

OFFICIAL MINUTES  
OF THE MEETING OF THE  
GOVERNING BODY OF THE  
CITY OF PITTSBURG, KANSAS  
December 11<sup>th</sup>, 2018

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A Regular Session of the Board of Commissioners was held at 5:36 p.m. on Tuesday, December 11<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, Chuck Munsell, and Patrick O'Bryan. Commissioner Dawn McNay was absent.

Mayor Johnson led the flag salute.

APPROVAL OF MINUTES – NOVEMBER 27<sup>th</sup>, 2018 – On motion of O'Bryan, seconded by Chenoweth, the Governing Body approved the November 27<sup>th</sup>, 2018, City Commission Meeting minutes as submitted. Motion carried. Absent: McNay.

ORDINANCE NO. G-1291 - On motion of O'Bryan, seconded by Chenoweth, the Governing Body adopted Ordinance No. G-1291, amending Section 82-51 of the Pittsburg City Code to provide deposit amounts for applicants for water service, and authorized the Mayor to sign the Ordinance on behalf of the City. Motion carried. Absent: McNay.

ORDINANCE NO. G-1292 – On motion of O'Bryan, seconded by Chenoweth, the Governing Body adopted Ordinance No. G-1292, amending Section 82-118 of the Pittsburg City Code to provide reconnection charges for restoration of water service, and authorized the Mayor to sign the Ordinance on behalf of the City. Motion carried. Absent: McNay.

ORDINANCE NO. G-1293 – On motion of O'Bryan, seconded by Chenoweth, the Governing Body adopted Ordinance No. G-1293, amending Section 82-286 of the Pittsburg City Code to provide turn-on fees for new water service, and authorized the Mayor to sign the Ordinance on behalf of the City. Motion carried. Absent: McNay.

ORDINANCE NO. G-1294 – On motion of O'Bryan, seconded by Chenoweth, the Governing Body adopted Ordinance No. G-1294, amending Section 82-52 of the Pittsburg City Code to provide deposit amounts for applicants for sewer service, and authorized the Mayor to sign the Ordinance on behalf of the City. Motion carried. Absent: McNay.

ORDINANCE NO. G-1295 – On motion of O'Bryan, seconded by Chenoweth, the Governing Body adopted Ordinance No. G-1295, repealing Sections 82-116 and 82-117 of the Pittsburg City Code regarding reconnect fees and turn-on fees for new and terminated water service since these provisions are also addressed in Sections 82-118 and 82-286, and authorized the Mayor to sign the Ordinance on behalf of the City. Motion carried. Absent: McNay.

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ORDINANCE NO. S-1057 – On motion of O'Bryan, seconded by Chenoweth, the Governing Body adopted Ordinance No. S-1057, levying and assessing special assessments to pay the cost of paving and constructing the Silverback Way Street and Boulevard in the City of Pittsburg, Kansas, and authorized the Mayor to sign the Ordinance on behalf of the City. Motion carried. Absent: McNay.

FORGIVABLE LOAN – SOUTHEAST KANSAS RECYCLING CENTER – On motion of O'Bryan, seconded by Chenoweth, the Governing Body approved the recommendation of the Economic Development Advisory Committee (EDAC) to forgive \$3,000 of the Southeast Kansas Recycling Center's 2018 loan payment, as they have fully complied with the City's requirement for loan forgiveness, and authorized the Mayor to sign the appropriate documents on behalf of the City. Motion carried. Absent: McNay.

FINAL PAYMENT – WATER TOWER PROJECT – On motion of O'Bryan, seconded by Chenoweth, the Governing Body approved final payment in the amount of \$75,440.00 to Maguire Iron, Inc., of Sioux Falls, South Dakota, for the Water Tower Blasting and Painting Project. Motion carried. Absent: McNay.

LAND BANK BOARD OF TRUSTEES MEMBERSHIP – On motion of O'Bryan, seconded by Chenoweth, the Governing Body appointed Richard Proffitt to a first term and reappointed Brian Jones and Matt Hess to second terms as members of the Land Bank Board of Trustees effective January 1, 2019, and concluding on December 31, 2021. Motion carried. Absent: McNay.

2019 CEREAL MALT BEVERAGE LICENSES – On motion of O'Bryan, seconded by Chenoweth, the Governing Body approved applications submitted by Dillons Companies, LLC (2600 North Broadway), Bo's 1 Stop (1116 West 4th Street), Rhodes Grocery (310 East Centennial), Pitt Stop (902 South Joplin), Pizza Hut #1652 (102 East Quincy), Pete's #3 (4002 North Broadway), Pete's #7 (1711 North Broadway), Pete's #21 (1711 North Broadway), Horton's Pizza Plus (1601 East 4th Street) and Main Street Axe Company, LLC (216 South Broadway) to sell Cereal Malt Beverages for the year 2019 and authorized the City Clerk to issue the licenses. Motion carried. Absent: McNay.

2019 LEAGUE OF KANSAS MUNICIPALITIES DUES – On motion of O'Bryan, seconded by Chenoweth, the Governing Body approved the 2019 dues to the League of Kansas Municipalities in the amount of \$8,808.63. Motion carried. Absent: McNay.

APPROPRIATION ORDINANCE – On motion of O'Bryan, seconded by Chenoweth, the Governing Body approved the Appropriation Ordinance for the period ending December 11<sup>th</sup>, 2018, subject to the release of HUD expenditures when funds are received with the following roll call vote: Yea: Chenoweth, Johnson, Munsell, and O'Bryan. Motion carried. Absent: McNay.



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FLEXIBLE SPENDING ACCOUNT AGREEMENT – MAESTRO HEALTH – Consideration of an agreement with Maestro Health for the administration of City employee flexible spending accounts was not considered. Absent: McNay.

RESOLUTION NO. 1216 – On motion of Chenoweth, seconded by O'Bryan, the Governing Body adopted Resolution No. 1216, declaring and describing the corporate limits and boundary lines of the City of Pittsburg, Crawford County, Kansas. Motion carried. Absent: McNay.

ORDINANCE NO. S-1058 – On motion of O'Bryan, seconded by Chenoweth, the Governing Body adopted Ordinance No. S-1058, amending Ordinance No. S-1051, fixing the salary and compensation of the officers and employees of the City of Pittsburg, Kansas, and authorized the Mayor to sign the Ordinance on behalf of the City. Motion carried with Munsell voting in opposition. Absent: McNay.

PUBLIC HEARING - 2018 BUDGET AMENDMENT – Following Public Hearing, on motion of Munsell, seconded by Johnson, the Governing Body approved the proposed amended use of 2018 funds in the 2018 budget. Motion carried. Absent: McNay.

ECONOMIC DEVELOPMENT QUARTERLY REPORT - Director of Economic Development Blake Benson and Pittsburg State University Director of Community Engagement Sydney Anselmi presented the quarterly Economic Development Report.

Commissioner McNay joined the meeting at 6:02 p.m.

JOLLY FOX BREWERY PROJECT – On motion of Munsell, seconded by Chenoweth, the Governing Body approved the recommendation of the Economic Development Advisory Committee (EDAC) to provide a loan in the amount of \$200,000 to Joel Stewart, Brandon Davis and Sefali Nursariwala for the Jolly Fox Brewery project, to be repaid over seven years at 5% interest, contingent on the approval of conventional financing, and authorized the Mayor to sign the necessary documents on behalf of the City. Motion carried.

APPOINTMENT OF CITY COMMISSION MEMBER - On motion of Chenoweth, seconded by McNay, the Governing Body appointed Dan McNally to fill the term on the City Commission vacated by Jeremy Johnson effective January 1<sup>st</sup>, 2019, and to conclude in January of 2020. Motion carried.

B.J. Harris, Jim Hoskins, John Ketterman, Dan McNally, and Amy Sawyer addressed the Governing Body regarding their applications for appointment to the City Commission.

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**ECONOMIC DEVELOPMENT SERVICES AGREEMENT** – On motion of O'Bryan, seconded by Munsell, the Governing Body approved the Economic Development Services Agreement, including Exhibit "A", between The Pittsburg Area Chamber of Commerce and The City of Pittsburg in which the Chamber will perform the services related to the location and retention of industrial, manufacturing and retail businesses in the City for the year beginning January 1, 2019, and expiring December 31, 2019, and authorized the Mayor to sign the Agreement on behalf of the City. Motion carried.

**BUSINESS DEVELOPMENT AND INNOVATION SERVICES AGREEMENT** – On motion of Chenoweth, seconded by O'Bryan, the Governing Body approved the Business Development and Innovation Services Agreement between Pittsburg State University (PSU) and The City of Pittsburg in which PSU will provide support to the City to effectively help create and attract new businesses, industries and manufacturing concerns to the City, as well as more effectively promote the expansion and growth of existing businesses and industries already located in the City for the year beginning January 1, 2019, and expiring December 31, 2019, and authorized the Mayor to sign the Agreement on behalf of the City. Motion carried.

**DISPOSITION OF BIDS – INSPECTION AND MAINTENANCE OF ELEVATORS AND LIFTS** – On motion of Chenoweth, seconded by Johnson, the Governing Body awarded the bid for a full maintenance contract with monthly inspections of elevators and lifts at various City facilities for a 3-year period from January 1, 2019 through December 31, 2021, to Thyssen Krupp Elevator, of Springfield, Missouri, based on their low bid amount of \$14,052.48, and authorized the Mayor to execute the contract documents once prepared. Motion carried.

**DISPOSITION OF BIDS – INSPECTION AND MAINTENANCE OF GENERATORS** – On motion of Chenoweth, seconded by Johnson, the Governing Body awarded the bid for the annual inspection and maintenance of fixed location generators at various City facilities for a 3-year period from January 1, 2019 through December 31, 2021, to Central Power Systems, of Liberty, Missouri, based on their low bid amount of \$9,104.28, and authorized the Mayor to execute the contract documents once prepared. Motion carried.

**RESOLUTION NO. 1215** – On motion of O'Bryan, seconded by Chenoweth, the Governing Body adopted Resolution No. 1215, authorizing and providing for the public sale of General Obligation Bonds, Series 2019A of the City of Pittsburg, Kansas, setting forth the details of said sale; and providing for the giving of notice thereof, and authorized the Mayor to sign the Resolution on behalf of the City. Motion carried.



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NON-AGENDA REPORTS & REQUESTS –

COMMISSION ROOM/COURT ROOM MODIFICATIONS – On motion of Chenoweth, seconded by Johnson, the Governing Body approved an expenditure in the amount of \$89,710 to Southwest Audio Visual, of Springfield, Missouri, for technology modifications in the Commission Room/Court Room. Motion carried.

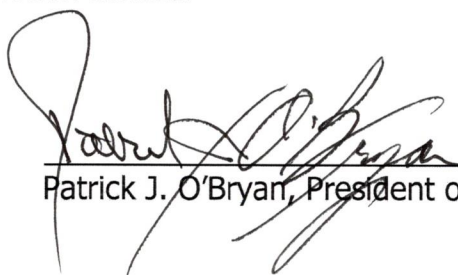
EXECUTIVE SESSION - On motion of O'Bryan, seconded by Munsell, the Governing Body recessed into Executive Session for sixty minutes to discuss personnel matters of non-elected personnel pursuant to K.S.A. 75-4319(b)(1), to discuss the 2018 evaluation of the City Manager. Motion carried.

The Governing Body recessed into Executive Session at 6:45 p.m.

The Governing Body reconvened into Regular Session at 7:45 p.m.

Mayor Johnson announced that no decisions were made and no votes were taken during the Executive Session.

ADJOURNMENT: On motion of Chenoweth, seconded by O'Bryan, the Governing Body adjourned the meeting at 7:45 p.m. Motion carried.

  
Patrick J. O'Bryan, President of the Board

ATTEST:

  
Tammy Nagel, City Clerk

