CITY OF FORT SCOTT
CITY COMMISSION MEETING

Minutes of March 6, 2012 Regular Meeting #5

The regular meeting of the Fort Scott City Commission was held March 6th, 2012 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 Scott Moore, West Park Church of the Nazarene said a prayer asking God for guidance for the city and all government and city officials.

AUDIENCE IN ATTENDANCE: Randy Handly, Darrell Parker, Ron Puterbaugh, Eric W. Bailey, Macy Cullison, Greg Schick, Janet Braun, Paul Ballou, Scott Moore, Jim Pitts, Sandra Stinnett, Kaleb Bailey, Dave Bruner, Chuck Boully, Robert Nelson, Rev. George Proctor, Leon Rhodes, Doug Wheeler, Clayton Wheeler, Rita Wheeler, Kara Eldridge, Donna Wheeler, Daren Hutchison, Clint Wheeler, Drake Downing, Stuart Troutman, Clint Roberts, Scott Shelton, William Lapp, April Lapp, Clyde Stepps, Audra Young and representing the press, Jason Silvers, Staff Reporter, Fort Scott Tribune.

PROCLAMATIONS/RECOGNITIONS: Tom McGaughey Fire Service Award – Paul Ballou, Fire Chief appeared before the Commission to honor three firefighters with the Tom McGaughey Fire Service Award. Mr. McGaughey was a Fire Chief with the City of Wichita who perished in a fire in 1968. The award is given in memory of Chief McGaughey, and awarded by the Office of the State Fire Marshal, the Kansas State Association of Fire Chiefs and the Kansas State Firefighters Association and presented to a firefighter(s) for bravery and courage above and beyond the call of duty. Chief Davis nominated three City of Fort Scott Firefighters who went above and beyond the call of duty at a fire incident in January 2011. The fire was at the Nancy Miller residence. She has succumbed to smoke and could not get out of the house. Three firefighters went into the house, found her and saved her life. She is alive today and doing well. Those three firefighters are: Lieutenant Clint Roberts, Lieutenant Daren Hutchison, and Reserve Firefighter Clint Wheeler.

The Commission thanked them for their service and a standing ovation was given to them.

APPROVAL OF MINUTES AND APPROPRIATIONS/CONSENT AGENDA: City Clerk asked that Item G be added – Request to Pay – Leadership Kansas Tuition in the amount of $1,500. Commissioner Bartelsmeyer pointed out that Item D has a typographical error. It shows the amount to be paid as $29,952.52 which should read $27,952.52. Clerk will show the correct amount.

A. Approval of minutes of the regular meeting of February 21, 2012.

B. Approval of Appropriation Ordinances 707, 1010-A, and 1011-A, totaling $509,295.42.

C. January financials

D. Request to Pay – Felsburg, Holt & Ullevig – Hwy 69 Improvements - $27,952.52

E. Request to Pay – Hofer & Hofer – Buck Run Addition - $92,216.70

F. Request to Pay – Carrothers Construction – Aquatic Center - $400,737.06

G. Request to Pay – Leadership Kansas Tuition - $1,500

Mason moved to approve the Consent Agenda with the addition of Item G and the corrected amount to pay on Item D. Bartelsmeyer seconded. All voted aye.

APPROVED CONSENT AGENDA WITH THE ADDITION OF ITEM G AND THE CORRECTED AMOUNT TO PAY ON ITEM D.

APPEARANCE/COMMENTS/PUBLIC HEARING:

A. APPEARANCE: None

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

Sandra Stinnett – Asked the Commission about the second lake at Gunn Park and what was going to happen to it. She thinks that Gunn Park is one of the City's best assets and hates to see the lake sitting there empty.

City Manager said that the City had applied for a grant to improve the lake but did not receive the grant. The plans are to build some piers and then fill the lake by rain water.

Rev. George Proctor, Pastor, United Missionary Baptist Church – Rev. Proctor appeared before the Commission and said that as the leader of the United Missionary Baptist Church he wished to present Dave Martin, City Manager with a plaque of appreciation from the church. The City Manager recently met with him regarding signage directing people to the church and had the City crew work on the alley by the church also. He is very appreciative of him and thanked him. The plaque was presented by Rev. Proctor, Robert Nelson and Clyde Stepps.

C. PUBLIC HEARINGS: None

CONSIDERATION:

1. Consideration of Acceptance/Rejection of Bids – 750 Judson – Brent Crays, Code Manager appeared before the Commission regarding the bids that were taken for the demolition of 750 Judson. He shared pictures of the house with the Commission and gave a detailed background history. The property was purchased in 2007 by Greg and Michele Schick. Improvements have been made to the structure since 2007 but they are not completed yet.

   Mr. Schick asked the Commission for more patience with this structure. Getting approval for loans from banks has not been easy. He has lived here 26 years and this is the sixth house he has gutted and remodeled. Asked the Commission to reconsider approving the demolition bid or if it is demolished allowing him to do it.

   April Lapp of 752 Judson informed the Commission she is a neighbor to the property and it has been empty for quite some time and is uninhabitable. There are kids that play in the empty house and break out the windows. She cannot let her children play outside because of that. She has called the Police Department numerous times because this house is unsecured. She said they were told the house would be repaired but it just has not been done.

   Commissioners discussed setting a deadline that would have to be complied with on this structure.

Mr. Crays informed the Commission that there were two bids received on this structure. Great Expectations at $5,332.20 and Tri State Demolition at $6,800.00.

City Attorney advised the Commission that they were finding that the structure is still dangerous and unsafe at this time.

Mason moved to reject all bids on 750 Judson and to allow Greg Schick four (4) months to show improvement at the house with siding, windows and improvements made. If not, the structure will be sent out for bid for demolition again at that time. Bartelsmeyer seconded. All voted aye.

REJECTED ALL BIDS ON 750 JUDSON AND TO ALLOW GREG SCHICK FOUR (4) MONTHS TO SHOW IMPROVEMENT AT THE HOUSE WITH SIDING, WINDOWS AND IMPROVEMENTS MADE. IF NOT, THE STRUCTURE WILL BE SENT OUT FOR BID FOR DEMOLITION AGAIN AT THAT TIME.

2. Consideration of Cleaning Supplies Bids – Susan Brown, Assistant City Manager informed the Commission that bids were taken for the bulk order of cleaning supplies. The low bid of $5,951.06 is from Ettinger's of Pittsburg, Kansas and that is the recommendation.

   Bukowski moved to approve the low bid from Ettinger's Office Supply for cleaning supplies for 2012 in the amount of $5,951.06. Mason seconded. All voted aye.

   APPROVED THE LOW BID FROM ETTINGER'S OFFICE SUPPLY FOR CLEANING SUPPLIES FOR 2012 IN THE AMOUNT OF $5,951.06.

3. Consideration of Lighting Bids (Take Charge Challenge) Susan Brown, Assistant City Manager informed the Commission that bids were taken for the new lighting at Fort Scott High School Gymnasium, and the two gyms at Buck Run Community Center. There were five (5) bids received with the low bid from D & K Electric of Fort Scott in the amount of $12,798.68. Approval was recommended.

   Parker moved to approve the low bid from D & K Electric in the amount of $12,798.68 for lighting bids at F.S.H.S. and Buck Run gyms. Mason seconded. All voted aye.

APPROVED THE LOW BID FROM D & K ELECTRIC OF FORT SCOTT IN THE AMOUNT OF $12,798.68 FOR LIGHTING BIDS AT FORT SCOTT HIGH SCHOOL AND BUCK RUN GYMNASIUMS.

4. Consideration of Ordinance and Resolutions authorizing and providing for the Issuance of General Obligation Refunding and Improvement Bonds – (2nd and final reading) – Charles Boully, Financial Advisor with George K. Baum & Company informed the Commission that before them tonight is approval of the second and final reading of the Ordinance and approval of the Resolution to issue the General Obligation Refunding Bonds. He has great news about the bond transaction results. The original gross savings projection was $374,916 with a projected present value savings of $348,307 which is a 6.24% increase in savings for the refunding of the water bonds. The final gross savings is $762,941 with the final present value savings of $712,388 which is a 12.73% savings which is great news! Approval of the Ordinance and Resolution are both needed.

   Mason moved to approve the Ordinance for the General Obligation Refunding Bonds. Parker seconded. All voted aye.

   APPROVED ORDINANCE NO. 3409 AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES 2012-A OF THE CITY OF FORT SCOTT, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.

   Mason moved to approve the Resolution for the General Obligation Refunding Bonds. Parker seconded. All voted aye.

   APPROVED RESOLUTION NO. 8-2012 PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES 2012-A OF THE CITY OF FORT SCOTT, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 3409 OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

5. Approval of Resolution providing for the Adoption of Tax-Exempt Financing Compliance Procedures relating to Obligations issued and to be issued by the City of Fort Scott, Kansas. Susan Brown, Assistant City Manager informed the Commission that when bonds are issued that the I.R.S. has certain regulations that have to be complied with to keep the bonds tax exempt. This resolution provides for the adoption of financing compliance procedures for the City. Approval is recommended.

   Parker moved to adopt the Resolution adopting the financing compliance procedures for the City. Bartelsmeyer seconded. All voted aye.

   APPROVED RESOLUTION NO. 9-2012 PROVIDING FOR THE ADOPTION OF TAX-EXEMPT FINANCING COMPLIANCE PROCEDURES RELATING TO OBLIGATIONS ISSUED AND TO BE ISSUED BY THE CITY OF FORT SCOTT, KANSAS.

COMMISSION/STAFF:

A. Director Updates:

Eric Bailey updated the Commission on the following projects:

- 12th Street Sidewalk – The sidewalk is completed and the contractor has done an outstanding job. He is finishing up backfilling in areas.
- Shelter House #5 – This shelter house has been remodeled with new windows installed and siding and new lighting. It looks really great.
- Gunn Park Second Lake – There will be two fishing piers installed at the lake as well as some fish habitat areas and will then be filled.

Macy Cullison informed the Commission that the City is selling the kitchen equipment that was at the Golf Course. It is listed on the City's Facebook page and bids will start being placed next Monday, March 12th through March 16th at 1:00 p.m.

B. City Commission:

Bartelsmeyer – Nothing to report.

Bukowski – Nothing to report.

Mason – Said that the new pool is coming along great!

Parker – Said that she is proud of our firefighters and the job they do for our community!

Adams – Remarked that the skate park is moving along very quickly!

C. **City Attorney:** Nothing to report.

D. **Assistant City Manager:** Nothing to report.

E. **City Manager:** Nothing to report.

ADJOURNMENT:

Mason moved to adjourn the meeting at 7:02 p.m. Bukowski seconded. All voted aye.

ADJOURNED MEETING AT 7:02 P.M.

The next regularly scheduled meeting is to be held on March 20th, 2012 at 6:00 p.m.

RECORDED BY:

_____

DIANE K. CLAY
CITY CLERK