Neighborhoods and Creating Placemaking Projects. She presented this proposal to the Parks Advisory Board on April 6<sup>th</sup>, 2023, and they approved to recommend her proposal to the City Commission. She stated that they are requesting \$10,000.00 for routine maintenance at 3<sup>rd</sup> Street Park which includes: replacement of the pavilion's concrete floor, plumbing for the bathroom, security cameras and surfacing of the playground.

E. Woellhof moved to contribute \$10,000.00 from the Park Fund to the HBCAT 3<sup>rd</sup> Street Park Project to be used for routine maintenance as outlined in their proposal to the Commission and recommended by the Parks Advisory Board. J. Jones seconded. All voted aye.

**APPROVED TO CONTRIBUTE \$10,000.00 FROM THE PARK FUND TO THE HBCAT 3<sup>RD</sup> STREET PARK PROJECT TO BE USED FOR ROUTINE MAINTENANCE AS OUTLINED IN THEIR PROPOSAL TO THE COMMISSION AND RECOMMENDED BY THE PARKS ADVISORY BOARD.**

**PUBLIC HEARING:** None

**NEW BUSINESS:**

A. Consideration of Resolution No. 2-2023 – Designating the Official Depositories for the Public Funds of the City of Fort Scott, Kansas: B. Hart stated that every year the City must create a resolution to designate the official depositories for the public funds. Usually, it is done at the beginning of the year, but the City had gone out for bids for banking services which delayed the adoption of this resolution. The Commission accepted the bid from Landmark Bank.

J. Jones moved to approve Resolution No. 2-2023 that designates the City State Bank, UMB Bank, Landmark National Bank, The Liberty Savings Association, and the Union State Bank, all of Fort Scott, Kansas, and the Kansas Municipal Investment Pool of Topeka, Kansas as the official depositories of the public funds. T. VanHoecke seconded. All voted aye.

**APPROVED RESOLUTION NO. 2-2023 THAT DESIGNATES THE CITY STATE BANK, UMB BANK, LANDMARK NATIONAL BANK, THE LIBERTY SAVINGS ASSOCIATION AND THE UNION STATE BANK, ALL OF FORT SCOTT, KANSAS, AND THE KANSAS MUNICIPAL INVESTMENT POOL OF TOPEKA, KANSAS AS THE OFFICIAL DEPOSITORIES OF THE PUBLIC FUNDS.**

B. Approval of EPEC Aquionics UV Units, Power, and Control Panels: – S. Flater addressed the Commission to present the replacement of the Aquionics UV Disinfection System from the EPEC quote number 04122301 dated April 12, 2023, for the amount of \$360,698.00 for the WWTP.

Discussion was had on the current system's condition and urgency of replacement.

T. VanHoecke moved to accept EPEC's proposal for the Aquionics UV Units for the price of \$360,698.00. E. Woellhof seconded. All voted aye.

**APPROVED TO ACCEPT EPEC'S PROPOSAL FOR THE AQUIONICS UV UNITS FOR THE PRICE OF \$360,698.00.**

C. Consideration of Gunn Park Bathroom and Shower House Bids: B. Matkin One (1) bid was received from Hofer & Hofer & Associates, Inc. for \$295,689.00. The breakdown is as follows: bathroom only \$115,075.00, shower house only \$157,014.00 and removal of existing structures \$23,600.00. J. Dickman spoke to the difference between the engineer's estimate and the bid price.

Discussion was had on options to bring the cost more in line with the estimate.

J. Jones moved to reject the bid from Hofer & Hofer & Associates, Inc. based on the price. E. Woellhof seconded. All voted aye.

**APPROVED TO REJECT THE BID FROM HOFER & HOFER & ASSOCIATES, INC. BASED ON THE PRICE.**

D. Consideration of Investing \$2 million of City funds into Certificates of Deposits (CDs): B. Hart stated that the approval of the banking contract last month will allow for idle fund cash interest of approximately (3%) to be invested. He stated that Devin Tally would push out a term sheet to the banks and bid out a CD in the amount of \$(2) million over a (6) month period and get interest rates back for comparison and then for consideration by the Commission. B. Hart suggested that the bid be held until after the Federal Reserve meeting on May 3<sup>rd</sup> to see if the interest rate changes.

J. Jones motioned to begin the process to go out for bids for Certificates of Deposit in the amount of \$(2) million. T. VanHoecke seconded. All voted aye.

**APPROVED TO BEGIN THE PROCESS TO GO OUT FOR BIDS FOR CERTIFICATES OF DEPOSIT IN THE AMOUNT OF \$(2) MILLION.**

E. Core Community Discussion: Bill Michaud presented the program to the City Commission and explained its benefits to the community. Jody Hoener answered questions regarding the need in the community.

Discussion was had regarding a donation from the City to the Core Community.

J. Jones moved to allocate \$15,000.00 to the Core Community program within (30) days in advance of its start time. T. VanHoecke seconded. E. Woellhof, K. Harrington, J. Jones, and T. VanHoecke voted aye. M. Wells voted nay.

**APPROVED TO ALLOCATE \$15,000.00 TO THE CORE COMMUNITY PROGRAM WITHIN (30) DAYS IN ADVANCE OF ITS START TIME.**

F. REDI Discussion: R. Harrington/Director of REDI, Peyton Coyne/Secretary and Treasurer of REDI and M. McCoy/Chairman-President of REDI responded to a request from J. Jones to update the Commission on REDI in the past (6) months.

Discussion was had about what can be brought out publicly and what REDI has been accomplished the current staff and contract of REDI, and grants that have been written by REDI. Comments were also shared regarding the future of REDI and further discussion.

M. McCoy requested that REDI be put on the agenda for the second Commission meeting of the month if requested.

G. Discussion of Upcoming Vacancy for City Commissioner J. Jones: J. Jones would like for the Commission to consider drafting an ordinance for a special circumstance to allow a (4<sup>th</sup>) candidate on this year's election ballot, for the upcoming vacancy, that would be filled by the process of Ordinance No. 3618.

Discussion was had about the special circumstance in timing of the vacancy and the existing ordinance.

J. Jones moved to have an ordinance drafted for the citizens to elect (4) Commissioners on the ballot instead of (3) and that elected person would fill the vacancy terminating in December of 2025.

Further discussion was had regarding options for filling the vacancy.

M. Wells seconded. J. Jones and M. Wells voted aye. T. VanHoecke, E. Woellhof and K. Harrington voted nay.

### **MOTION FAILED**

### **REPORTS AND COMMENTS:**

#### **City Manager:** B. Matkin

1. Memorial Hall steps update – sealant being applied
2. Cooper Street update – phase II (up to 20<sup>th</sup> St.) to open by Friday.
3. KDHE Grant received for picnic tables for the Aquatic Center
4. NICA Race this weekend in Gunn Park
5. Comedy show success, Civil War Encampment, Artificers event and Pizza Republic event kept the downtown busy this weekend.
6. Letter to all businesses regarding enforcement of (2) hour parking

#### **Engineering:** J. Dickman

1. Memorial Hall steps progress looking good
2. WWTP Phase I Aeration is operating
3. Horton and 6<sup>th</sup> St. project – meeting with Evergy on May 1<sup>st</sup> regarding relocations

### **COMMISSIONERS' COMMENTS:**

#### **T. VanHoecke:**

1. Many thanks to City crews and Mid-Continental for Cooper St. and Memorial Hall steps
2. Congratulations to J. Jones and the committee for the comedy show success
3. Beginning of street striping with striping machine
4. Codes Enforcement meeting – process is under review
5. Gov. Kelly signed a bill exempting streaming services from franchise taxes
6. Visit from EPA – report forthcoming from City Manager
7. Enterprise Rental Cars and leasing fleet vehicles - meeting on April 25<sup>th</sup> at 11:30AM

#### **E. Woellhof:**

1. Strategic Planning Work Session – Scheduled for Monday, May 8<sup>th</sup> at 6:00PM and May 15<sup>th</sup> at 6:00PM for Advisory Boards Work Session.
2. Final decision about running for Commissioner on May 2<sup>nd</sup> Commission meeting

**K. Harrington:**

1. Busy downtown past weekend great to see, but events need to be publicized more.
2. May 16<sup>th</sup> is the last day of school

**J. Jones:**

1. Staff shortage for Aquatic Center – approximately (13) positions open
2. Consideration of using Lake fund money to fast-track Memorial Hall repairs

**M. Wells:**

1. Thank you to all the amazing and talented volunteers at the Fort Scott Encampment – very excited to see event participation returning to pre-COVID involvement.
2. Structure on Margrave – still in the right of way. B. Matkin stated the issue is being addressed through the Codes Department.
3. Unsafe Structure on Osburn – cannot be demolished yet because it is a crime scene that is still under investigation.
4. Municipal Grant Writing educational opportunity – any other Commissioner's interested in attending in Lawrence, KS. Registration deadline is May 5<sup>th</sup>.
5. Thankful for all those who are working for the best outcome for the City.

**City Attorney Comments:**

1. Commended former City Commissioner Pete Allen for his Letter to the Editor regarding Earles Engineering

**Executive Session:** None

**Adjournment:**

K. Harrington moved to adjourn at 8:46PM. J. Jones seconded. All voted aye.

**ADJOURNED MEETING AT 8:46P.M.**

Respectfully submitted for approval,  
Lisa A. Lewis, City Clerk