

**CITY OF FORT SCOTT
CITY COMMISSION MEETING**

Minutes of March 31, 2020

Regular Meeting #6

The regular meeting of the Fort Scott City Commission was held March 31st, 2020 at 6:00 p.m. in the City Commission Room, 123 S. Main, Fort Scott, Kansas.

ROLL CALL:

Commissioners K. Allen, P. Allen, R. Nichols, and L. Watts were present with Mayor J. Mitchell presiding.

INVOCATION: There was no invocation given.

AUDIENCE IN ATTENDANCE: There was no audience in attendance other than a very few City staff.

PROCLAMATIONS/RECOGNITIONS: None

APPROVAL OF MINUTES AND APPROPRIATIONS/CONSENT AGENDA:

- A. Approval of minutes of the regular meeting of March 10th, 2020.
- B. Approval of Appropriation Ordinance 1259-A totaling \$726,100.29.
- C. Approval of Pay Request #7 – Crossland Construction – River Intake Structure Project - \$177,321.49.
- D. Request to Pay – Struckel Electric - \$8,814.09 – Electric Vault Project – Airport
- E. Request to Pay #3 – Schneider Electric - \$353,530.09 – Energy Audit Project
- F. Approval of 3RK – Certificate of Pay Request #3 – MIH Housing Grant - \$22,599.52.
- G. Quit Claim Deed – City of Fort Scott to Margaret P. Cummings-3 ½” of alley
- H. February 2020 Financials

Commissioner Pete Allen made a motion to have the Charlesworth Associates invoice pulled out from the Consent Agenda. Lindsey Watts seconded. All voted aye.

REMOVED CHARLESWORTH ASSOCIATES INVOICE FROM THE CONSENT AGENDA.

R. Nichols moved to approve the Consent Agenda. Lindsey Watts seconded. R. Nichols, L. Watts, and J. Mitchell voted aye. K. Allen and P. Allen voted no. Motion carried 3-2.

APPROVED CONSENT AGENDA.

Discussion was then held on the Charlesworth Associates invoice.

City Manager explained to the Commission that Mr. Charlesworth is an insurance consultant and seeks the best coverage and price for the City's automobile, and property and casualty insurance. He is paid \$6,000 per year to perform this service. He said he could have Mr. Charlesworth come and appear before them at a later meeting.

K. Allen said he would like to invite all local insurance companies to a meeting with Mr. Charlesworth and the Commission at City Hall.

R. Nichols said that this gentleman found the City significant savings to the City. The local agents were involved in this a couple of years ago. We should have him come here and discuss what he does with the City Commission.

Susan Bancroft said that the City has a contract with him and we need to approve this payment. You can opt out of this contract but this invoice needs to be paid. There is a process to opt out of the contract and it would need to be followed.

Lindsey Watts moved to approve the payment to Charlesworth Associates in the amount of \$500.00. K. Allen seconded. All voted aye.

APPROVED THE PAYMENT TO CHARLESWORTH ASSOCIATES IN THE AMOUNT OF \$500.00.

APPEARANCE/COMMENTS/PUBLIC HEARING:

A. APPEARANCE: None

B. CITIZEN COMMENTS (Concerning Items Not on Agenda – 5 minute limit per citizen) - None

C. PUBLIC HEARINGS: None

CONSIDERATION:

1. Consideration to increase pool fees – City Manager said that he realized that this is probably not a good time to discuss increasing pool fees, but we have been planning on this for some time. City Staff is willing to hold off on this for this year. It is a tough time right now.

Mayor Mitchell said that with the COVID 19 and school being out now, weather permitting, we could open early. She thinks we should

wait a year before looking at this increase. We don't even know if we can open this year.

L. Watts said that she has heard that maybe this isn't the best time to look at this increase.

Susan Bancroft said that there were three rates to be increased. The single pass is currently \$65.00, and the recommendation was to increase to \$75.00. The family pass was \$150.00, and the recommendation was to increase to \$175.00. The pool party rate was \$100.00 per hour and the recommendation is to increase to \$150.00 per hour. We are subsidizing about \$80.00 for every pool party that is held currently. It is revenue and time after hours to have the pool parties. Susan said that revenues were down last year probably due to a very wet summer. She is also looking at internal controls at the pool.

Discussion was held regarding the times and hours and season of the pool.

No action was taken by the City Commission on this item.

2. Consideration of painting/resurfacing Aquatic Center bids – Robert Uhler, Community Development Director, informed the Commission that bids were taken for the repainting and resurfacing of the pool. There were four bids received: Fort Dem Enterprises of Wichita, Kansas in the amount of \$23,041.00; Insko Industries of Shawnee, Kansas in the amount of \$31,140.00; Red Leaf Corporation of Fort Scott, Kansas in the amount of \$32,349.00; and H2 Painting of Fort Scott, Kansas in the amount of \$69,750.00. He asked for approval for the low bid of \$23,041.00 from Fort Dem Enterprises.

Discussion was held regarding if this is a necessary project.

Robert said that it has not been repainted or resurfaced for six years now.

Discussion was held regarding the bids and if the low bidder had been called and checked out.

Robert said he has not done that yet.

It was the Commission's consensus to table this item until the April 7th, 2020 meeting so Robert can check into the low bidder.

3. Consideration to accept engineering proposal from Zingre' & Associates for roof replacement at Wastewater Treatment Plant – Michael Mix, Public Utilities Director, informed the Commission that the roof at the Waste Water Treatment Plant is actively leaking and needs replaced. It is approximately 30 years old. He asked for approval for the architectural services in the amount of \$5,950.00

from Zingre' & Associates for him to draw up specifications for the roof replacement.

Discussion was held regarding if this roof needs an architectural drawing.

Pete Allen moved to approve the amount of \$5,950.00 from Zingre' & Associates to draw up specifications for the roof replacement at the Wastewater Treatment Plant. Lindsey Watts seconded. All voted aye.

APPROVED THE AMOUNT OF \$5,950.00 FROM ZINGRE' & ASSOCIATES TO DRAW UP SPECIFICATIONS FOR THE ROOF REPLACEMENT AT THE WASTEWATER TREATMENT PLANT.

4. Consideration of bids for repairs to the Water Treatment Plant from fire - Michael Mix, Public Utilities Director, informed the Commission that bids were taken for the fire restoration at the Water Treatment Plant. This is being paid for by insurance funds. This was bid in four separate bids. The first was Contract for Cleaning Work. There were two bids received with the low bid from Home Center Construction of Pittsburg, Kansas in the amount of \$28,405.00; and Insko Industries of Shawnee, Kansas in the amount of \$62,850.00. The second was for Masonry Restoration and Coatings. There were two bids received with the low bid from Home Center Construction of Pittsburg, Kansas in the amount of \$31,160.00 and Insko Industries of Shawnee, Kansas in the amount of \$38,010.00. The third item is for Mechanical, Electrical and Plumbing Work. There were two bids received. The low bid was from Home Center Construction of Pittsburg, Kansas in the amount of \$32,315.00. The next bid was from CDL Electric of Fort Scott, Kansas in the amount of \$43,310.00. The fourth item is for Window and Door Replacement. There were two bids received. The low bid is from Buildet, LLC of Nevada, Missouri in the amount of \$45,000.00 and the next bid was from Home Center Construction of Pittsburg, Kansas in the amount of \$51,250.00. He asked for approval of the low bid for each item as recommended by Zingre' & Associates.

L. Watts moved to approve the low bid on all four items for the fire restoration at the Water Treatment Plant. R. Nichols seconded. All voted aye.

APPROVED LOW BIDS ON ALL FOUR ITEMS FOR THE FIRE RESTORATION AT THE WATER TREATMENT PLANT.

K. Allen brought up the topic of the replacement for the truck at the Water Treatment Plant from the fire and if it can be talked about.

City Manager said that it was scheduled for the next agenda. He asked if they would approve up to \$15,000 to replace this truck.

K. Allen said he didn't believe we needed to spend \$15,000 and we can get a better deal than that. He said that he has a lot of sites that he looks at for vehicles and thinks he can find a good deal for the City. He asked for approval for he and Michael to work together to find a truck.

Kevin Allen moved to allocate \$10,000 to replace the truck at the Water Treatment Plant. Randy Nichols seconded. All voted aye.

APPROVED TO ALLOCATE \$10,000 TO REPLACE THE TRUCK AT THE WATER TREATMENT PLANT TO BE PAID WITH INSURANCE FUNDS.

5. Consideration of 2020 Budget changes – Susan Bancroft, Director of Finance, asked the Commission to approve the recommended changes from the budget work session that she brought before them. This will decrease the budget to increase cash reserves. Departments internally will cut their budgets by 15% and utilities will cut their budget by 10%. We are unsure of what the revenues will be. Property tax could take a 15% cut and come in late. Sales tax could be cut by 25%. She asked that reductions be considered as discussed during the budget meeting.

P. Allen said that we need to work with the County and see what we can do to combine some of our services. He recommended a meeting with the County be set up.

K. Allen said that he would set up a meeting with the County. He will talk to the County Commission and determine if a meeting can be scheduled.

Lindsey Watts made a motion to approve the recommended 2020 budget changes. JoLynne Mitchell seconded. K. Allen, R. Nichols, L. Watts, and J. Mitchell voted aye. P. Allen abstained. Motion carried 4-1.

APPROVED THE 2020 RECOMMENDED BUDGET CHANGES.

6. Consideration of Resolution No. 9-2020 declaring a local State of Emergency and temporarily expanding the authority of the City Manager – Susan Bancroft, Director of Finance asked that consideration of the resolution be heard first before the ordinance. This resolution would give authority to the City Manager to make decisions to shut down facilities due to the COVID-19. This would also allow the City to move to once a month meetings instead of twice a month. This declares a State of Emergency for the local government.

City Clerk read the resolution to the City Commission.

Discussion was held regarding this resolution.

City Manager said that a lot of cities are doing this due to the COVID-19 pandemic.

Randy Nichols moved to approve this resolution. Lindsey Watts seconded.

More discussion was held regarding this resolution.

Lindsey Watts withdrew her second to the motion.

The majority of the Commissioners decided they were available to attend a meeting and there was not a need for this.

The motion died for lack of a second.

7. Consideration of Ordinance No. 3559 – Ordinance appropriating the amounts for each fund in the budget for the remainder of 2020 – Susan Bancroft said that this item can be removed from the agenda. This ordinance would allow the City to pay our bills if the Commission isn't able to meet. She said that this ordinance can be changed from for the remainder of 2020 to whenever the Governor rescinds her Executive Order for the COVID-19.

This will be tabled until the April 7th, 2020 meeting when the Ordinance will be brought back before them with the changed wording.

8. Consideration of approval of Fort Scott CDBG Small Business Relief Loan Fund Program – Rachel Pruitt, Economic Development Director, informed the Commission of new grant opportunities. She wanted to update them on what is going on in the Federal and State level with COVID-19. There was a new Executive Order issued today by the Governor in reference to unemployment benefits. The waiting periods have been lifted temporarily, and actively seeking work is not applicable at this time. This is from Executive Order #17. There is a website www.getkansasbenefits.gov if you are trying to apply for unemployment. She updated them on K.D.H.E. numbers for the COVID-19 virus. She recommended people work through their banks on any loans they are considering.

The City has received up to \$260,709.35 for a CDBG Revolving Loan Fund directed towards small businesses with the highest risk of closing and/or laying off workers as a result of the COVID-19 pandemic. The purpose of this program is to retain existing jobs. If approved, there is a notice to publish the public notice announcing the availability of funds. Once we receive applications, she will send them to the State who will authorize them in a 48 to 72 hour timeframe. It is a short application. There is a maximum of \$10,000 per business. This is defined as staff salaries and wages, purchase of inventory, utilities, rent, insurance payments, etc. Loans will be considered on a case by case basis. Loans are to stimulate job

retention, not new hires. The business must have at least one full time equivalent low/moderate income employee. Owners are not counted as employees. Part-time employees can add up to this full time equivalent. A letter from the company/business must be attached attesting that the company's cash flow is impacted due to significant changes in operation due to COVID-19. The business is either shut down or will be shut down due to COVID-19. No collateral is necessary, and no matching funds are necessary. Loan terms are forgivable if a business complies with required receipts or other proof to verify funding was used appropriately, and if the business is open for a period of twelve months. The twelve-month timeframe does not begin until at the Executive Order by the Governor has been rescinded. Proof of payment by copies of invoices, receipts, and payroll must be supplied. No outstanding debts prior to March 15th, 2020 qualify. Businesses with outstanding Ad Valorem tax obligations will not qualify.

Discussion was held regarding the amount of applications the City could receive and reducing the amount given so more could apply.

Discussion was held regarding if the City Commission should approve these applications first or not.

R. Nichols said that the State will decide who receives these loans. It would be very awkward to pick and choose who would get it as the City Commission.

Rachel said that the State has the authority to approve these applications and not the City.

R. Nichols moved to approve the Fort Scott CDBG Small Business Relief Loan Fund Program as presented. J. Mitchell seconded. R. Nichols, L. Watts, and J. Mitchell voted aye. K. Allen abstained. P. Allen voted no. Motion carried 3-1-1.

APPROVED THE FORT SCOTT CDBG SMALL BUSINESS RELIEF LOAN FUND PROGRAM.

COMMISSION/STAFF:

A. Director Updates: None

B. City Commission:

Randy Nichols – Thanked all the individuals who are working hard with the COVID-19 pandemic. He thanked them all for working together for the betterment of the City and County.

Pete Allen – Pete asked if a decision had been made to have a meeting with the County.

City Manager said he would reach out to Lynne Oharah, Chairman, and set up a meeting.

Kevin Allen said that every quarter we need to meet with the School Board and College Board. Kevin said that he would talk to Lynne Oharah and get a meeting set up.

Randy Nichols asked that an agenda be made so we stay on topic.

Kevin Allen – He said that he thinks this Coronavirus has brought the City and County together.

He said he would like to see an Executive Development committee that is active. Steve Buerge has done a lot for this community. This committee needs to be aggressive.

The City and County need to join their efforts together.

He asked their opinion on the stop signs on National from the last meeting and if they need to be kept or removed.

Lindsey Watts said they needed to be kept. This was a huge part of the Smart Growth meetings for accessibility and walkability.

Pete Allen said that they are a nuisance and need to be removed.

Kevin asked about the school zone on Margrave and their thoughts.

Lindsey Watts said it could be shortened and the length is excessive currently.

Discussion was held regarding the expense to move the lights and signage.

Kevin said that he suggested a 20 mph sign be put up in the area that it would apply to and the hours around 10th Street.

Chief Travis Shelton said that this is a long school zone. He thinks maybe it incorporated the Middle School and Fort Scott Christian Heights when it was installed. Travis said that he could talk to the school officials and get their opinion also.

Kevin Allen made a motion to have Travis Shelton study this area and look at signage in this area. Randy Nichols seconded. All voted aye.

APPROVED TO HAVE TRAVIS SHELTON STUDY THE SCHOOL ZONE AREA ON MARGRAVE STREET AND DETERMINE SIGNAGE IN A ONE BLOCK AREA.

His last item was the Fire Marshal. He was supposed to be at this meeting to talk about the code footprint. Has he been spoken to?

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Kevin said he got an email saying he couldn't attend. He wants to know if it is mandated by the State to have a code footprint.

City Manager said that he will check more on this subject.

Lindsey Watts – Nothing to report.

JoLynne Mitchell – Nothing to report.

C. City Manager: Nothing to report.

ADJOURNMENT:

Lindsay Watts moved to adjourn the meeting at 8:32 p.m. Kevin Allen seconded. All voted aye.

ADJOURNED MEETING AT 8:32 P.M.

The next regularly scheduled meeting is to be held on April 7th, 2020 at 6:00 p.m.

RECORDED BY:

**DIANE K. CLAY
CITY CLERK**