

**CITY OF FORT SCOTT  
CITY COMMISSION MEETING**

**Minutes of January 18<sup>th</sup>, 2022**

**Regular Meeting #2**

The regular meeting of the Fort Scott City Commission was held January 18<sup>th</sup>, 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 P. Allen, J. Jones, T. Van Hoecke and Matthew Wells were present with Mayor K. Allen presiding.

**INVOCATION:** Pastor Paul Rooks, Grace Baptist Tabernacle, said a prayer asking God for guidance for the City, our Government and City officials.

**AUDIENCE IN ATTENDANCE:** Bill Downey, Jackson Tough, Paul Rooks, Brad Matkin, Rachel Thompson, Mark McCoy, Jason Dickman, Jody Hoener, Rachel Carpenter, and Rob Harrington.

**PROCLAMATIONS/RECOGNITIONS:**

**ADDITIONS TO AGENDA:** Mayor Kevin Allen asked that Jody Hoener and Rob Harrington be added to the Appearance section of the agenda.

**CONSENT AGENDA:**

- a. Approval of minutes of the regular meeting of January 4<sup>th</sup>, 2022 and special meeting of January 13<sup>th</sup>, 2022.
- b. Approval of Appropriation Ordinance 1304-A totaling \$888,144.21.
- c. Request to Pay – Dave’s Towing & Recovery/Dave’s Demolition (Saker Demolition) – 323 S. Hill - \$2,000.00
- d. Request to Pay – HDR Engineering – Fort Scott Dam Improvements - \$15,180.99
- e. Request to Pay – Earles Engineering & Inspection, Inc.:

Building Inspection	\$ 626.63
City Engineer	\$4,000.00
Fort Scott Phase I	\$8,400.00
Re-route Manhole 148	\$1,500.00
17 <sup>th</sup> & Eddy Drainage	\$1,440.00
- f. December financials

P. Allen questioned the pay request regarding Item C – Dave’s Demolition. He doesn’t believe the contract was complied with. There are still huge chunks of concrete there and the footing has not been removed.

Discussion was held regarding the demolition bid form and the need to change some of the wording.

M. Wells moved to approve the Consent Agenda with the removal of Item C – Dave’s Demolition. P. Allen seconded. All voted aye.

**APPROVED CONSENT AGENDA WITH THE REMOVAL OF ITEM C – DAVE’S DEMOLITION.**

**Public Comment:**

(Sign up required. Comments on any topic not on the agenda and limited to 5 minutes per person, at Commission discretion) - None

**Old Business:**

- A. Discussion of change to City zoning regulations regarding fencing and assessing a standard fee for license – Bill Downey, Sergeant, Fort Scott Police Department, informed the Commission that he has a proposed addendum to the zoning regulations. It reads as follows: “Construction Methods and Materials: Fences in all districts shall be constructed of normally used fencing materials such as chain link, wood slats, masonry, item, vinyl, or other materials typically supplied by vendors of fencing materials. No fence shall be constructed using non-traditional materials such as sheet metal. The finished side of the fence shall face the street or facing the adjacent property. The proper setback for a fence shall be in accordance with the zoning of the property, (R-1, R-2, R-3), as defined in Zoning Regulation Articles 2-23, 2-24, and 6-602.”

Discussion was held regarding setbacks versus easements. It was also stated that it is the property owner’s responsibility to know where this property lines are.

Discussion was held regarding fences that are already in place but may be on the City’s right-of-way. The City Manager will get with the City Attorney and discuss this.

Mr. Downey then asked about implementing a fee for a fence permit. He said that currently any permit under \$1,000, there is no charge.

Discussion was held regarding tabling the fee discussion for fencing for two weeks.

Mayor Allen asked if they could receive a year-end report from the Codes Department.

Bill will have that for them at the next meeting.

T. Van Hoecke moved to approve the Zoning Regulations change regarding fencing. J. Jones seconded. All voted aye.

**APPROVED ZONING REGULATIONS ADDENDUM TO THE FENCING REGULATIONS.**

**Appearances:** Jody Hoener, Healthy Bourbon County Action Team – Jody said that she is appearing on behalf of the Healthy Bourbon County Action Team. She informed the Commission she is excited about their dinner meeting tomorrow evening. She reminded them of the goals of the action team. They are now looking into creative placemaking to bring neighborhoods together to promote pride in the community.

Rachel Carpenter of Healthy Bourbon County Action Team is the Project Coordinator. She updated the Commission on grants they have received. They would like to build an arch in the downtown area. There will be a get together at Fire Station #2 at 16 N. Franklin on February 26<sup>th</sup>, 2022, from 9:00 a.m. to 11:00 a.m. They will have breakfast catered in and door prizes given.

Rob Harrington – Mr. Harrington gave several updates:

CDBG Grants – Rob said that grants for CDBG were looked at for water, sewer, and facilities grant. He talked to a representative of CDBG, and a City can only apply for one grant per year. He recommended the water upgrades.

Tax Sale – Rob said that 14 properties were taken into the Land Bank. These will not be finalized for at least a month with all the paperwork that will need to be completed. He asked again about putting some funds from the sale of the First Source building into the Land Bank fund.

Discussion was held that funds will be coming to the City from the tax sale for the special assessments on the properties that sold.

J. Jones moved to take \$5,000.00 from the tax sale revenue from assessments and move into the Land Bank fund. T. Van Hoecke seconded. All voted aye.

**APPROVED TO TAKE \$5,000.00 FROM THE TAX SALE REVENUE FROM ASSESSMENTS AND MOVE INTO THE LAND BANK FUND.**

Land Bank Board – Rob said that letters of interest are being received until Friday, January 21<sup>st</sup>, 2022, for the Land Bank board.

Neighborhood Revitalization Program – Rob said that he has met with the City, USD 234, and Bourbon County and they have all approved the renewal of the program. He will meet with Fort Scott Community College next week for their approval. After all approvals have been received, the Interlocal Agreement will be sent to the Attorney General's office, and it can take 30-90 days for approval. They are looking to start this program on May 1<sup>st</sup>, 2022.

**New Business:**

- a. Discussion of Wage Scale – Brad Matkin, Human Resource Director, informed the Commission that he has a proposed new wage scale increase in front of them. He shared the last one from 2020. Brad has broken out public safety personnel in this ordinance. Brad said that he used the League of Kansas Municipalities wage study as well as businesses in our City that are hiring. He tried to set competitive wages along with the local companies in town. He asked them to review the ordinance and it will be on the next agenda for approval.

Kevin Allen left the room at 7:18 p.m.

- b. Request to Pay – Skitch’s Hauling & Excavation – December Port-A-Potties - \$3,120.00

M. Wells moved to approve to pay the invoice for Skitch’s Hauling & Excavation in the amount of \$3,120.00 for December. T. Van Hoecke seconded. All voted aye.

**APPROVED TO PAY THE INVOICE FOR SKITCH’S HAULING & EXCAVATION IN THE AMOUNT OF \$3,120.00 FOR DECEMBER PORT-A-POTTIES.**

Kevin Allen returned to the room at 7:19 p.m.

- c. Consideration of Proposal for Environmental Inspection Quote for Memorial Hall – Jason Dickman, Earles Engineering, informed the Commission that he did a walk-through Memorial Hall with City officials. They asked him to find a company who does environmental inspections in regard to asbestos, lead-based paint, and mold. He has a proposal from Occu-Tech in the amount of \$5,700.00.

T. Van Hoecke said that he is familiar with the company and thinks this is a very reasonable cost.

Discussion was held regarding if there are funds available in the Memorial Hall fund.

City Manager said that he will check into.

The Commissioners said that if funds are available that the City Manager can sign the proposal since it is within his limit.

Jason gave an update on their projects with the City:

Union Lofts Alley – Jason said that the alley is open now. He will have a Certificate of Substantial Completion for the City to sign and submit the final pay request.

Cooper Street – Jason said that additional easements are needed by Evergy.

Old Faithful – Jason said that this project is out for bid with a bid date of February 10<sup>th</sup>, 2022.

17<sup>th</sup> & Eddy – Jason said that this is ready to send out for bid next week.

CIPP Project – The notice of award was signed yesterday with a start date of 1/31/2022.

## **Reports and Comments:**

### **A. Commissioner Reports and Comments:**

A. City Manager Comments: Kelley had several items to discuss with the Commission:

RFQ's – Waterline projects – The engineering will be sent out as soon as possible.

Water meter – Bill Lemke is ordering new water meters for 2022.

512 S Judson – Kelley received a letter from the Kansas State Historical Society that this house has been placed on the National Register of Historic Houses. This is quite an honor.

K & G Striping – Kelley asked about the invoice for K & G Striping and if the Commission wanted this paid. The amount is \$6,717.92.

Discussion was held regarding the striping project. The Public Works Director will look for the file on this project and bring it to the City Manager.

Kelley informed the Commission that he has a Change Order #3 for the Water Treatment Plant Clarifier 1 Painting project for an additional 22 days to finish the project. This is due to the weather-related delays. He asked the Commission if they had any issues if he signed the Change Order #3. The Commission did not have any issues with the extension of 22 days on the project.

**EXTENDED WATER TREATMENT PLANT CLARIFIER 1 PAINTING PROJECT CHANGE ORDER #3 FOR 22 DAYS WITH A COMPLETION DATE OF 12/14/2021.**

B. Commissioners Reports and Comments:

T. Van Hoecke – Tim said that he appreciated to be included on the Memorial Hall walk through of the building.

Tim stated that we need to review all our City contracts and the verbiage.

Tim asked about the crosswalks at 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Streets on National Avenue. They need repainted and signage placed there.

Tim thanked Bill Downey for his work in the Codes department.

Tim thanked Jody Hoener for updating them on upcoming grants.

J. Jones – Josh asked about the Airport and leasing land there.

City Manager asked if it was platted. It has not been.

Josh mentioned the After Prom Party and recommended that \$2,000.00 be given to this organization. It would come from the Special Alcohol and Drug Fund.

J. Jones moved to approve to donate \$2,000.00 to the After Prom Party with the funds coming from the Special Alcohol and Drug Fund. M. Wells seconded. All voted aye.

**APPROVED TO DONATE \$2,000.00 TO THE AFTER PROM PARTY WITH THE FUNDS COMING FROM THE SPECIAL ALCOHOL AND DRUG FUND.**

Josh said that he would like to see more property sold at Lake Fort Scott. He recommended on the east side of the lake, and it would be second tier lots.

Tim asked if all the other lots were closed yet.

City Clerk said that two have closed and two have not. It could be up to another month before the last lot will close.

Kevin asked that a map be printed of Lake Fort Scott and the lots be marked for City property and put up in the Commission room.

Josh asked about putting new docks at Lake Fort Scott. He asked the City Clerk for her Lake Fort Scott dock files. Back in 2014, a new boat dock cost about \$11,000.

City Manager will talk to Doug Guns about this.

Meet and Greet – Josh reminded the Commission that there is a Meet and Greet on Thursday, January 20<sup>th</sup>, 2022, at the Ellis Fine Arts Center Lobby. This is held to meet the new City Manager and the new Commissioners.

P. Allen – Pete stated that the demolition of houses and the abandonment of sewers is not being done to City code. The 2019 Standards and Specifications is not being followed to code. Pete stated that 50% of our I/I come from old sewer lines.

Discussion was held about disconnecting services on demolitions.

Bill Downey said that the Codes Department will take care of disconnecting all utilities now.

Pete handed out a Street Maintenance Plan – A Roadmap Forward. This is a proposed policy for the PCI Improvement Program for the City of Fort Scott. He stated that there are 83 miles of streets within our jurisdiction with less than 10 of those miles being State highways. That leaves 73 miles of roadway for the City to address with limited funds. He suggested that \$700,000 be utilized with chip and seal for Cooper Street. He also discussed brick streets and overlaying them with chip and seal except for the historic downtown area. He asked them to look at this and place on the agenda in two weeks.

M. Wells – Matthew asked about the expansion of City licensing in regard to contractors and heat/air contractors also.

Bill said that he had to work Police shift this last week and Mark was out of the office this last week due to illness.

Matthew asked for an update on Municipal Court expansion.

City Clerk told him that there are two companies involved. Brazos is working with the Police Department and the City's software company is Tyler. The software with the P.D. is not working completely correct yet. The City's software cannot merge with the P.D. software yet. It should occur soon. Training is also taking place in the P.D. on the electronic citation system.

Airport Runway – Matthew asked if there was a weight limit at the airport runway.

City Manager will contact the engineer on the Airport project.

Microphone System – Matthew asked if the City could get new microphones. He hears a lot of complaints about the microphone system.

City Clerk will get with Shane Walker on this.

Matthew thanked the Public Works guys on the great job they did on the bridge removal.

K. Allen – Kevin asked that Doug Guns get a cost for docks at Lake Fort Scott. He would like to see costs for four (4) campsites with water and electricity. He would like to see gravel on the boat trailer area. He would like to see costs for guttering on the shelter house.

Kevin asked about the wood signage at Lake Fort Scott and if Chad Cliffman can treat the wood on the signs.

City Manager said that Doug will look into it.

Kevin asked Tim Van Hoecke if he was able to get information from Bob Farmer on his censure. Tim said he was. Tim said that there were two requirements that were not complied with. He said it is not personal.

Recognition – Kevin said that he wants to start recognizing a citizen in the community. He would like to start this next meeting.

Discussion was then held about an Employee of the Quarter recognition also which Brad will be implementing.

Railroad stalled on tracks – Kevin asked for an update.

Bill Downey said that Dispatch is being notified when the trains are parked at the crossings for long periods of time with Dispatch.

Daily reports – Kevin asked about daily reports for Public Works and departments.

Kelley recommended a quarterly progress report.

Bridge removal – Kevin thanked the Public Works department for the great job they did on the bridge removal project.

Light by Walmart – Kevin informed the public that the flashing light by Walmart is now working. The lens was just dirty and one of the City staff cleaned it and it is now working.

Quiet Zones – Kevin asked that additional locations be looked at for quiet zones.

C. Human Resource Director Comments:

Military bridge removal process – Brad informed the Commission that the City received \$6,110.60 for the scrap from the removal of the bridge. Labor costs for the City was \$4,416.00 and material costs was \$625.00 at a total of \$5,041.00 to removal. The low bid was \$9,000 and that was not for the City to keep any of the scrap material. With the City doing this removal, it was a savings of \$10,069.60 to the City of Fort Scott.

**City Attorney Report and Comments:** Nothing to report.

**Executive Session:**

M. Wells moved to recess into Executive Session for personnel matters of non-elected personnel exception in K.S.A. 75-4319(b)(1) until 9:26 p.m. This will include City Commissioners and Kelley Zellner. J. Jones seconded. All voted aye.

K. Allen moved to come out of Executive Session at 9:26 p.m. M. Wells seconded. All voted aye.



**Executive Session:**

M. Wells moved to recess into Executive Session for personnel matters of non-elected personnel exception in K.S.A. 75-4319(b)(1) until 9:37 p.m. This will include City Commissioners and Kelley Zellner. K. Allen seconded. All voted aye.

K. Allen moved to come out of Executive Session at 9:37 p.m. M. Wells seconded. All voted aye.

**Adjournment:**

K. Allen moved to adjourn the meeting at 9:40 p.m. T. Van Hoecke seconded. All voted aye.

**ADJOURNED MEETING AT 9:40 P.M.**

Respectfully submitted,

Diane K. Clay, MMC  
City Clerk