

**CITY OF FORT SCOTT
CITY COMMISSION MEETING**

Minutes of May 17th, 2022

Regular Meeting #10

The regular meeting of the Fort Scott City Commission was held May 17th, 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 J. Jones, T. Van Hoecke, S. Walker, and M. Wells were present with Mayor K. Allen presiding.

INVOCATION: Matthew Wells, City Commissioner, said a prayer asking God for guidance for the City, our Government and City officials.

AUDIENCE IN ATTENDANCE: Travis Shelton, Jason Dickman, Brad Matkin, Harold Martin, Nancy Cragg, Carey Spoon, Craig Campbell, Rachel French, Bailey Lyons, Bill Lemke, Lisa Lewis, Pete Allen, Jackson Tough, David Jones, Rob Harrington, Rhonda Dunn, Robert Coon, Lindsay Madison, Lori Potter Farmer, Greg Schick, and Thomas Russell.

PROCLAMATIONS/RECOGNITIONS: None

Mayor Kevin Allen started the meeting and informed the Commission and the public that he was giving his resignation due to his residence being outside of City of Fort Scott City limits as stated in the State Constitution. Kevin cited his accomplishments with the City Commission. He stated, "It has been a great pleasure to serve the citizens of Fort Scott as your Commissioner for the past two years and as your Mayor for the past five months. I thank you for the opportunity." In conclusion he stated, "I contribute to this town every day. I was born in this little town, and I will die in this town. You want to know if I live in Fort Scott? No, but I feel like I am Fort Scott. So, I guess in conclusion, as Billy the Kid said to the Regulators, It's time for me to mount up and ride."

Josh Jones, Matthew Wells, Shane Walker, and Tim Van Hoecke applauded Kevin Allen for his work on the Commission as well as their friendship and mutual respect.

City Attorney stated that a motion to formally accept the Mayor's resignation is a point of business which will start the process to fill the seat on the Commission. He stated that Josh Jones is still President of the Commission and will continue the meeting in that capacity.

No motion was made by the Commission.

J. Jones asked how to proceed without a motion.

City Attorney stated that the Commission has 10 days to accept the resignation, but they can move forward since he has verbally given his resignation.

Pete Allen spoke to Kevin Allen's confirmation of the 3 Bourbon County panelists that previously qualified him as a citizen of Fort Scott. He stated that it was voted 3-0. Pete also stated that process led to him to becoming a Commissioner and that Kevin's residency situation had not changed. Kevin Allen is still a resident of Fort Scott.

ADDITIONS TO AGENDA:

J. Jones moved to add the Parade Permit for Good Ol' Days to the Consent Agenda. S. Walker seconded. All voted aye.

APPROVED TO ADD PARADE PERMIT FOR GOOD OL' DAYS TO THE CONSENT AGENDA.

CONSENT AGENDA:

- A. Approval of minutes of the regular meeting of May 3rd, 2022.
- B. Approval of Appropriation Ordinance 1312-A totaling \$737,590.28.
- C. Request to Pay – Dave's Demolition – 619 S. Ransom - \$800.00
- D. Request to Pay – Insituform – CIPP Lining Project - \$137,687.11 and approval of Certificate of Substantial Completion
- E. Approval of Southeast Kansas Regional Planning Commission - \$2,500 – Administration for Urgent Need Grant
- F. Approval of Southeast Kansas Regional Planning Commission - \$2,000 – Administration for Mayco Ace Grant (Pay Request #5)
- G. Request to Pay – Olsson Engineering - \$5,500.00 – Rehabilitate Runway and Taxiway Project (Bidding)
- H. Cereal Malt Beverage License – Beer Garden – Good Ol' Days
- I. Certificate of Appropriateness – Mayhugh Cemetery – Old Fort Genealogical Society - Signage
- J. February financials (will be on table)
- K. March financials (will be on table)
- L. April financials (will be on table)

J. Jones moved to approve the Consent Agenda. M. Wells seconded. All voted aye.

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)

Harold Martin – Mr. Martin addressed the City Commission as a representative of the Lake Advisory Board to report their board activities of the May 14, 2022, meeting and to bring forward recommendations and take back any action items required of the Board from the Commission. He stated that the Board has adopted a protocol for developing, documenting, and bringing forward recommendations and questions from their board to the City Commission. He stated that they are now meeting the second Saturday morning of every month. He also requested that the Lake Advisory Board have a place on each City Commission agenda as well as all other advisory boards of the City. He stated that the Board recommended to the City Commission that they invest in appropriate anchors for the buoys at Lake Fort Scott and employ the recommended maintenance protocol to ensure anchor retention year after year.

J. Jones stated that being placed on the agenda can happen any time. He suggested to call before any meeting and be put on the agenda and the Commission will be happy to address their questions and concerns. He said he would be happy to discuss the sale of Lake property also with a group of four individuals.

J. Jones moved that he would like time to discuss this request as well as the sale of additional Lake properties further with member a of the Lake Advisory Board, Shane Wood and another Commissioner. M. Wells seconded. All voted aye.

APPROVED TO ALLOW MORE TIME TO MEET WITH AND DISCUSS THE LAKE ADVISORY BOARD'S RECOMMENDATIONS WITH ONE OF THEIR BOARD MEMBERS, AND TWO MEMBERS OF THE CITY COMMISSION.

T. Van Hoecke moved to accept the resignation of Mayor Kevin Allen in order to move forward. He thanked him for all he has done for the City and wished him the best. This will assist in moving the Commission forward.

J. Jones redirected back to Harold Martin and asked if Harold had anything further to discuss.

Harold also stated that the City Commission engage legal counsel to determine if Lake Fort Scott falls under the authority of the State of Kansas Boating Regulations.

J. Jones stated that this recommendation does not require a motion, but it will be referred to Bob Farmer. Josh then stated they would get a clarification in writing back to the Advisory Board.

J. Jones returned to the motion made by T. Van Hoecke.

M. Wells asked if they needed to accept the resignation to move on.

Bob Farmer stated to do so is just a course of business, but it is not necessary.

Robert Coon spoke to the Commission regarding Mayor Kevin Allen's resignation. He noted the silence of the Commission and highlighted Mayor Allen's work over the years.

T. Van Hoecke's motion died for lack of a second.

Old Business:

1. Consideration of Ordinance No. 3609 – Repeal of Tourism Advisory Board – City Manager, Kelley Zellner, asked Rob Harrington to speak regarding the disbanding the Tourism Advisory Board.

Rob Harrington stated that he came before the Commission on January 4, 2022, to talk about the vision that Bourbon County R.E.D.I. had for tourism. At the time, the decision was made not to move tourism to the County due to Jackson Tough possibly losing his employment benefits he currently had with the City. Rob Harrington and Kelley Zellner asked the City Commission to decide what they would like to do with the Tourism Advisory Board.

Rob discussed the Kansas State Statutes in contrast to the City Ordinance regarding the formation of the Tourism Advisory Board. He stated that appointing Bourbon County R.E.D.I. as the Tourism Advisory Board would be against the Statute. Rob asked the City Commission to disband the current Tourism Advisory Board and allow Bourbon County R.E.D.I. to oversee tourism.

City Attorney, Bob Farmer, stated the proposal is legal.

City Manager clarified that the State gives the City the ability to establish Charter Ordinances and those Charter Ordinances supersede the legislative guidelines. He stated that Charter Ordinance No. 25 supersedes the entire legislature and asked if they would possibly consider putting in language to utilize Bourbon County R.E.D.I. to oversee this board.

Bob Farmer will review the Charter Ordinance and present it to the City Commission at a later meeting.

Appearances:

Rhonda Dunn, Lori Potter Farmer, Craig Campbell - Fort Scott High School All School Reunion – Street Closures, Noise Ordinance and Assorted Requests –

Rhonda Dunn, Co-Chairman of the Fort Scott High School All School Reunion, spoke about the upcoming event: The reunion festivities begin Friday, June 24th, 2022, with registration at Fort Scott High School. The parade will begin at 5:30 p.m. followed by private events for the different classes, a party at Memorial Hall, food trucks downtown, and a band at Liberty Theater.

Rhonda stated that Saturday, June 25th, the private class activities will be all over town, Gunn Park and Lake Fort Scott. The committee would like to close Main Street due to entertainment downtown. There will be bands at Skubitz Plaza and Liberty Theater.

Craig Campbell, Chairperson for the Parade event, spoke specifically about the parade. He stated that staging will begin at 4th and Judson and the parade route will end at Fort Scott High School.

Rhonda asked the Commission to waive the Noise Ordinance so that it does not have to be a policing issue. Bands will play from 8:00 p.m.– 11:00 p.m. She also asked for street closures of Main St, from Skubitz Plaza to 3rd Street beginning at 3:00 p.m. on Saturday, June 25th, 2022. She asked for alcohol to be waived at Memorial Hall on Saturday, June 25th, 2022. She stated that the vendors will obtain their own permits and licenses. She asked for the Codes Department to use extra enforcement prior to the weekend to help the town look its best. She asked for the use of golf carts on Friday, June 24th, 2022, and Saturday, June 25th, 2022. She asked for the use of Memorial Hall on Saturday, June 25th, 2022, and requested that it be cleaned, and the restrooms stocked with supplies. She stated they will use available power source sites downtown for the food trucks. She asked that the school reunion banners be hung downtown also.

J. Jones made a motion to approve the above requests for the All-School Fort Scott High School Reunion. M. Wells seconded. All voted aye.

APPROVED STREET CLOSURE REQUEST FOR FRIDAY, JUNE 24TH, 2022 AT 4:00 P.M. FOR 10TH ST AND MAIN STREET TO NATIONAL AVENUE TO WALL STREET FROM NATIONAL AVENUE TO MAIN STREET AND FROM WALL STREET TO FORT SCOTT HIGH SCHOOL. APPROVED PARADE PERMIT FOR FRIDAY, JUNE 24TH, 2022 FROM 4TH AND NATIONAL AVENUE TO 10TH AND MAIN STREET FROM 4:00 P.M. TO 6:00 P.M. APPROVED TO WAIVE THE NOISE ORDINANCE FOR SATURDAY, JUNE 24TH, 2022 AND TO ALLOW ALCOHOL TO BE WAIVED FOR MEMORIAL HALL ON SATURDAY, JUNE 24TH, 2022. APPROVED FOR PUBLIC WORKS TO INSTALL DOWNTOWN BANNERS, BORROW ONE GOLF CART, IF AVAILABLE, STARTING AT 3:00 P.M., FRIDAY, JUNE 24TH, 2022, BORROW FIVE GOLF CARTS IF AVAILABLE STARTING AT 3:00 P.M., SATURDAY, JUNE 25TH, 2022, APPROVED THE CLEANING AND STOCKING OF MEMORIAL HALL AND CODES ENFORCEMENT AND CITY MAINTENANCE TO CLEAN AROUND DOWNTOWN, ALL SCHOOLS AND ENTRANCES TO THE CITY AND GUNN PARK.

Rhonda Dunn thanked all involved in making this event happen and extended an invitation to the City Commissioners to enjoy the festivities whether they graduated from Fort Scott High School or not.

Bailey Lyons – Signage Request: Bailey Lyons and Rachel French, Chamber of Commerce Downtown Committee, appeared before the City Commission regarding a Stop Work Order her group received for attempting to repair the brick pillars at 1st and National during the Downtown Clean Up.

City Manager Kelley Zellner stated that he issued the Stop Work Order due to the fact that it was City property and should have been brought to the City Commission and approved and run through the chain of command.

Rachel French asked the City Commission for permission to finish the project on the brick work on the pillars and to hang the sign which they had a copy of in their packet.

M. Wells moved to allow this group to finish repairing the brick pillars and install the sign on 1st and National and work with City staff on this project. J. Jones seconded.

M. Wells amended his motion to include the removal of the rusty pipes by City staff if necessary. J. Jones seconded his amended motion. All voted aye.

APPROVED WORK TO BE COMPLETED ON THE BRICK PILLARS AT 1ST AND NATIONAL, INCLUDING THE REMOVAL OF RUSTED PIPES BY CITY CREWS IF NECESSARY, AND TO INSTALL THE SIGNAGE AT THAT LOCATION.

Greg Schick – City Codes Department – Public Trust: Mr. Schick addressed the City Commission and began by stating that he appreciated the approachability of the current City Commission. His concerns were regarding the Codes Department and the length of time it takes to resolve violations. Mr. Schick gave four personal stories to illustrate his point. He stated that he has called the Codes Department regarding their policies, ordinances and has even spoke to the City Manager on occasion. He feels that resolution of code violations has been lacking in recent years and the pride in one’s neighborhood is not what it used to be in Fort Scott. He presented four suggestions to the City Commission: 1) The City needs a Code Administrator; 2) A standard operating procedure needs to be put in place; 3) Provide consistency by not “grandfathering and ignoring violations; and 4) There is a need for judicial support to make sure that the work is getting done.

M. Wells stated that the City and the Codes Department are working on changes to make a difference and agreed that there needs to be clear and concise standard operating procedures. He stated that he appreciated Mr. Schick coming before the Commission and encouraged him to continue to be a voice in the community.

Public Hearings:

J. Jones moved to open the Public Hearing at 7:20 p.m. M. Wells seconded. All voted aye.

OPENED PUBLIC HEARING AT 7:20 P.M.

6:00 p.m. – Performance Public Hearing – Mayco Ace Hardware Project – Approval for the Mayor to sign all close-out required documents

Southeast Kansas Regional Planning Commission Grant Administrator, Carey Spoon, addressed the City Commission for the purpose of evaluating Grant No. 20-CR-004. This grant was to replace the roof, upgrade the façade, replace the windows, replace the south entrance door, remove the north end door and replace with a double sliding door, construct an ADA accessible entrance on the north end consisting of an accessible ramp and sidewalk with column adjustments as necessary, construct two accessible restrooms in the north end of the building, install emergency lighting and smoke alarms throughout the main and lower level of the entire building, replace 6000 SF of ceiling tile damaged by roof leakage in the north end, and install two emergency fire disconnects in alley behind the building. The completed project replaced the roof, upgraded the façade, replaced the windows, replaced the south entrance door, removed the north end door and replaced with a double sliding door, constructed two accessible restrooms in the north end of the building, installed emergency lighting and smoke alarms throughout the main and lower level of the entire building, installed two emergency fire disconnects in alley behind the building, and relocated a gas line within the building. She asked for approval for the Mayor or acting Mayor to sign all the pertinent close-out documentation.

M. Wells made a motion for approval for the Mayor/Acting Mayor to sign all the pertinent close-out documentation. J. Jones seconded. All voted aye

APPROVED FOR THE MAYOR/ACTING MAYOR TO SIGN ALL PERTINENT CLOSE-OUT REQUIRED DOCUMENTATION FOR THE MAYCO ACE PROJECT – GRANT NO. 20-CR-004.

J. Jones made a motion to close the public hearing at 7:25 p.m. M. Wells seconded. All voted aye.

CLOSED PUBLIC HEARING AT 7:25 P.M.

New Business:

1. Approval of Change Order #1 – Insituform – CIPP Sanitary Sewer Lining - \$17,812.80 (decrease) – City Manager informed the Commission that this change order decreases the project by \$17,812.80. This will decrease the original contract price from \$162,746.60 to \$144,933.80. for this project.

T. Van Hoecke moved to approve Change Order #1. J. Jones seconded. All voted aye.

APPROVED CHANGE ORDER #1 - INSITUFORM – CIPP SANITARY SEWER LINING WHICH REFLECTS A DECREASE IN PRICE. ORIGINAL CONTRACT PRICE WAS \$162,746.60 AND WILL NOW BE \$144,933.80.

2. Approval of Change Order #2 – Mid-Continental Restoration Co., Inc (Hammon’s) – Increase in Contract Dates – City Manager informed the Commission that this Change Order #2 changes the dates in the project from

180 days to 210 days. This is due to the saturated wall not ready to accept the final coating.

M. Wells moved to approve Change Order #2 for Mid-Continental Restoration Co., Inc. (Hammon's) to add days from 180 days to 210 days. T. Van Hoecke seconded. All voted aye.

APPROVED THE CHANGE ORDER FOR MID-CONTINENTAL RESTORATION CO., INC. (HAMMON'S) TO CHANGE THE DATES IN THE PROJECT FROM 180 DAYS TO 210 DAYS.

3. Approval of Change Order #2 – Mid Continental Restoration Co., Inc. – (Sharky's) – Increase in Contract Dates - City Manager informed the Commission that this Change Order #2 changes the dates in the project from 180 days to 210 days. This is due to the weather delays from weather waiting for the roofing contractor.

T. Van Hoecke moved to approve the Change Order #2 for Mid-Continental Restoration Co., Inc (Shasky's) to add days due to weather waiting for roofing contractor. M. Wells seconded. All voted aye.

APPROVED THE CHANGE ORDER #2 FOR MID-CONTINENTAL RESTORATION CO., INC (SHARKY'S) TO ADD DAYS DUE WEATHER and WAITING FOR ROOFING CONTRACTOR.

4. Consideration of Ordinance No. 3610 – Change of Hours for sale of cereal malt beverages – Josh Jones said that he asked for this to be amended due to the change in Sunday sales and the hours.

J. Jones moved to approve Ordinance No. 3610 changing the hours for sales of alcohol on Sundays. M. Wells seconded. All voted aye.

APPROVED ORDINANCE NO. 3610 REGULATING THE SALE OF CEREAL MALT BEVERAGES IN THE ORIGINAL PACKAGE WITHIN THE CITY OF FORT SCOTT, KANSAS AND REVISING SECTION 1 OF ORDINANCE NO. 3564 RELATING TO HOURS IT CAN BE SOLD ON SUNDAYS.

5. Consideration of Front Door Cybergate Grant submittal – Public Library – City Manager said that the Fort Scott Public Library is applying for a grant with Wal-Mart Community Grant and needs a letter stating the City's tax status. He asked for approval to send the letter to the Library.

M. Wells moved to authorize the drafting of a letter on the City of Fort Scott letterhead stating the City's status so they can apply for a Wal-Mart Community Grant for the Fort Scott Public Library. J. Jones seconded. All voted aye.

APPROVED AUTHORIZE THE DRAFTING OF A LETTER ON THE CITY OF FORT SCOTT LETTERHEAD INCLUDING THE FEDERAL 9 DIGIT EIN NUMBER, STATING THAT FORT SCOTT PUBLIC LIBRARY IS AFFILIATED WITH THE GOVERNMENT ENTITY, COVERED UNDER THEIR TAX-

EXEMPT STATUS AND SIGNED BY A LEADING CITY GOVERNMENT OFFICIAL; THEREFORE, ALLOWING THE FORT SCOTT PUBLIC LIBRARY TO APPLY FOR A WAL-MART COMMUNITY GRANT.

6. Consideration of Airport Hay Bid – City Manager said that there were two bids received: _Dr. Ricky Kellenberger for \$12,159.00 and Thomas Construction Inc. for the amount of \$7,814.00. Approval for the high bid is recommended_

M. Wells moved to accept the bid submitted by Dr. Ricky Kellenberger for \$12,159.00 for the Fort Scott Municipal Airport Hay bid. T. Van Hoecke seconded. All voted aye.

APPROVED TO ACCEPT THE BID SUBMITTED BY DR. RICKY KELLENBERGER FOR THE AMOUNT OF \$12,159.00 FOR THE FORT SCOTT MUNICIPAL AIRPORT HAY GROUND LEASE.

7. Consideration of approval of K.D.O.T. Electric Gate Grant #AV-2023-13 – Airport - City Manager stated that the Airport received a grant in the amount of \$21,215.00. This will be going out for bid soon. The total estimated cost is \$25,000.00 with the City match in the amount of \$3,750.00. This would be an R.F.P. and the bids would come back before the Commission.

J. Jones moved to approve the K.D.O.T. Electric Gate grant in the amount of \$21,215.00 for the Airport. M. Wells seconded. All voted aye.

APPROVED K.D.O.T. ELECTRIC GATE GRANT #AV-2023-13 IN THE GRANT AMOUNT OF \$21,215.00 WITH THE CITY MATCH BEING \$3,750.00.

8. Consideration of Financial Services Agreement with Susan Bancroft - City Manager states this is the financial agreement with Susan Bancroft to train staff and work with the budget to get it ready for 2023. Susan is also taking staff through City’s accounting program.

J. Jones asked how many hours were expected.

City Manager stated one to two hours per week.

M. Wells asked if there are any time limits on this agreement.

City Manager stated that typically an hour or two per week. He said would like to keep this arrangement through the end of the year and reevaluate before the year is over. If it does not work financially, we will work as a Commission to move in a different direction.

T Van Hoecke stated that previously the Commission talked about 90 days and see how the financial situation is progressing. He is still in favor considering a Financial Director.

J. Jones moved to accept the Financial Services Agreement with Susan Bancroft. If the time amounts to over 10 hours, he asked that this agreement

be brought back before them for consideration. M. Wells seconded. All voted aye.

APPROVED TO ACCEPT THE FINANCIAL SERVICES AGREEMENT WITH SUSAN BANCROFT. IF THE TIME AMOUNTS TO MORE THAN 10 HOURS, IT WILL BE BROUGHT BACK BEFORE THE CITY COMMISSION.

M. Wells moved that after 90 days, the Commission will readdress this arrangement. J. Jones seconded. All voted aye.

APPROVED THE COMMISSION WILL READDRESS THE FINANCIAL AGREEMENT WITH SUSAN BANCROFT AFTER 90 DAYS.

9. Consideration of payment of Skitch's Hauling & Excavation, Inc. - \$3,480.00 - April port-a-potties - City Manager said that this is the monthly payment for Skitch's Inc. for port-a-potties for April. Everything is in order on the invoice.

M. Wells moved to approve to pay the invoice for Skitch's Inc. in the amount of \$3,480.00. J. Jones seconded. All voted aye.

APPROVED TO PAY SKITCH'S HAULING & EXCAVATION, INC. - \$3,480.00 FOR PORT-A-POTTY SERVICES FOR APRIL 2022.

10. Request to purchase - Vacuum excavation trailer - Water Distribution & other departments - \$82,028.69 - City Manager informed the Commission that Bill Lemke, Water Distribution Supervisor is present to address this request. He stated that if approved, \$50,000.00 would be taken from the equipment reserve fund and the remaining \$32,028.69 would be taken from the sewer fund.

Bill Lemke discussed the purchase of the Vermeer 2022 Hydro Excavation Trailer that the Water Distribution Department would like to purchase. It would be shared also with other departments. He explained the need and benefits. City Manager stated that two other pieces of equipment were considered, but this is the best option. The purchase amount of \$82,028.69 is the Source Well, government pricing amount. This has a two-year warranty on it also.

Discussion was held between the vector truck and this trailer.

M. Wells made a motion to purchase the Vermeer vector trailer in the amount of \$82,028.69. S. Walker seconded. All voted aye.

APPROVED TO PURCHASE THE VERMEER VACUUM EXCAVATION TRAILER IN THE AMOUNT OF \$82,028.69 FOR THE WATER DISTRIBUTION DEPARTMENT AND OTHER DEPARTMENTS.

11. Discussion on sale of lake properties and recent survey - Jason Dickman, Earles Engineering, stated that the field work is complete on the survey of the Lake properties and the pins are set. There are encroachment issues.

City Manager said that Bob Farmer, City Attorney, and a representative from the Commission will have to meet with the property owner to resolve the encroachment issue.

Jason said that the surveyed documents are being filed with the County.

Reports and Comments:

A. Commissioner Reports and Comments:

- A. City Manager Comments: City Manager reported that Land Bank mowing and Code Violation mowing will be paid for by the City as they are not generating any revenue at this time. He would like to work with Bob Farmer to put together an Ordinance to pay for this mowing, and then be compensated for by running the monies in and out of a general government fund.

City Manager also stated that there is a need for space to hold Codes impounded vehicles. He recently met with Clayton and Frank Miller who have a property at Coates and Ivy Streets. They are willing to enter into an agreement that they would pick up the vehicles to be impounded, store them on their property and after the court process and titles are processed, the Millers would receive the vehicles as payment. City Manager stated that this would save thousands of dollars for the City. He also said that any other tow truck company willing enter into the same agreement would be considered as well. The State of Kansas considers this a controlled salvage yard. Kansas State Statues were provided to determine how to organize and establish a salvage yard. He stated that this is one of the ways he hopes to start cleaning up the community.

J. Jones asked that it be placed on the next agenda.

City Manager agreed and asked that the Commission consider the information in packet he provided.

C. Engineering Firm Comments:

1. Cooper Street Inspection and Testing Agreement – Jason Dickman informed the Commission that before them is the Cooper Street Inspection and Testing Agreement in the amount of \$32,692.00. The scope of work is to provide construction inspections on an as needed basis to support City staff during construction of Cooper Street from East 20th St to East National Ave. He stated that rock samples were taken as well as density tests and the compaction is good on the North side. Concrete work can begin. Density testing will continue the South side. The agreement includes Jason Dickman being on site for one hour a day to oversee the project.

M. Wells asked if the whistles were replaced.

City Manager confirmed that they were and could be inspected at Public Works if he is interested.

S. Walker made a motion to accept the Cooper Street Inspection and Testing Agreement in the amount of \$32,692.00. M. Wells seconded. All voted aye.

APPROVED TO ACCEPT THE COOPER STREET INSPECTION AND TESTING AGREEMENT WITH EARLES ENGINEERING, INC. IN THE AMOUNT OF \$32,692.00.

M. Wells asked Jason Dickman about the steps of Memorial Hall.

Jason stated that he talked to the contractor, and he would like to look at the most recent plans from 2020. He will get the plans and meet with the contractor. The contractor is delayed due to his schedule and weather.

Urgent Need Grant: Jason Dickman explained that in early November of 2021, he was asked to put together the overall project cost for the Hammon's and Sharky's buildings. The construction inspection fee was included, but the engineering agreement was never executed.

J. Jones made a motion to approve the Hammon's and Sharky's Construction Inspection Agreement in the amount of \$97,200.00. M. Wells seconded. All voted aye.

APPROVED THE HAMMON'S AND SHARKY'S CONSTRUCTION INSPECTION AGREEMENT IN THE AMOUNT OF \$97,200.00 FOR THE URGENT NEED PROJECT.

Manhole 148 Relocation Update: Jason updated the Commission that the tests are completed, and everything passed. Jerry Morgan asked the contractor about the asphalt tile removal from the adjacent lot. The bid originally included removal of the debris, but the City removed that from bid to save costs. Jason stated that to have them come back out to do the removal, it would cost approximately \$11,000.00.

City Manager told Jason that the City will do the removal work.

D. Commissioners Reports and Comments:

T. Van Hoecke – Tim asked the City Manager about the K.D.H.E. report received from Rob Harrington regarding remediation inside Memorial Hall. City Manager stated he has applied for the grant.

Tim stated he wanted people to remember the upcoming Good Ol' Days and support the event.

Tim also stated that he still had serious concerns about the division of people in town. He stated that people are arguing and not moving forward. He believed Mayor Allen did the right thing by resigning because the

Commissioners are held to a higher standard and that the citizens look up to the Commission for leadership. He wanted to make sure that everyone sees the Commission as being fair to all.

J. Jones – No comment.

M. Wells – Matthew was asked about the progress of sealing up Memorial Hall.

City Manager stated that he would be doing a walk-through with Chase Halsey and get their expert advice and get things put into motion. He stated that he will write up a report and see what grant monies the City can obtain for this project.

Matthew suggested scheduling a Commission work session to assist the Codes Department. He wants to address the issues at hand, how the Commission can help, and make some decisions to move forward. He asked the Commissioners to give it some consideration.

Josh asked Matthew to compile a punch list of what he wants to address in the work session.

Matthew asked about the upcoming Chamber of Commerce Dinner and the award that is to be given at the event.

Diane Clay stated that the issue had been resolved.

Josh suggested changing the language of the existing Ordinance to reflect that the Commission will request Letters of Interest when seeking a new City Commissioner. Discussion ensued between the Commissioners and the City Attorney Bob Farmer.

Matthew thanked Kevin Allen publicly for everything he has done for this community. He stated that all of Fort Scott should realize the time and effort that he has put into making this community a better place.

S. Walker – Shane asked about the water issue on 2nd and Judson. Shane asked if Kelley could meet with Jason Dickman on this. Shane wanted to know if he knew the source of the water.

City Manager said he believed it is coming from the underground steam lines that were found. He will get with Earles Engineering on this.

Shane stated that N.I.C.A. race decided not to use Gunn Park for their upcoming race. They plan to return next year.

D. City Attorney Comments – No comment.

Adjournment:

J. Jones moved to adjourn the meeting at 8:20 p.m. T. Van Hoecke seconded.
All voted aye.

ADJOURNED MEETING AT 8:20 P.M.

Respectfully submitted,

Lisa Lewis
Deputy City Clerk