

**CITY OF FORT SCOTT
CITY COMMISSION MEETING**

Minutes of July 19th, 2022

Regular Meeting #14

The regular meeting of the Fort Scott City Commission was held July 19th, 2022 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, S. Walker, and M. Wells were present with Mayor K. Harrington.

INVOCATION: Matthew Wells, City Commissioner, said a prayer asking God for guidance for the City, our Government and City officials.

AUDIENCE IN ATTENDANCE: Michael Hoyt, Greg Schick, Ed Allen, Jenna Tally, Devin Tally, Anthony Helm, David Saker, Kevin Allen, Travis Shelton, Jason Dickman, and Seth Simpson.

PROCLAMATIONS/RECOGNITIONS: None

ADDITIONS TO AGENDA: None

CONSENT AGENDA:

- A. Approval of minutes of the regular meeting of July 5th, 2022.
- B. Approval of Appropriation Ordinance 1316-A totaling \$421,015.57.
- C. Request to Pay – Olsson Associates – Airport – Runway and Taxiway Rehabilitation Design - \$5,910.00
- D. Request to Pay – K.D.O.T. Project 6-U-0476-01 – Sidewalk and Pedestrian Improvements from 2016 - \$18,493.49
- E. Request to Pay – Earle’s Engineering, Inc.

Boundary Survey – Bourbon County Landfill	\$2,340.00
Building Inspection	\$ 639.00
City Engineer	\$4,120.00
Phase II Design -Wastewater	\$18,196.00
Manhole 148 Re-route Project	\$ 355.00
South Industrial Park Waterline Project	\$11,683.45
Sanitary Sewer Project	\$24,020.00
KDOT Sub-Area Road Extension Project	\$4,350.00
Cooper Street Inspection	<u>\$7,243.38</u>
TOTAL	\$72,946.83
- F. Certificate of Appropriateness – Lettering on Memorial Hall – Old Fort Genealogical Society – 221 S. National Avenue

G. June financials

M. Wells moved to approve the Consent Agenda. S. Walker seconded. All voted aye.

APPROVED CONSENT AGENDA.

Public Comment:

(Sign up required. Comments on any topic not on the agenda and limited to 5 minutes per person, at Commission discretion)

Kevin Allen – Mr. Allen spoke to the Commission regarding the newly implemented phone greeting at City Hall. He stated that personally he does not like it. He stated that he polled several people at City Hall, and they do not like it. Kevin said it takes the hometown feel out of calling the City for assistance. He would like to suggest that it be changed.

Old Business:

1. Consideration of placement of stop sign at Van Fossen & Pine - Travis Shelton, Chief of Police stated that he did not have any further information on this stop sign.

K. Harrington asked Travis if there was previously a stop sign there.

Travis stated no.

J. Jones moved to place a stop sign at Van Fossen & Pine. M. Wells seconded. All voted aye.

APPROVED PLACEMENT OF STOP SIGN AT VAN FOSSEN AND PINE.

2. Update on the demolition of 722 S. Heylman Street (progress report) - Kelley Zellner stated that according to Thomas Russell, Codes Officer, the owners decided not to renovate but to self-demolish the home.

Thomas Russell and the owners of 722 S. Heylman Street were not present.

T. Van Hoecke suggested tabling this item as well as 623 Short Street for the next meeting.

K. Harrington requested to move to item (4) on the agenda while Thomas Russell was located for the update.

3. Consideration of demolition of 604 W. 5th – approval of bid (corrected) - K. Zellner stated that there was a typo on the bid tabulation sheet and it has been corrected and ready to be approved.

M. Wells moved to accept the bid from Dave's Demolition for the amount of \$2,250.00 for the demolition of the structure at 604 W. 5th Street. T. Van Hoecke seconded. All voted aye.

APPROVED TO ACCEPT THE BID FROM DAVE'S DEMOLITION FOR THE AMOUNT OF \$2,250.00 FOR THE DEMOLITION OF 604 W. 5TH STREET.

Codes Officer Thomas Russell joined the meeting.

K. Harrington asked Thomas Russell to update the Commission on 722 S. Heylman Street.

Mr. Russell stated that the owners have begun to demolish a part of the structure.

Discussion ensued about the prior details of the resolution regarding time extensions and obtaining a permit.

Mr. Russell confirmed that the owners of the property have not made progress and have not obtained the demolition permit.

T. Van Hoecke motioned to table the demolition of 722 S. Heylman Street until the next meeting. M. Wells seconded. All voted aye.

APPROVED TO TABLE THE DEMOLITION OF 722 S. HEYLMAN STREET UNTIL THE NEXT MEETING.

4. Update on 623 Short Street and the repair of the structure (progress update – contract and date to start work should be presented by owners) - Thomas Russell stated that the owners, Billy Willett and Sandra Gibbs have decided to have the home demolished. He stated they confirmed with him that they were unable to find a contractor willing to do the work required.

Discussion ensued regarding the history of this property.

J. Jones motioned to accept the bid from Dave's Demolition for the demolition of 623 Short Street. T. Van Hoecke seconded. All voted aye.

APPROVED TO ACCEPT THE BID FROM DAVE'S DEMOLITION FOR THE DEMOLITION OF 623 SHORT STREET.

Thomas Russell stated that he had an update on 701 S. Hill demolition and that progress has stopped. He stated that he has had contact with the owner Max Fanning.

K. Harrington asked Thomas Russell if he could update the Commission at the next meeting.

T. Van Hoecke asked Thomas Russell if he had any updates regarding the property on Burke Street.

Thomas stated that he was scheduled to meet with the owner.

5. Consideration of Charter Ordinance No. 34 (corrected) - Kelley Zellner stated that the correction was made to state “up to 7%.”

M. Wells moved to approve Charter Ordinance No. 34 as corrected. K. Harrington seconded J. Jones, S. Walker, M. Wells, and K. Harrington voted aye. T. Van Hoecke voted no. Motion carried 4-1.

APPROVED CHARTER ORDINANCE NO. 34 AS CORRECTED TO STATE “UP TO 7%”.

6. Approval of F.A.A. Grant 3-20-0022-021-2022 – Rehabilitation of Runway – Design only - \$111,960.00

M. Wells motioned to accept the F.A.A. Grant 3-20-0022-21-2022 – Rehabilitation of Runway – Design only - \$111,960.00. J. Jones seconded. All voted aye.

APPROVED TO ACCEPT THE F.A.A. GRANT 3-20-0022-21-2022 – REHABILITATION OF RUNWAY – DESIGN ONLY - \$111,960.00

Appearances:

Pete Allen – Mr. Allen asked the Commissioners to speak into the microphone because it is difficult to hear during the live stream. He also gave thanks to all the Commissioners for their volunteer service, the City Manager, and all City workers. Mr. Allen stated that he wanted to discuss the politics of the chain of command. He wanted everyone to remember that the citizens are the first in the chain of command and that the job of the Commission is to serve the citizens. The Commissioners are second and the City Manager is third.

Mr. Allen stated he had issues he wanted to discuss as well. The first item was the issue that the Commission adopted a special street maintenance plan as a policy for Fort Scott. Four months later, he has heard very little mention of that plan. He discussed the K.D.O.T. standards and the Cape Seal. The project is not progressing as planned. He would like to know if the City will follow through with the program. Secondly, Mr. Allen addressed the duties of the Public Works Department as they do not include Capital Improvement Projects other than the administration. The City is not set up to handle those projects.

M. Wells thanked Pete Allen for addressing the issue and bringing them back to the attention of the Commission as a priority. He stated that they are moving forward with the project.

K. Zellner thanked Pete as well and stated that North Cooper Street was a good reminder that Capital Improvement Projects are probably bigger than the City should have taken on. He stated that our efforts would have probably been better

used on maintenance and taking care of the things that really need to be done. He stated that possibly they will reconsider South Cooper Street execution.

M. Wells thanked the street crew for all that they have done so far.

J. Jones stated that the bids were above what we could afford for Cooper verses doing the project in house.

Discussion about the street projects ensued.

Harold Martin – Matthew Wells said that Harold was scheduled to appear for the Lake Advisory Board but was called away and he was asked to speak for the Board. He stated that the Board will have the recommendations that were requested of them by the next meeting. He was also asked to inquire about the status of the utilities, the primitive pads and the electric and water. The Board is requesting that if they cannot get the pads poured, if they can they get gravel poured in those areas.

T. Van Hoecke asked Jason Dickman about the cinder block bathroom idea that had been proposed.

Jason Dickman stated that schematics for the cinder block structure were sent to Doug Guns. He stated that he would get some costs for such a structure to the Commission. Jason he would need to know where the new bathroom would be as it affects the cost.

M. Wells stated that it was agreed that it would be a more centralized location between the camping pads and the beach. The Commission is looking for a more cost-effective solution with the utilities due to the rock.

T. Van Hoecke asked the City Manager for the amount remaining in the Lake Improvement Fund.

Kelley stated he could get a break out of the fund to the Commission.

Public Hearings: J. Jones made a motion to open the Public Hearing at 7:00 p.m. M. Wells seconded. All voted aye.

APPROVED TO OPEN PUBLIC HEARING AT 7:00 P.M.

Vacation of platted alley located between the platted 16' alley between Lots 1 to 48, Block 12, Gunn & Ford's East Side Addition

M. Wells stated that given the rules in place, he does not understand the need to vacate that land. He said that as improvements are made to the east side of town, alleys are still a necessity.

J. Jones motioned to table the vacation until they could gather further information. T. Van Hoecke seconded.

Greg Schick stated that he respectfully disagreed with Matthew Well's position on vacating the alley. He said that problems with vandalism and lack of use and poor condition due to lack of maintenance were negatives, but adding square footage and value to the resident's individual properties was a positive for taxes. He stated that he is not suggesting they vacate every alley but that they consider approval of vacating where it is prudent.

J. Jones stated that he agrees, and it should be an individual issue based on location.

M. Wells stated that the alleys will begin to be addressed for maintenance as they work on the Street Maintenance Plan. He said crews will be out beginning this year and working to improve the alleys one area per year.

Anthony Helm addressed the Commission as the petitioner of the vacation. He invited them to come and see the alley. He stated he built a garage that does encroach on City property; however, all of the neighbors are in favor of closing the alley. He said that the alley does not go all the way through. It is only accessible on the north end and then ends at a certain point.

J. Jones confirmed that the alley does not go all the way through.

K. Harrington stated we have a motion and second to table the vacation until the next meeting. All voted aye.

APPROVED THE TABLE THE VACATION OF PLATTED ALLEY LOCATED BETWEEN THE PLATTED 16' ALLEY BETWEEN LOTS 1 TO 48, BLOCK 12, GUNN & FORD'S EAST SIDE ADDITION.

J. Jones motioned to close the Public Hearing at 7:15 P.M. T. Van Hoecke seconded. All voted aye.

APPROVED THE CLOSE THE PUBLIC HEARING AT 7:15 P.M.

New Business:

1. Rejection of Demolition Bid (1021 W. 4th – already demolished by owner)
2. Rejection of Demolition Bid (208 N Little – debris already cleaned up)

M. Wells motioned combine the rejection of the demolition bids for 1021 W. 4th and 208 N. Little into one motion. J. Jones seconded. All voted aye.

APPROVED TO REJECT THE DEMOLITON BIDS FOR 1021 W. 4TH AND 208 N. LITTLE AS THE OWNERS CLEANED UP THE PROPERTIES.

3. Consideration of allocation of funds from Next Steps program to another organization - Devin Tally addressed the Commission and stated that the Next Steps organization is dissolving. They refunded the money that was donated to them from the City. He asked for direction from the Commission regarding the returned funds of \$3,996.00.

J. Jones moved to accept the City donated funds returned by Next Steps and redistribute them to three or four local organizations selected by the City Manager. M. Wells seconded. All voted aye.

APPROVED TO ACCEPT THE CITY DONATED FUNDS IN THE AMOUNT OF \$3,996.00 RETURNED BY THE NEXT STEPS ORGANIZATION AND REDISTRIBUTE THEM TO THREE OR FOUR LOCAL ORGANZIATIONS SELECTED BY THE CITY MANAGER.

4. Consideration of Landfill Agreement with Bourbon County for C & D charges - S. Walker stated that discussion was held regarding operational procedures for identification of those bringing waste to the Bourbon County Landfill.

J. Jones and K. Zellner agreed that contract of the demolition (signed by the City Manager and the City Clerk) had to be presented at the gate for identification.

J. Jones moved to accept the Landfill Agreement with Bourbon County for C & D charges. T. Van Hoecke seconded. All voted aye.

APPROVED TO ACCEPT THE LANDFILL AGREEMENT WITH BOURBON COUNTY FOR C & D CHARGES.

5. Consideration of Electric Gate Bid – Airport – City Manager stated there was only one bid for this electric gate bid from Reddi Fencing for \$23,690.00. There is a \$20,000 grant so the City would pay approximately \$4,000.00 to \$5,000.00.

Seth Simpson, Airport Manager, answered the Commissioners questions regarding gate specifications.

S. Walker moved to accept the bid from Reddi Fencing to install the Electric Gate at the airport. T. Van Hoecke seconded. All voted aye.

APPROVED TO ACCEPT THE BID FROM REDDI FENCING IN THE AMOUNT OF \$23,690.00 TO INSTALL THE ELECTRIC GATE AT THE AIRPORT WITH THE CITY PAYING THE REMAINDER THAT THE GRANT DOES NOT PAY FOR.

6. Consideration to apply for Tornado Siren Grant to replace two sirens (Dave Bruner) - Dave Bruner, Fire Chief, addressed the Commission and stated that currently there are eight (8) sirens covering the City. During the semi-annual testing, two (2) sirens were not working. Parts cannot be obtained for one siren. The other siren has been temporarily fixed but needs to be replaced. He stated he worked with Bourbon County R.E.D.I. to find a grant. A U.S.D.A. Rural Improvement Grant which covers 55% of the cost to replace the two (2) sirens was found. Dave stated that he obtained estimates and is asking the City for roughly \$23,000.00. He is requesting permission from the Commission to move forward with applying for the grant.

K. Zellner stated that if the grant was received, the funds for the remainder due are in the Public Safety Fund.

J. Jones motioned to allow Dave Bruner to apply for the U.S.D.A. Rural Improvement Grant for the two (2) Tornado Sirens in disrepair. M. Wells seconded. All voted aye.

APPROVED TO ALLOW DAVE BRUNER TO APPLY FOR THE U.S.D.A. RURAL IMPROVEMENT GRANT FOR THE TWO (2) TORNADO SIRENS IN DISREPAIR.

7. Consideration to set Revenue Neutral Rate Hearing for August 23rd, 2022 at 5:00 p.m. – City Manager stated we are currently at a rate of 46.97% on the mill levy. The revenue neutral rate is 45.22%. He stated that the reason why it is less the valuation of the 46.97 mills is more. Therefore, to stay revenue neutral, the City would need to lose 1.75 mills. His request is to have a hearing. If we stay with the same Ad Valorem as last year, which is 46.97, we would have to break the revenue neutral. He said that the 1.756 amounts to \$87,572.00 to the general fund.

J. Jones stated that he would like to stay as close to revenue neutral as possible.

M. Wells moved to set the Revenue Neutral Rate Hearing for August 23, 2022 at 5:00 p.m. T. Van Hoecke seconded. All voted aye.

APPROVED TO SET THE REVENUE NEUTRAL RATE HEARING FOR AUGUST 23, 2022 AT 5:00 P.M.

8. Consideration of Lake Fort Scott Dam Dirt Work bid - City Manager stated there were two (2) bids submitted for the project, Marbery Concrete in the amount of \$33,720.00 and Skitch's Inc. in the amount of \$99,450.00. He recommended the lower bid from Marbery Concrete.

J. Jones asked the City Manager if the City can do it.

City Manager explained the work involved and stated no.

K. Harrington asked about the completion date.

City Manager says must be finished by the end of September. If not, we lose our permit. He also stated it will be paid for by the Lake Improvement Funds.

M. Wells asked to confirm that Ag Engineering was in charge of the project.

City Manager stated yes.

J. Jones asked Jason Dickman if this was referred out to others who have more knowledge than Earle's Engineering.

Jason Dickman stated that Earle's Engineering could do it, but historically Ag Engineering has done the inspections and were involved with the review that brought the City to this point. He stated it is more efficient for them to keep the project.

Pete Allen addressed the Commission questioned the scope and standards of specifications for the bid for the dam work.

Discussion was held on the dam project details.

Jason Dickman suggested approving the bid and he would investigate the particulars due to the time deadline.

T. Van Hoecke motioned to approve the bid from Marberry Concrete for \$33,720.00 for the dirt work for Lake Fort Scott dam.

T. Van Hoecke withdrew his motion as they need to verify that specifications are in place.

Jason Dickman stated he will look at the specifications the following day.

K. Harrington stated the Commission could have a special meeting if necessary.

M. Wells moved to table the bid approval until Earle's Engineering determines the specifications provided are acceptable. The Commission will call a special meeting for July 26th 2022. S. Walker seconded. All voted aye.

APPROVED TO TABLE THE BID APPROVAL FOR THE DAM DIRT PROJECT UNTIL EARLES ENGINEERING DETERMINES THE SPECIFICATIONS PROVIDED ARE ACCEPTABLE. THE COMMISSION WILL CALL A SPECIAL MEETING FOR JULY 26TH 2022.

Reports and Comments:

A. Commissioner Reports and Comments:

A. City Manager Comments:

K. Zellner stated that he spoke with Streets Supervisor, Jerry Morgan, and it was concluded that they may have to pull off of the Cooper Street project to prepare streets for the upcoming Cape Seal project and will then return to Cooper Street as soon as possible.

Kelley also stated that the school district has been asking about the School Resource Officer.

J. Jones stated there have been meetings about this and he would like to look over the MOU and redo it. He also stated that there is a good possibility of having a second SRO.

B. Director Comments: None

C. Engineering Firm Comments: Jason Dickman updated the Commission on the Cooper Street Project. He reiterated that Cooper Street will break to prepare for the Cape Seal project. He also stated that the 17th and Eddy Storm Sewer Project is in progress, Evergy has moved their poles so work has started at 17th and Crawford. The extension of the access road in front of K.D.O.T. , and that the permit had been submitted and approved. The next step is to bid out for asphalt. The South Industrial Water Line Project surveys are complete, preliminary design is complete, and he stated he is getting ready to send out utility plans for final verifications. He concluded that the C.D.B.G. sewer project surveys are in progress and if time permits, the Horton Street survey may begin and they will be submitting for SRF for aeration and the Davis Lift Station in Water Treatment.

D. Commissioners Reports and Comments:

T. Van Hoecke – Tim said that the Land Bank is making a move in the right direction. Discussion ensued between Commissioners regarding the Land Bank.

Tim asked that everyone go out and support the County Fair.

M. Wells – Matthew commended the street crews and wanted to encourage them to continue the great job they are doing.

Matthew asked if the water issue on 2nd Street has been resolved.

City Manager stated it is still in progress.

Matthew said that people have reached out about the patch at 10th and Margrave as it has blown out again. There is also rebar protruding on 12th Street.

City Manager will have it checked out.

S. Walker – Nothing to report.

J. Jones – Josh said that the pothole on 6th Street has been fixed as well as many other potholes.

Josh said that waterways are overgrown.

City Manager stated he would investigate the matter.

K. Harrington – Katie stated that she attended the Gordon Parks Event and F.S.C.C. Black & White Gala. It was an incredible event and they are looking for community projects to do.

Katie asked for citizens to please check on elderly due to the extreme heat.

Katie encouraged all the citizens to attend the Bourbon County Fair.

E. City Attorney Comments – None

Adjournment:

M. Wells moved to adjourn the meeting at 8:04 p.m. T. Van Hoecke seconded. All voted aye.

ADJOURNED MEETING AT 8:04 P.M.

Respectfully submitted,

Lisa Lewis
Deputy City Clerk