

OFFICIAL MINUTES  
OF THE MEETING OF THE  
GOVERNING BODY OF THE  
CITY OF PITTSBURG, KANSAS  
August 14<sup>th</sup>, 2018

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A Regular Session of the Board of Commissioners was held at 5:32 p.m. on Tuesday, August 14<sup>th</sup>, 2018, in the City Commission Room, located in the Law Enforcement Center, 201 North Pine, with Mayor Jeremy Johnson presiding and the following members present: Sarah Chenoweth, Dawn McNay, Chuck Munsell, and Patrick O'Bryan.

Mayor Johnson led the flag salute.

Mayor Johnson proclaimed August 14<sup>th</sup>, 2018, as Pittsburg Beautiful Day in Pittsburg.

PUBLIC INPUT -

Bryan Hanson, owner of McCarthy's Pub, expressed concerns regarding the condition (vehicles, equipment, weeds, etc.) of the properties owned by Randy Vilela that are located near Mr. Hanson's business. Assistant Director of Public Works Dexter Neisler stated that due to the zoning of Mr. Vilela's property, the vehicles and equipment are allowed on his property. Mr. Neisler indicated that the City has started the abatement process for the weeds on the property.

Carl Wood, Crawford County Commissioner, inquired if the City is in possession of a drainage report from the Kansas Department of Health and Environment (KDH&E) for the Silverback Landing Project. Earles Engineering representative Pete Earles indicated that the State has received a drainage study from the City. Mr. Wood stated that retainage ponds are needed on the project. Mr. Earles assured Mr. Wood that the developer is following the rules and regulations of the City.

Bill Strenth, 1515 Hampton Road, expressed concerns, including storm water, water line installation costs, sewer line installation costs, the purchase price of the property and the plat approval process, in regard to the Silverback Landing Project. He suggested City Commissioners look at the MS4S reports the City has submitted to the State.

Keith Kloster, 1509 Bitner Place, expressed concerns, including the funding of the project, the Kennedy Group Realty company's involvement, and the timetable for the City to receive tax revenues, in regard to the Silverback Landing Project.

Cheryl Brooks, 1533 Hampton Road, expressed concerns regarding access to the Silverback Landing Project on the north side of the development. Director of Public Works Cameron Alden explained that right of way is available that can be used without accessing private property.

Jan Allai, 1521 Hampton Road, questioned the validity of the Kennedy Group Realty company's web page. Commissioner McNay inquired as to the significance of the Kennedy Group Realty company. Mr. Strenth indicated that Kennedy Group Realty is a real estate management company that oversees Mr. Vena's properties.

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APPROVAL OF MINUTES – JULY 24<sup>th</sup>, 2018 – On motion of O'Bryan, seconded by McNay, the Governing Body approved the July 24<sup>th</sup>, 2018, City Commission Meeting minutes as submitted. Motion carried.

PLACEMENT OF STOP SIGNS – On motion of O'Bryan, seconded by McNay, the Governing Body approved the recommendation of the Traffic Advisory Board to place stops signs at 17th Street, 18th Street and 19th Street where they intersect Elm Street. Motion carried.

EASEMENT – SOUTHERN STAR PIPELINE, INC. – On motion of O'Bryan, seconded by McNay, the Governing Body granted an amended easement, and an additional 8,009 square feet (0.184 acres) of the existing easement that runs across the City's property at the Wastewater Treatment Plant, to Southern Star Pipeline, Inc. (Southern Star) to accommodate the construction of a pig receiver for the maintenance of their 12 inch FD pipeline, with Southern Star Pipeline, Inc. compensating the City in the amount of \$10,500.00, and authorized the Mayor to sign the appropriate documents on behalf of the City. Motion carried.

ORDINANCE NO. S-1054 – On motion of O'Bryan, seconded by McNay, the Governing Body adopted Ordinance No. S-1054, levying a special assessment against the lots or parcels of land on which refuse matter was located to pay the cost of making the premises safe and hygienic, and authorize the Mayor to sign the Ordinance on behalf of the City. Motion carried.

ORDINANCE NO. S-1055 – On motion of O'Bryan, seconded by McNay, the Governing Body adopted Ordinance No. S-1055 levying a special assessment against the lots or parcels of land on which existed weeds or obnoxious vegetable growth to pay the cost of cutting or removing said growth, and authorize the Mayor to sign the Ordinance on behalf of the City. Motion carried.

APPROPRIATION ORDINANCE – On motion of O'Bryan, seconded by McNay, the Governing Body approved the Appropriation Ordinance for the period ending August 14<sup>th</sup>, 2018, subject to the release of HUD expenditures when funds are received with the following roll call vote: Yea: Chenoweth, Johnson, McNay, Munsell, and O'Bryan. Motion carried.

ORDINANCE NO. S-1053 – On motion of Munsell, seconded by O'Bryan, the Governing Body adopted Ordinance No. S-1053 levying a special assessment against lot or parcels of land on which a public nuisance was located to pay the cost of abating the nuisance, and authorized the Mayor to sign the Ordinance on behalf of the City. Motion carried.

PUBLIC HEARING - PROPOSED 2019 BUDGET – Following Public Hearing, on motion of O'Bryan, seconded by Chenoweth, the Governing Body adopted the 2019 Budget and authorized the Mayor and City Commissioners to sign the State Budget Certificate Form on behalf of the City. Motion carried.



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SPECIAL PRESENTATION - ECONOMIC DEVELOPMENT QUARTERLY REPORT - Director of Economic Development Blake Benson and Pittsburg State University Chief Strategy Officer Shawn Naccarato presented the quarterly Economic Development Report.

SPECIAL PRESENTATION - DEPARTMENT REPORT - FIRE DEPARTMENT - Fire Chief Mike Simons provided an update on activities within his department.

RESOLUTION NO. 1206 – On motion of Chenoweth, seconded by O'Bryan, the Governing Body adopted Resolution No. 1206, determining that the City is considering establishing a Rural Housing Incentive District within the City and adopting a plan for the development of housing and public facilities in such proposed district; establishing the date and time of a public hearing on such matter, and providing for the giving of notice of such public hearing (Silverback Landing Phase 1 Rural Housing Incentive District - P & L Development, LLC), and authorized the Mayor to sign the Resolution on behalf of the City. Motion carried.

FUNDING AGREEMENT - P & L DEVELOPMENT, LLC – On motion of O'Bryan, seconded by Chenoweth, the Governing Body entered into a Funding Agreement with P & L Development, LLC, for the development of real property by constructing the first phase of the "Silverback Landing" residential development into approximately sixty single family houses and all related internal infrastructure improvements, and authorized the Mayor to sign the agreement on behalf of the City. Motion carried with Munsell voting in opposition.

Commissioner Munsell indicated that he would be voting in opposition to future Silverback Landing agenda items until the storm water runoff and potential flooding issues have been addressed.

LOAN REQUEST - P & L DEVELOPMENT, LLC – On motion of O'Bryan, seconded by McNay, the Governing Body approved the recommendation of the Economic Development Advisory Committee (EDAC) to provide a loan to P & L Development, LLC, in the amount of \$450,000 to be repaid over a period of five years at an interest rate of 3%, with the funds to be utilized in relation to the construction of the Silverback Landing development, and authorized the Mayor to sign the necessary documents on behalf of the City. Motion carried with Munsell voting in opposition.

Commissioner McNay asked City staff to notify members of the City Commission when the loan approval process between P & L Development, LLC and Arvest Bank is complete.

CONDITIONAL USE PERMIT REQUEST – On motion of McNay, seconded by Chenoweth, the Governing Body approved the recommendation of The Planning Commission/Board of the Pittsburg Zoning Ordinance to Bob Guilfoyle on behalf of Craw-Kan Telephone Cooperative, Inc. to allow a telecommunications building to be constructed on the property located at 501 West 3rd Street. Motion carried.

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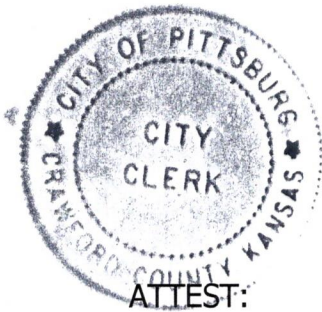

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CONDITIONAL USE PERMIT REQUEST – On motion of Chenoweth, seconded by O'Bryan, the Governing Body approved the recommendation of The Planning Commission/Board of Zoning Appeals the Pittsburg Zoning Ordinance to Jim Villamaria on behalf of CDL for a parking lot for heavy trucks & equipment to be located on the property at 215 West 11th Street for a period not to exceed twelve months. Motion carried.

NON-AGENDA REPORTS AND REQUESTS -

BUDGET PREPARATION – City Manager Daron Hall complimented Director of Finance Jamie Clarkson for his work in preparing the 2019 Budget.

ADJOURNMENT: On motion of O'Bryan, seconded by Chenoweth, the Governing Body adjourned the meeting at 7:28 p.m. Motion carried.

  
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Jeremy Johnson, Mayor  
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Tammy Nagel, City Clerk