

**CITY OF FORT SCOTT
CITY COMMISSION MEETING**

Minutes of January 19th, 2021

Regular Meeting #2

The regular meeting of the Fort Scott City Commission was held January 19th, 2021 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, K. Allen, R. Nichols, and L. Watts were present with Mayor J. Jones presiding.

INVOCATION: Pastor William Downey, Fort Scott Police Department Chaplain, Part Time Police Officer, Margrave Church of God , said a prayer asking God for guidance for the City, our Government and City officials.

AUDIENCE IN ATTENDANCE: Travis Shelton, Russell Lingerfelt, Jeff Hancock, Rachel Pruitt, Anne Rawlins, Dave Bruner, William Downey, Lindsey Madison, Max Fanning, Kristin Bishop, and Kendall Madison. Jeff Deane, City Attorney, was present via Zoom.

PROCLAMATIONS/RECOGNITIONS: None

ADDITIONS TO AGENDA: Mayor Jones asked to amend the agenda to add Consideration of the Employment of a City Manager to the agenda.

L. Watts moved to add the Employment of a City Manager to the agenda. K. Allen seconded. All voted aye.

APPROVED TO ADD THE EMPLOYMENT OF A CITY MANAGER TO THE AGENDA.

K. Allen moved to add to the agenda the 15 day notice to terminate the current Interim City Manager Jeff Hancock. R. Nichols seconded. All voted aye.

APPROVED TO ADD THE 15 DAY TERMINATION NOTICE FOR THE CURRENT INTERIM CITY MANAGER.

L. Watts moved to approve the Employment Agreement for the new City Manager, Jeremy Frazier. This will be effective February 1st, 2021. K. Allen seconded. All voted aye.

APPROVED THE EMPLOYMENT AGREEMENT OF JEREMY FRAZIER, NEW CITY MANAGER, EFFECTIVE FEBRUARY 1ST, 2021.

Mayor Jones that they had several good interviews and this candidate was approved unanimously.

K. Allen moved to notify the current Interim City Manager of the 15 day termination period. R. Nichols seconded. All voted aye.

APPROVED TO NOTIFY THE CURRENT INTERIM CITY MANAGER OF THE 15 DAY TERMINATION PERIOD. HIS LAST DAY WILL BE FEBRUARY 3rd, 2021.

Commissioners all thanked Jeff Hancock for the great job he has done while he has been Interim City Manager.

CONSENT AGENDA:

- A. Approval of minutes of the regular meeting of January 5th, 2021 and special meeting minutes of January 9th, 2021 and January 14th, 2021.
- B. Approval of Appropriation Ordinance 1280-A totaling \$519,586.80.
- C. Request to Pay – Lauber Municipal Law (December) - \$11,777,50.
- D. Request to Pay – H.D.R. Engineering – River Intake Project - \$8,787.50.
- E. December financials

R. Nichols moved to approve the Consent Agenda. L. Watts seconded. J. Jones, R. Nichols, and L. Watts voted aye. P. Allen and K. Allen voted no. Motion carried 3-2.

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)

Anne Rawlins – Ms. Rawlins said that she had two items. She said that as they are aware, she and Shirley Hurd have worked very diligently on the Mayhugh Cemetery. It has been approved by the State as an archaeological site with both sites #1 and #2 named. She read a note from Shirley Hurd: “I would like to remind the Commissioners and inform the new Commissioners of the meeting from October 6th, 2020 when she presented information on the Mayhugh Cemetery located just north of the City’s wastewater treatment plant. The Mayhugh was active with burials from 1868 to 1937. Recent photographs were given to her that were taken from the 1960’s showing that the Mayhugh Cemetery still had several tombstones but it was overgrown with brush and fallen trees. It was in this condition up until at least 1965 as told by the person that owned the photographs. In 1973, when Gerald Wood visited the site, there were no tombstones on site. Gerald asked the owner of the surrounding land and was told that Bourbon County dozed the stones into a nearby creek or river and was told to use the nearby land for farm ground. She asked the City to make a donation to the Mayhugh Cemetery Memorial Wall project. This memorial stone will have the names of at least 175 Fort Scott and Bourbon

County residents that are buried in this cemetery. This project should have been completed years ago. She hopes this year that all buried in the Mayhugh Cemetery will be honored with a memorial stone as they should be. Your donation would be very much appreciated.” Ms. Rawlins asked if the City was willing to make a donation. The previous City Manager said there would be a donation made from the City for this project. At this time, they don’t have a location picked out. It could be Skubitz Plaza. They are looking at grants for assistance to get the memorial stone. It will be quite large. We need matching funds to get the grant. They would like to raise \$10,000 and have about \$3,000 raised. Any additional funds could be used to tell the story next to the memorial stone.

Her second item is the Old Fort Genealogical Library. Their board met last night. She asked the City Commission for a permanent move from the west side of Memorial Hall to the east side of Memorial Hall where the old City offices were. They would like to be housed there. They will need to get estimates for the south interior wall that had water damage, and removal of the temporary walls, and painting estimates. She said that they have outgrown their location where they are currently housed. They have numerous visitors to the library daily. She said that she is excited there is a vault at that location. They have lots of negatives that need to be housed there. She said that there is a Katy Railroad museum in Texas that is interested in relocating in Kansas. That is a possibility that where they are located now could house this new museum.

Susan Bancroft informed them that Memorial Hall was built for the Veterans. It is currently used by the American Legion which is very active. Also, the City has items in the vault that are stored there.

Interim City Manager Report and Comments: Jeff Hancock said that there are director reports included after his memo that they can review as well as an annual report. The work session next week will be held on the LandBank and special assessments.

Director Reports: Rachel Pruitt, Economic Development Director – Rachel informed the Board that she wished to give them an update on economic development. In 2020, there have been grants for housing, business support, and public safety totaling \$1,400,126. The average selling price of real estate since 2016 has increased 45%. Since 2015, the downtown investment has totaled \$26.6 million. The City received a CDBG Revolving Loan in the amount of \$265,709 in funding and was recognized by the State of Kansas for their quick work in assisting 33 companies with grants resulting in 219 retained jobs during this pandemic. The City was also recognized by RAU Construction for their assistance in support of the Union Lofts project.

Rachel also updated the Commission on a project update for the CHC Walk-In Clinic on National. This clinic continues to experience a high volume of patients including the need for an expanded area to handle COVID testing. To assist them with a solution, the City can offer part of the Public Safety parking area. The City owns the adjacent properties. In order to do this, the VFW shed that houses the flags placed on East National through the National Cemetery are housed there. There is a proposed location on the south end of Buck Run

Community Center. She and Ally met with the VFW Board on January 12th and the VFW Board understands the needs and supports the relocation of the shed. CHC will also gravel and place parking blocks for 30 additional parking spaces.

R. Nichols thanked Rachel for the update on economic development. Economic development covers many things. We have committed two legs of our three legged stool. We have our infrastructure on track. Our quality of life issues like police and fire are also covered. All of these things are dependent on us having a robust economy. We have spent zero time talking about how we are going to develop this. Bedco is developing itself into an entity. He thinks the City will still need an economic forward facing organization in order to interact with them. Everything else is dependent on continued economic development. He asked that we hold one of our work sessions on economic development and what kinds of grants are available. We need to get ourselves positioned so we know where we stand to best use our resources and stabilize our economic development.

Old Business: None

Appearances: Kristin Bishop – Splash Pad Update – Kristin Bishop appeared before the Commission to give a splash pad update. She said that back in August of 2019 she was watching a movie set in a small town. She posted a Facebook post and asked what people were looking for in Fort Scott. The big response was a splash pad. She then asked why this would fit well in Fort Scott. A lot of responses were received and compiled. It would provide a healthy and fun activity. It would accommodate every citizen no matter what age. It would be a tourist attraction. It could provide an alternative summer activity. It would provide a secondary area in another part of town. She and her husband looked at locations, equipment, design, and the cost estimate. Their location is Gunn Park and the flat area by Shelter House #1 where the big slide used to be. She talked to a company called Play Scape Recreation. They estimated about \$260,000 to construct this splash pad. She thanked Josh Jones and Seth Needham for their assistance. She said that COVID has slowed this project down.

Chad Brown said that there is only a 2” line going into the park. How the water will recirculate is also an issue to consider.

Susan Bancroft said that there are some areas that need to be researched first. The first would be the liability issue and if it would be covered by our insurance. Also, Bill Maquire, who is a direct descendant of the Gunn family, would need to be contacted and his approval received. Also, how would this area be kept clean and how many trees would need to be removed. She asked if City Staff can research this and then bring it back before the Commission.

New Business:

1. Emergency Medical Services Contract and Approval of Medical Director Contract – Dave Bruner, Fire Chief, informed the Commission that the Bourbon County EMS call activity for 2020 was 2,321 calls for service;

1,702 total transports; 619 dry runs; and 711 transfers. The Emergency Medical Services Contract did not need any action as this is a continuous service agreement. The Medical Director Contract does need action. For the last two years, Dr. Katrina Burke has served as the Medical Director for Bourbon County E.M.S. He asked for approval to renew this contract. The cost of \$10,000 per year remains the same.

R. Nichols moved to approve the Medical Director Contract for Dr. Katrina Burke for Bourbon County E.M.S. L. Watts seconded. All voted aye.

APPROVED THE MEDICAL DIRECTOR CONTRACT FOR DR. KATRINA BURKE FOR THE BOURBON COUNTY E.M.S.

2. Sewer District #1 – Refinancing of Bonds – Lynne Oharah – Lynne Oharah, Chairman, Bourbon County Commission, informed the City Commission that they recently refunded their jail bond and saved \$366,699.82. They are looking into refinancing the Sewer District bonds also. They plan to pay these bonds off early.

K. Allen left the room at 7:22 p.m.

3. Consideration to Pay – Skitch’s Hauling & Excavation, Inc. – Port-a-Potties (December) - \$1914.50 – R. Nichols moved to approve the invoice for Skitch’s Hauling & Excavation, Inc. in the amount of \$1,914.50 for the month of December 2020. L. Watts seconded. All voted aye.

APPROVED INVOICE FOR SKITCH’S HAULING & EXCAVATION, INC. IN THE AMOUNT OF \$1,914.50 FOR THE MONTH OF DECEMBER 2020.

K. Allen returned to the room at 7:23 p.m.

Reports and Comments:

A. Commissioner Reports and Comments:

L. Watts – Lindsey said that she is excited for our future. She thanked Jeff Hancock and said it will be bittersweet when he leaves. She is excited when the public can meet the new City Manager possibly next week.

R. Nichols – Randy said that we need to be sure we have a representative from the Bourbon County Commission for the LandBank board.

P. Allen – Pete said that he had several items. The first is 14th and Scott. He shared photos of what that area looks like on his phone. He discussed how the 15” pipe was totally clogged up and the time frame it took for the City to respond. He said that he would like to see this manhole cleaned up. It still looks bad. He would like to see it cleaned up properly.

Josh said that you wouldn’t want this in your own yard.

Jeff Hancock said that we will get it cleaned up.

Cooper Street Project - Pete also brought up the Cooper Street project. He shared standard specifications for streets. He went to the K.D.O.T. guidelines and they fit this street perfectly. He would like to see us adopt these standards and specifications for Cooper Street.

Chad said that David George of AG Engineering has been out surveying this street and should finish up soon.

Chad stated if the quiet zone ever moved south to that railroad crossing that Cooper Street would have to be relocated.

Chad also stated that waterline materials will need to be ordered. They have some in stock but he will put in an order this week for the remainder of the items.

Discussion was held regarding shutting the street completely down or leaving part of it open.

Chad said that they can shut the street down but leave it open to the residents and businesses in that area.

Jeff Hancock asked for time to review this and bring back to the Commission at the next meeting.

K. Allen said that he would like to see East National widened by the railroad tracks so people can go around when people are waiting on a train and then waiting to turn south on Cooper Street. It backs up traffic otherwise.

Ordinance #2842 – Pete said that this ordinance was adopted in 1982 and we should be enforcing it. We are \$40 million short in our sewer fund. The Utility Director said that it will take \$21 million to repair all of our sewers. He thinks the City Commission should make it a standard that this ordinance is enforced. The voters said no to Charter Ordinance No. 31 and they want the money left in the account it is intended for. This needs to stop. He proposed this be strictly enforced in the City of Fort Scott.

R. Nichols asked that we table this at this time.

Susan explained this ordinance to Pete. She also explained Charter Ordinance No. 31 to him. We've discussed this over many meetings. There is a State Statute that trumps our ordinance. Charter Ordinance No. 31 was not about this ordinance. This is a suggestion of how the funds should be moved. You made every effort at our special meeting last week and we made no transfers from our utility funds to our general fund and the money stayed where it was supposed to stay.

J. Jones said that we have abided by this ordinance.

Susan said yes and it was abided by. You did decide to move a little from the stormwater fund to the sewer fund. To change this law would require a Charter

Ordinance. Every financial decision that is made is made by the Governing Body.

Memorial Hall Lights – Pete said that he stopped by Memorial Hall and there was a company there changing the lights. He doesn't see where we are getting any more light. The pickleball courts are not under the lights that are up there. They are more up towards the stage. He asked if City staff could check into this tomorrow so they can see to play pickleball.

K. Allen – Kevin said that he had a few things to discuss:

Lake Meeting – Kevin said that he attended a lake meeting last Saturday. The discussion of the water quality at Lake Fort Scott came up due to the green algae. He asked if Michael Mix could take water samples and check the quality. They wonder if the water would be unhealthy.

Jeff Hancock said that he would have him do this.

Discussion was held if K.D.H.E. checks at the lake or not.

Dilapidated Boat Docks – Kevin said that there was discussion on dilapidated boat docks and if there is a process to remove them. These would be personal docks that belong to lake owners.

Josh said that the Codes Department used to do inspections on the docks many years ago.

Jeff Hancock will check on this.

Winter Work – Kevin asked again if there were workers in other departments that could assist the Street Department with repairs. They could assist in brick street repair.

Jeff Hancock said that they will discuss this at the Director meeting.

Stop Signs on National Avenue - He asked about the stop signs again at 1st, 2nd and 3rd Street on National. It is no longer an avenue having to stop at all three locations.

Chad said the traffic signals were eliminated at 3rd and National as they were out of date and we couldn't get parts any longer. His recommendation was to leave north and southbound traffic open but to stop east and west traffic.

Josh said that he would like to see the stop sign removed at 1st and National.

Travis Shelton said that there have been no accidents at those locations for quite some time that he can remember.

City Clerk reminded them on Wednesday nights at the Methodist Church there is a lot of people that walk to Feeding Families in His Name and use the 3rd Street crosswalk.

City Clerk also told Kevin Allen that a former City Commissioner made the motion for the stop sign at 2nd Street. She said that it is hard to cross National when you are attempting to get to the Post Office.

K. Allen made a motion to remove the stop signs at 1st and 2nd Street on National for north and southbound traffic.

Josh asked him if he should just try for 1st Street first and see how that goes.

K. Allen amended his motion to remove the stop sign at 1st and National for northbound and southbound traffic. P. Allen seconded. K. Allen, P. Allen, R. Nichols, and J. Jones voted aye. L. Watts voted no. Motion carried 4-1.

APPROVED TO REMOVE STOP SIGN AT 1ST AND NATIONAL FOR NORTHBOUND AND SOUTHBOUND TRAFFIC.

Kevin said that he is sad to see Jeff Hancock leave, but he thinks the public will really like the new incoming City Manager.

Main Street Lights – Josh said that he brought up that there were some broken street lights on Main Street and asked if they had been repaired.

Chad said that we need to order more globes for the lights, and they will be changed as soon as possible.

J. Jones – Josh said that he had a question on UTV licensing.

UTV Licensing – Josh asked if the UTV Ordinance could be amended and have the title registration that has to be shown to renew the license removed from the ordinance. He said that the Sheriff's Department cannot do VIN inspections on out of state titles.

Travis Shelton said that the Courthouse contacted the City about this. They are missing out on sales tax when these UTV's are not registered with the County. This has been in the ordinance since the beginning when it was passed in 2016. The Police Department thought that Diane was checking on this and Diane thought the Police Department was checking on it. This is just to ensure that their taxes are being paid. It is a State Statute that requires you to pay property tax on these vehicles.

K. Allen asked if this could be looked into and brought back to the next meeting.

City Attorney Report and Comments: Nothing to report.

Sales Tax Update: Susan Bancroft, Director of Finance - Susan said that as a reminder to the community that there is an important sales tax vote coming up on March 2nd. This is the renewal of a sales tax which is paying for the aquatic center and Buck Run improvements. This was voted on by the City Commission to place back on the ballot. 90% of those proceeds would go to

street improvements and 10% to parks and community facilities. We will start putting information on the City's Facebook page so citizens are educated.

EXECUTIVE SESSION:

J. Jones moved that the City Commission recess into Executive Session for the purpose of discussing contracted non-elected personnel exception in K.S.A. 75-4319(b)(1). The open meeting will resume in the Commission meeting room at City Hall at 9:00 p.m. K. Allen seconded. All voted aye. This included the City Commission and Interim City Manager.

K. Allen moved that the City Commission come out of Executive Session at 9:00 p.m. J. Jones seconded. All voted aye.

EXECUTIVE SESSION:

J. Jones moved that the City Commission recess into Executive Session for the purpose of discussing contracted non-elected personnel exception in K.S.A. 75-4319(b)(1). The open meeting will resume in the Commission meeting room at City Hall at 9:10 p.m. K. Allen seconded. All voted aye. This included the City Commission and Interim City Manager.

J. Jones moved that the City Commission come out of Executive Session at 9:10 p.m. K. Allen seconded. All voted aye.

Adjournment:

J. Jones moved to adjourn the meeting at 9:12 p.m. R. Nichols seconded. All voted aye.

ADJOURNED MEETING AT 9:12 P.M.

Respectfully submitted,

Diane K. Clay, MMC
City Clerk