CITY OF FORT SCOTT
CITY COMMISSION MEETING

Minutes of October 4, 2011 Regular Meeting #19

The regular meeting of the Fort Scott City Commission was held October 4th, 2011 at 6:00 p.m. in the City Commission Room, 123 S. Main, Fort Scott, Kansas.

ROLL CALL:

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

INVOCATION: Pastor Stephen Sweyko, Trinity Lutheran Church said a prayer asking God for guidance for the city and all government and city officials.

AUDIENCE IN ATTENDANCE: Pat Jackson, Macy Cullison, Eric W. Bailey, Ron Puterbaugh, Brent Crays, Paul Ballou, Randy Handley, Max Fanning, Jeff Caldwell, Mildred Biles, Kyle Isenhart, Jeff McCoy, Stephen Sweyko, Jody Brillhart, Wilma Leach, Janet Braun, Scott Moore, Mark Shead, George Areu, Sandy Areu, Jim Pitts, Lyn Dodson, Audra Young, and representing the press, Ruth Campbell, Editor, Fort Scott Tribune.

PROCLAMATIONS/RECOGNITIONS: Jody Brillhart – Community Garden – City Manager presented Jody Brillhart with a Certificate of Recognition for her dedication and hard working efforts in starting the first Community Garden in the City of Fort Scott.

APPROVAL OF MINUTES AND APPROPRIATIONS/CONSENT AGENDA:

A. Approval of minutes of the regular meeting of September 20th, 2011.

B. Approval of Appropriation Ordinances 696, 979-A and 980-A totaling $712,903.47.

C. Request for Partial Payment for Golf Course Cartpath - $14,980.17

Bukowski moved to approve the Consent Agenda. Bartelsmeyer seconded. All voted aye.

APPROVED CONSENT AGENDA.

APPEARANCE/COMMENTS/PUBLIC HEARING:

A. APPEARANCE: None

B. CITIZEN COMMENTS (Concerning Items Not on Agenda – 3 minute limit per citizen)

Kyle Isenhart – Mr. Isenhart appeared before the Commission requesting assistance with parking in the 900 block of Main Street when football games are held. He states there is no place for him to park at his residence and he is handicapped as well as his neighbor. He has called the Police Department numerous times for assistance in getting vehicles removed. He also has vehicles park in back of his house on his property. He also asked if the sidewalk could be repaired to allow for wheelchairs.

City Attorney informed him that vehicles could not park in the alley if it impedes traffic.

Chief Puterbaugh informed him that vehicles on his property could be towed at his expense.

Mr. Isenhart is concerned about retaliation if he would have someone's vehicle towed. He asked if signage for handicapped parking could be placed in front of his residence.

City Manager cautioned the Commission against any signage for handicapped parking in public parking spaces.

City Manager informed him that he and the Chief of Police will be visiting with him regarding this situation.

Mildred Biles – She informed the Commission she was the mother of Kyle Isenhart and would like the sidewalk looked into as it is in bad shape.

City Manager said he would look into it.

George Areu – Mr. Areu said he lives at 502 Eddy and moved here from California. They love Fort Scott and are glad to be retired here. He has a couple of concerns regarding his neighborhood. There has been a robbery, a fire, and numerous arrests in his block. His neighbors, Jeff McCoy and Lyn Dodson are also present. They would like to get involved and help however they can. He asked for more of a police presence in

the neighborhood. There is a drug house in this block and he believes that drug sales are being made as well as prostitution happening.

He also remarked that there is old furniture that has been in the alleys in the 400 block of Eddy for several months. He asked if the Codes Department could check into this.

Lyn Dodson – Mr. Dodson also expressed concern regarding the neighborhood and the fact that there is a drug house at 419 S. Eddy. He has had retaliation done to his vehicle in the past. He asked for a solution to the problem. He has called the Police Department a number of times but it is still going on. He also informed the City that his curb at the edge of the street is broken due to the fast driving up and down Eddy Street. He wants to help resolve these issues and would like to see actions – not words.

City Manager said he will visit with the Codes Manager and the Chief of Police regarding this situation.

C. PUBLIC HEARINGS: None

CONSIDERATION:

1. Mother to Mother Discussion – City Manager informed the Commission that he wants to move forward with a lease for the Mother to Mother organization that is housed at 1 East Third Street, Memorial Hall. He asked for a lease agreement at $100.00 per month. There is one other organization housed there besides the Codes Department and that is the Genealogical Society and they pay $75.00 a month rent.

   Wilma Leach, Director of Mother to Mother informed the Commission that they serve a lot of single parents and grandparents raising children. They clothed between 38-40 children a year for school. The only monies they receive are from United Way, grants and donations. They used to receive funding from FEMA but that was cut due to the census numbers. Due to the amount in her bank account, it is impossible for her to pay the $100.00 monthly rent for the building.

   Mayor Adams said he supports the organization but believes the utility costs at Memorial Hall need to be looked at due to the high costs of heating and cooling.

Susan Brown, Assistant City Manager suggested a work session to discuss Memorial Hall and what the Commission would like to see in the building.

Mason moved to table the Mother to Mother discussion at the time. Parker seconded. All voted aye.

TABLED MOTHER TO MOTHER DISCUSSION AT THIS TIME.

2. 416 Eddy Update – Brent Crays, Code Manager informed the Commission that the structure at 416 Eddy was deemed dangerous on 5/29/2009 and the owner had until 8/31/2009 to repair or remove the property. On 1/19/2011 there was a structure fire at this location rendering it uninhabitable. At the 2/15/2011 City Commission, the City Attorney asked the Commission to delay taking demolition bids as the owner was hospitalized due to the fire. All avenues for repair of this structure have been exhausted and he is asking for approval to seek bids for demolition.

   Mayor Adams asked that it be done in a quick manner and placed on the October 18th, 2011 agenda for their approval.

   Bartelsmeyer moved to approve to seek bids for demolition for the property at 416 Eddy. Bukowski seconded. All voted aye.

   APPROVING SEEKING BIDS FOR DEMOLITION FOR THE STRUCTURE AT 416 EDDY.

3. Consideration of Golf Cart Ordinance – 1st Reading - Susan Brown, Assistant City Manager informed the Commission that this ordinance is before them for the first reading.

   Chief Puterbaugh informed the Commission that he did more research and checked with the cities regarding any accidents that had occurred with golf carts. None of the cities that allow golf carts on city streets have had any accidents.

   Commissioners voiced some concerns regarding some negative input they have heard regarding golf carts on city streets.

This will be heard for the 2nd and final reading and approval if so deemed.

4. Consideration of Water/Sewer Service Penalty Change Ordinance – 1st Reading - Susan Brown, Assistant City Manager informed the Commission that in comparing Fort Scott with other cities, our penalty charge is below most other cities. She also updated the ordinance to reflect the $50.00 reconnect fee also. This ordinance will change the late penalty to 10% from 5% which it currently is. The second and final reading will be held on October 18th, 2011.

5. Salary Ordinance – 2nd and final reading - Susan Brown, Assistant City Manager informed the Commission that this is the 2nd and final reading of the salary ordinance. Changes that were made include the promotion of Brent Crays to Director of Community Development and Project Management, and Jill Schafer from Accounts Payable Clerk to Financial Operations Coordinator. This ordinance also allows for the 2% increase which was budgeted for all employees.

   Mason moved to approve the Salary Ordinance No. 3400. Bartelsmeyer seconded. All voted aye.

   APPROVED ORDINANCE NO. 3400 PROVIDING FOR THE SALARIES OF THE APPOINTIVE OFFICERS AND EMPLOYEES OF THE CITY OF FORT SCOTT, KANSAS AND REPLACING ORDINANCE NO. 3383.

6. Special Highway Budget Amendment - Susan Brown, Assistant City Manager informed the Commission that this budget amendment is needed due to the North National bridge project. This notice sets the public hearing for October 18th, 2011 at 6:05 p.m. Approval is needed to set the hearing date and time.

   Bartelsmeyer moved to approve the budget amendment public hearing date for October 18th, 2011 at 6:05 p.m. Parker seconded. All voted aye.

   APPROVED BUDGET AMENDMENT PUBLIC HEARING DATE FOR OCTOBER 18TH, 2011 AT 6:05 P.M.

COMMISSION/STAFF:

A. Director Updates: None

B. City Commission:

Bartelsmeyer – Said she appreciated the concern shown at the meeting tonight and will try to address them.

Bukowski – Asked why the sales tax was so much higher this month.

Susan Brown said it was probably due to a company either paying back taxes or just paying their taxes up to date.

Mason – Remarked that we have a few problems to solve but we will do our best.

Parker – Nothing to report.

Adams – Nothing to report.

C. City Attorney: Asked for a 5 minute executive session to discuss a legal issue with no action anticipated. He asked for the Assistant City Manager and the Codes Manager to be present in addition to the City Commission.

D. Assistant City Manager: Nothing to report.

E. City Manager: Nothing to report.

EXECUTIVE SESSION:

Mason moved to adjourn into a 5 minute executive session to include the City Commission, Assistant City Manager, City Attorney and Code Manager to discuss a legal issue deemed privileged in the attorney-client relationship with no action anticipated. It will begin at 7:08 p.m. and end at 7:12 p.m. Parker seconded. All voted aye.

ADJOURNED INTO A 5 MINUTE EXECUTIVE SESSION TO INCLUDE THE CITY COMMISSION, ASSISTANT CITY MANAGER, CITY ATTORNEY, AND CODES MANAGER TO DISCUSS A LEGAL ISSUE DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP WITH

NO ACTION ANTICIPATED. IT WILL BEGIN AT 7:08 P.M. AND END AT 7:12 P.M.

ADJOURNMENT:

Bartelsmeyer moved to adjourn the meeting at 7:12 p.m. Bukowski seconded. All voted aye.

ADJOURNED MEETING AT 7:12 P.M.

The next regularly scheduled meeting is to be held on October 18th, 2011 at 6:00 p.m.

RECORDED BY:

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DIANE K. CLAY
CITY CLERK