CITY OF FORT SCOTT
CITY COMMISSION MEETING

Minutes of May 1, 2012 **Regular Meeting #9**

The regular meeting of the Fort Scott City Commission was held May 1st, 2012 at 6:00 p.m. in the City Commission Room, 123 S. Main, Fort Scott, Kansas.

ROLL CALL:

Commissioners Bukowski, Mason and Parker were present with Mayor Adams presiding. Commissioner Bartelsmeyer was absent.

INVOCATION: Pastor Scott Moore, First Church of Nazarene said a prayer asking God for guidance for the city and all government and city officials.

AUDIENCE IN ATTENDANCE: Paul Ballou, Gary Wilson, Macy Cullison, Diane Gross, Janet Braun, Jolene West, Scott Moore, Michael Mix, Max Fanning, Terry Sercer, Lindsey Madison, Jim Pitts, Eric W. Bailey, Brent Crays, Ron Puterbaugh, Audra Young and representing the press, Angelique McNaughton, Staff Reporter, Fort Scott Tribune and Randy Handly, Bourbon County Review.

PROCLAMATIONS/RECOGNITIONS:

National Day of Prayer – May 5, 2012 – Mayor Adams read a proclamation which proclaims May 5th, 2012 as National Day of Prayer in the City of Fort Scott, Kansas.

National Nursing Home Week – May 14-18 2012 – City Clerk Diane Clay read a proclamation which proclaims the week of May 14-18, 2012 as National Nursing Home Week and urged all citizens to visit the nursing facilities in our city.

APPROVAL OF MINUTES AND APPROPRIATIONS/CONSENT AGENDA: City Clerk asked that Items K, L and M be added to the agenda.

A. Approval of minutes of the regular meeting of April 17th, 2012.

B. Approval of Appropriation Ordinances 712, 1021-A, 1022-A, and 1023-A totaling $983,522.55.

C. Modification Order F-0025 – Remove one (1) 175 watt mercury vapor street lights on wood pole at 123 S. Wilson. Install one (1) 70 watt high pressure sodium street light on wood pole at 123 S. Wilson.

D. Modification Order F-0026 – Install one (1) 70 watt high pressure sodium street light on wood pole at 403 Scott.

E. Good Ol' Days – May 31st, June 1st and 2nd, 2012 – Requests the following street closures and parking lots (No activities on Sunday this year)

Old Fort Blvd. from Wall Street to National Avenue
Main Street from Skubitz Plaza to Third Street
Scott Street from Wall Street to Third Street
Wall Street from National to Scott
First Street from National to Scott Street
Second Street from National to Scott Street
Use of Memorial Hall for Baby Contests, Fort Scott Idol and Dance Fort Scott
Grass lot at corner of Wall and Main
Heritage Park at corner of First and Main
Parking lot behind Heritage Park
Parking lot at corner of Third and Main
Parking lot at Second and Scott
Parking lot at Wall and Scott
Parking lot at Wall and alley between Main and Scott
Parking lot between Memorial Hall and the Library
Parking lot between Old Fort Blvd. and H & H Realty Agency (Carnival will begin setting up here on Monday, May 28)
Parking lot between H & H Realty Agency and Wall (Carnival will begin setting up here on Monday, May 28)

F. Resolution 13-2012 and Notice of Hearing with Reference to Alleged Unsafe and Dangerous Accessory Structure located at 302 McCleverty – Public Hearing Date – 6/19/2012 – 6:15 p.m.

G. Request to Pay – Felsburg, Holt & Ullevig – Hwy 69 Improvements - $2,635.57

H. Request for Funding – Keyhole - $1,500

I. Request to Pay – Hofer & Hofer – BRCC Addition - $195,050.71

J. Request to Pay #1 – Utility Service Corp – Water Tower Rehab - $24,232.50

K. Request to Pay - J C L & S Contracting, Inc. - $1,377.00

L. Request to Pay – Miller Tree Service - $2,300.00

M. Request to Pay #7 – Carrothers Construction Co., LLC - $193,046.94

Mason moved to approve the Consent Agenda with the addition of Items K, L and M. Parker seconded. All voted aye.

APPROVED CONSENT AGENDA WITH THE ADDITION OF ITEMS K, L AND M.

APPEARANCE/COMMENTS/PUBLIC HEARING:

A. APPEARANCE:

Introduction of Dr. Diane Gross, New Superintendent of USD 234 Schools – Janet Braun introduced Dr. Diane Gross who will start on July 1st, 2012 as the new superintendent of USD #234. She has over 29 years of teaching experience and most recently has been deputy superintendent at Liberal Kansas. The Commission welcomed her to the City of Fort Scott!

Jolene West – Street Signs Request – Shute Street – Ms. West appeared before the Commission and informed them she has lived on Shute Street for 37 years. The traffic has grown tremendously with four wheelers and motorcycles speeding in a two block area. She asked that a Speed limit sign and "Watch for Children" sign be installed in this two block area to ensure the safety of all the children in this area. She said she had called the Police Department numerous times on the speeders but they are gone by the time the officers arrive. She is very concerned that a child will be injured.

Mayor Adams informed her that City Staff would look into this and have a recommendation for her at the May 15th, 2012 meeting and thanked her for her appearance.

Terry Sercer – Diehl, Banwart Bolten – 2011 Audit - Mr. Sercer appeared before the Commission to present the 2011 Audit. He reminded the Commission that this is an unqualified opinion, but the highest level of opinion received. He said that there were no violations of Kansas Statutes and no violations of Federal laws. The City met all standards and was in compliance with Kansas Statutes. There were no violations of the

cash basis laws or no federal violations. Mr. Sercer commended Susan Brown and her staff for a great job preparing the audit documentation.

Commissioner Mason asked about the dates on page 18 for the long term obligations. It shows 1941 and 1941 and should be 2041 and 2045. Mr. Sercer said he would make the corrections.

Mason moved to approve the 2011 audit with the above corrections made to the dates. Bukowski seconded. All voted aye.

APPROVED 2011 AUDIT WITH THE CORRECTIONS MADE ON PAGE 18.

B. CITIZEN COMMENTS (Concerning Items Not on Agenda – 3 minute limit per citizen) - Gary Wilson – Mr. Wilson appeared before the Commission and requested his Kawasaki Mule be licensed as a golf cart. He has looked at the City ordinance regarding golf carts and believes his Mule fits the definition.

Mayor Adams told him that City staff would review the ordinance and this issue and this would be discussed at the May 15th, 2012 meeting.

C. PUBLIC HEARINGS: None

CONSIDERATION:

1. Consideration of Bids – Water Pipeline Materials – Bill Lemke, Water Distribution Supervisor informed the Commission that bids were taken for the purchase of water pipeline materials for the Mill Creek force main. The lowest complete bid is from HDSWW of Blue Springs, Missouri in the amount of $10,159.14. Approval was recommended.

   Mason moved to approve the low bid from HDSWW of Blue Springs, Missouri in the amount of $10,159.14 for purchase of the water pipeline materials. Parker seconded. All voted aye.

   APPROVED THE LOW BID FROM HDSWW OF BLUE SPRINGS, MISSOURI IN THE AMOUNT OF $10,159.14 FOR PURCHASE OF THE WATER PIPELINE MATERIALS FOR THE MILL CREEK FORCE MAIN.

2. Consideration of Lease Purchase for Mini Excavator – Susan Brown, Assistant City Manager informed the Commission that at the last meeting the purchase of the mini excavator was approved. She checked financing for a three year lease purchase option with all the local banking institutions. Citizens Bank, N.A. had the best interest rate at 1.98% for a three year lease purchase agreement as monthly payments. Approval was recommended.

   Bukowski moved to approve the lease purchase agreement with Citizens Bank at a 1.98% interest rate for the mini excavator purchase. Mason seconded. All voted aye.

   APPROVED THE THREE (3) YEAR LEASE PURCHASE AGREEMENT WITH CITIZENS BANK AT A 1.98% INTEREST RATE FOR THE MINI EXCAVATOR PURCHASE.

3. Change Order Proposal #1 – Water Tower Project - $11,150 – Michael Mix, Water Treatment Plant Supervisor informed the Commission that the contractor for the water tower project has discovered additional work in the water tower. Additional priming and coating to repair and seal pits is needed as well as some other items needed for the project. The change order amount to $11,150 and this amount will come from the water fund budget. Approval was recommended.

   Mason moved to approve the Change Order #1 in the amount of $11,150 for the water tower project. Parker seconded. All voted aye.

   APPROVED THE CHANGE ORDER #1 IN THE AMOUNT OF $11,150 FOR THE WATER TOWER PROJECT.

4. Ellis Park Contract – Susan Brown, Assistant City Manager informed the Commission that they approved the contractor for the Ellis Park Improvements at their last meeting. The contract is before them at a cost not to exceed $160,000 which is the recommendation.

   Parker moved to approve the Ellis Park Improvements Contract at a cost not to exceed $160,000 for Rogers & Sons Concrete. Mason seconded. All voted aye.

APPROVED THE ELLIS PARK IMPROVEMENTS CONTRACT AT A COST NOT TO EXCEED $160,000 FOR ROGERS & SONS CONCRETE.

5. Change Order Proposal #1 – Buck Run Community Center - Susan Brown, Assistant City Manager informed the Commission that this change order in the amount of $17,277.00 is to paint the walls of the hallway, offices and restrooms, doors and frames, graphic stripes in hallway and offices, gymnasium walls and doors and frames in the original Buck Run Community Center gymnasium building. The new addition will look so new and a new coat of paint would make the entire building look great. This amount would come from the capital improvement program funds.

   Parker moved to approve Change Order #1 in the amount of $17,277.00. Bukowski seconded. All voted aye.

   APPROVED CHANGE ORDER #1 IN THE AMOUNT OF $17,277.00 FOR REPAINTING AT BUCK RUN COMMUNITY CENTER GYMNASIUMS.

COMMISSION/STAFF:

A. Director Updates: None

B. City Commission:

Bartelsmeyer – Not present.

Bukowski – Nothing to report.

Mason – Asked when the work session regarding Lake Fort Scott would be taking place.

Susan Brown informed him that the City Attorney is on vacation this week and she will get with him when he returns.

Parker – Remarked that the pool is looking great!

Adams – Nothing to report.

C. City Attorney: Not present.

D. Assistant City Manager:

1. Flags at Skubitz Plaza – Susan informed the Commission that Ken Lunt has a vision of seeing flags along Skubitz Plaza. There is one that is currently on a pole there if you want to visualize it. He is going to be having a fundraiser to raise funds for this project in the near future. The National Historic Site has been contacted and is in agreement with the project. More information will be forthcoming.

2. Update Fort Scott Meeting – Susan announced that there will be a Update Fort Scott Meeting held on Thursday, May 10th at 9:00 a.m. at Buck Run Community Center. Citizens Bank is helping sponsor this event which will update citizens on the latest and greatest news around town. These meetings will be held the second Thursday of each month.

3. Budget Calendar Work Sessions – Susan gave the Commission a tentative budget calendar with several budget dates set.

4. Congresswoman Lynn Jenkins – Susan informed the Commission that Congresswoman Lynn Jenkins will hold a town meeting on Friday, May 4th at 10:00 a.m. at City Hall. The public is urged to attend.

5. State Street Update - Susan Brown, Assistant City Manager informed the Commission that the City would like to permanently close the road from Main Street at Fisher Park to the edge of Buck Run Community Center to traffic. The building addition is close to the edge of the road and there is a lot of foot traffic in this area.

   Commissioner Mason recommended waiting until the next meeting when all Commissioners were present and could vote on this issue.

6. Audit – Susan thanked her staff for helping with the audit preparation.

E. City Manager: Attending Project 17 Meeting in Wichita

ADJOURNMENT:

Mason moved to adjourn the meeting at 6:55 p.m. Bukowski seconded. All voted aye.

ADJOURNED MEETING AT 6:55 P.M.

The next regularly scheduled meeting is to be held on May 15th, 2012 at 6:00 p.m.

RECORDED BY:

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DIANE K. CLAY
CITY CLERK