

**CITY OF FORT SCOTT
CITY COMMISSION MEETING**

Minutes of March 5, 2019

Regular Meeting #4

The regular meeting of the Fort Scott City Commission was held March 5th, 2019 at 6:00 p.m. in the City Commission Room, 123 S. Main, Fort Scott, Kansas.

ROLL CALL:

Commissioners Adamson and Bartelsmeyer were present with Mayor Parker presiding. Commissioners Mitchell and Nichols were absent.

INVOCATION: Pastor Paul Martin, Community Christian Church, said a prayer asking God for guidance for the City, our Government and City officials.

AUDIENCE IN ATTENDANCE: Travis Shelton, Rhonda Dunn, Darrell Parker, Michael Mix, Paul Ballou, Robert Uhler, Dave Bruner, Chad Brown, Rachel Pruitt, Nick Ruhl, Bill Lemke, Michael Hoyt, Paul Martin, Sherry Beerbower, Travis Parker, Alex Swank, Chilia Swank, Brian L. Allen, Billy Keith, Max Fanning, Jeff Fischer, Jason Gorman, Dale Bollinger, Kevin Allen, Stewart Gulagher, Pat Wood, Clayton Miller, and representing the press, Jason Silvers with the Fort Scott Tribune.

PROCLAMATIONS/RECOGNITIONS: None

APPROVAL OF MINUTES AND APPROPRIATIONS/CONSENT AGENDA:

- A. Approval of minutes of the regular meeting of February 19th, 2019.
- B. Approval of Appropriation Ordinance 1233-A totaling \$286,874.02.

Adamson moved 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) - None
- C. **PUBLIC HEARINGS:**

Parker moved to open the Public Hearing at 6:15 p.m. Bartelsmeyer seconded. All voted aye.

OPENED PUBLIC HEARING AT 6:15 P.M.

6:15 p.m. Resolution 5-2019 directing the repair or removal of an alleged unsafe and dangerous structure located at 1612 E. Oak Street – Rhonda Dunn, Codes Director, informed the Commission that this house is owned by the Beerbower family and Sherry is here along with her contractor. Rhonda said has given them a list of items that need repaired on this rental house that they own. They need to replace the floors inside, the electrical, drywall, the kitchen, the plumbing and the roof. Some of these items have been repaired. She asked for 30 days to either repair or remove this structure.

Travis Parker, contractor for Sherry Beerbower, said that the weather has prohibited him from working on the roof, but he thinks 30 days is reasonable.

Adamson moved to give the property owner 30 days to either repair or replace this structure. Bartelsmeyer seconded. All voted aye.

APPROVED RESOLUTION NO. 5-2019 DIRECTING THE REPAIR OR REMOVAL OF AN UNSAFE AND DANGEROUS STRUCTURE LOCATED AT 1612 E. OAK. STRUCTURE MUST BE BROUGHT UP TO 2012 INTERNATIONAL BUILDING CODE BY APRIL 12TH, 2019 OR DEMOLITION PROCEEDINGS WILL BEGIN.

Parker moved to close the Public Hearing at 6:17 p.m. Adamson seconded. All voted aye.

CLOSED PUBLIC HEARING AT 6:17 P.M.

CONSIDERATION:

1. Consideration of Resolution No. 6-2019 of the governing body of the City of Fort Scott determining the advisability of issuing Taxable Industrial Revenue Bonds for the purpose of financing the acquisition, reconstruction, remodeling, furnishing and equipment of a commercial facility located in said city and authorizing execution of related documents – Rachel Pruitt informed the Commission that this resolution is for a taxable Industrial Revenue Bond for the development of the building at Wall and National belonging to Jennifer LaRoche. This is just a pass through IRB and there is no financing involved. All the debt is with the LLC company. This IRB allows the development to take advantage of construction materials without paying sales tax. This is a \$3,000,000 development.

City Attorney said that there is no exposure to the City. This just helps the developer with sales tax assistance.

Bartelsmeyer moved to approve Resolution No. 6-2019. Adamson seconded. All voted aye.

APPROVED RESOLUTION 6-2019 OF THE GOVERNING BODY OF THE CITY OF FORT SCOTT DETERMINING THE ADVISABILITY OF ISSUING TAXABLE INDUSTRIAL REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUISITION, RECONSTRUCTION, REMODELING, FURNISHING AND EQUIPMENT OF A COMMERCIAL FACILITY LOCATED IN SAID CITY AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS – JENNI FROM THE BLOCK – WALL AND NATIONAL PROPERTY.

2. Consideration of Ground Lease Bids for land at Wastewater Treatment Plant – Michael Mix, Water Utilities Director, informed the Commission that bids were taken for the lease of approximately 101 acres surrounding the Wastewater Treatment Plant. There were four bids received with the high bid from Phil and Joe Wimmer in the amount of \$15,500. Approval was recommended.

Parker moved to approve the high bid from Phil & Joe Wimmer in the amount of \$15,500 to farm the 101 acres at the Wastewater Treatment Plant. Bartelsmeyer seconded. All voted aye.

APPROVED THE HIGH BID FROM PHIL & JOE WIMMER IN THE AMOUNT OF \$15,500.00 TO FARM THE 101 ACRES SURROUNDING THE WASTEWATER TREATMENT PLANT.

3. Consideration of quote for raw water testing for cryptosporidium – Michael Mix, Water Utilities Director, informed the Commission that EPA has mandated extra testing for cryptosporidium to assist with their regulations in the future. This is a non-funded mandate. There are only four laboratories that provide this service. He received quotes from three of the four laboratories and asked approval from the low quote of \$11,680.00 from Analytical Services, Inc. of Williston, Vermont. This is budgeted.

Bartelsmeyer moved to approve the low quote from Analytical Services, Inc. in the amount of \$11,680.00. Adamson seconded. All voted aye.

APPROVED LOW QUOTE FROM ANALYTICAL SERVICES, INC. OF WILLISTON, VERMONT IN THE AMOUNT OF \$11,680.00 FOR CRYPTOSPORIDIUM TESTING.

4. Consideration of Bids for Leak Noise Correlator – Bill Lemke, Water Distribution Supervisor, informed the Commission that after their approval, bids were taken to purchase a leak noise correlator. This piece of equipment will be used to determine water leaks. There were eight bids received. The two low bids did not meet specifications. He asked approval for the next low bid from Subsurface Instruments from DePere, Illinois in the amount of \$22,100. This is a budgeted item.

Adamson moved to approve the bid from Subsurface Instruments in the amount of \$22,100. Parker seconded. All voted aye.

APPROVED BID FROM SUBSURFACE INSTRUMENTS OF DEPERE, ILLINOIS IN THE AMOUNT OF \$22,100 FOR THE PURCHASE OF A LEAK NOISE CORRELATOR.

COMMISSION/STAFF:

A. Director Updates:

Health Care Update – Dave Martin, City Manager, informed the Commission that the City is very fortunate that VIA Christi and CHC both stepped in to provide health care in our community. He has heard good things about both health care providers since they have started providing services.

EMS Update – Dave Bruner, Deputy Fire Chief, informed the Commission that in February there were 166 calls for service with 107 transfers. This included the down time with no emergency room services. EMS is back to doing long distance transfers. The new transit ambulance vehicles are being detailed and will arrive this week. They are renovating the ambulance building and have assistance from some of the inmates. Last week, Bourbon County EMS had their State inspection and all went well. This inspection is good until April 2020.

Waggoner Engineering – Robert Uhler, Community Development Director, informed the Commission that in October of 2018, Waggoner Engineering partnered with Bedco to develop the Strategic Implementation Plan. The actual project started in December of 2018 with a review of all City planning documents, an in person visit and a working session with each director. In January and February of 2019, the preparation of the written strategic implementation plan began. Next week, Rachel Pruitt, Larry Gazaway, and himself will be going to Washington, D.C. to visit with federal legislators regarding Fort Scott.

Fire Truck Purchase – Rhonda Dunn, Director of Finance, informed the Commission on the debt of the City and gave them each a sheet showing the General Obligation Debt and the time frame for each debt.

Pool/Buck Run ½ cent Sales Tax – Rhonda gave the Commission a break down on the ½ cent sales tax that was approved back in 2011 for the renovation of the aquatic center and Buck Run. The original debt was \$3,900,000. The remaining debt is \$1,305,000 and this will be paid off in October of 2021. The 10 year project shows tax revenue of \$6,871,637; debt total \$4,277,708; operating cost \$2,318,333; and surplus from project \$275,596.

Sales Tax Update – Rhonda shared a break down on sales from 2015 to 2019. The annual sales tax collection has increased more than 7% since

2015. The economy and sales are good which has helped keep the mill levy down over the years.

Commissioner Bartelsmeyer said this shows how important it is to buy locally.

EMS Budget – Rhonda said that a public hearing will be held at the March 19th, 2019 meeting to establish the EMS budget. The notice will be published in tomorrow’s paper.

Flag at Skubitz Plaza – Rhonda said that US Cellular had approached the City about putting a cell tower up in the downtown area and they would like to install these though a flag pole. There has been some opposition about the location in Skubitz Plaza. A new location is being determined at this time and it will not be put up in Skubitz Plaza.

B. City Commission:

Bartelsmeyer – Thanked the audience for attending the meeting tonight.

Adamson - Thanked Diane and the girls in the water office for their assistance when she calls them.

Nichols – Not present.

Mitchell – Not present.

Parker – Thanked the audience also for attending.

C. City Attorney: Bob Farmer read from a prepared letter he gave to the City Commission: “It has been a pleasure and a privilege serving as the Fort Scott City Attorney. It is one of the most rewarding positions of my life. It is with a heavy heart that I am writing this letter to notify you that I am tendering a resignation to be effective March 30, 2019.” He said that he is not leaving his law firm and will still be around to answer questions.

D. City Manager: Dave said that it has been a privilege to work with Bob Farmer all these years.

ADJOURNMENT: Bartelsmeyer moved to adjourn the meeting at 6:44 p.m. Adamson seconded. All voted aye.

ADJOURNED MEETING AT 6:44 P.M.

The next regularly scheduled meeting is to be held on March 19th, 2019 at 6:00 p.m.

RECORDED BY:

**DIANE K. CLAY
CITY CLERK**