

OFFICIAL MINUTES  
OF THE MEETING OF THE  
GOVERNING BODY OF THE  
CITY OF PITTSBURG, KANSAS  
November 26<sup>th</sup>, 2019

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A Regular Session of the Board of Commissioners was held at 5:30 p.m. on Tuesday, November 26<sup>th</sup>, 2019, in the City Commission Room, located in the Law Enforcement Center, 201 North Pine, with Mayor Patrick O'Bryan presiding and the following members present: Sarah Chenoweth, Dan McNally, Dawn McNay and Chuck Munsell.

Mayor O'Bryan led the flag salute.

PUBLIC INPUT –

INVOCATION – Pete Mayo, on behalf of Ascension Via Christi, provided an invocation.

PROCLAMATION - Mayor O'Bryan proclaimed November 30<sup>th</sup>, 2019, as Small Business Saturday in Pittsburg.

APPROVAL OF MINUTES – On motion of Munsell, seconded by McNally, the Governing Body approved the November 12<sup>th</sup>, 2019, City Commission Meeting minutes as presented. Motion carried.

APPROVAL OF MINUTES – On motion of Munsell, seconded by McNally, the Governing Body approved the November 21<sup>st</sup>, 2019, Special City Commission Meeting minutes as presented. Motion carried.

2019 CMB APPLICATIONS – On motion of Munsell, seconded by McNally, the Governing Body approved applications submitted by Dollar General Store #3785 (2810 North Broadway) and Dollar General Store #188856 (820 West 4th Street) to sell Cereal Malt Beverages for the year 2019 and directed the City Clerk to issue the licenses. Motion carried.

2020 CMB APPLICATIONS – On motion of Munsell, seconded by McNally, the Governing Body approved applications submitted by The City of Pittsburg (Four Oaks Golf Course and Lincoln Park), Casey's General Store #2893 (2912 North Broadway), Casey's General Store #2961 (612 South Broadway), Walmart Inc. Store #72 (2710 North Broadway), Walmart Inc. Store #5791 (1011 East Centennial), Walmart Inc. Store #5791 Fuel Station (1015 East Centennial), Bo's 1 Stop (1116 West 4th Street), Dollar General Store #3785 (2810 North Broadway), Dollar General Store #188856 (820 West 4th Street), Walgreens #09049 (1911 North Broadway), Ron's Supermarket (310 East Centennial Drive), Pete's #07 (1307 South Broadway), Pete's #13 (4002 North Broadway), Pete's #21 (1711 North Broadway), and Pizza Hut #1652 (102 East Quincy) to sell Cereal Malt Beverages for the year 2020 and directed the City Clerk to issue the licenses. Motion carried.

DECLARATION AND DISPOSAL OF SURPLUS EQUIPMENT – On motion of Munsell, seconded by McNally, the Governing Body approved staff request to declare three self-contained breathing apparatus (SCBA) packs and one SCBA bottle, currently utilized by the Pittsburg Fire Department, as surplus equipment and authorized staff to donate the surplus items to the Neosho Township Volunteer Fire Department. Motion carried.

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COOLING TOWER REPLACEMENT PROJECT FINAL PAYMENT – On motion of Munsell, seconded by McNally, the Governing Body approved final payment to Satterlee Mechanical Contracting Corp., of Joplin, Missouri, in the amount of \$15,580.00 for the Cooling Tower Replacement Project at Fire Station #1. Motion carried.

2019 ASPHALT REJUVENATION PROJECT CHANGE ORDER AND FINAL PAYMENT – On motion of Munsell, seconded by McNally, the Governing Body approved Change Order No. 1 reflecting a deduction of \$6,408.66, making a new contract construction amount of \$121,594.20, and final payment to the contractor, ProSeal, Inc., of El Dorado, Kansas, in the amount of \$121,594.20 for the 2019 Asphalt Rejuvenation Project. Motion carried.

DISPOSITION OF BIDS – STREET MATERIALS – On motion of Munsell, seconded by McNally, the Governing Body approved staff recommendation to award the bid for the purchase of AB-3 Limestone Rock and 3/4 Clean Rock for a period of January 1st through December 31st, 2020, with the option to renew the contract for two (2) additional one (1) year periods to the low bidder meeting specifications, Kunshek Chat & Coal, Inc., of Pittsburg, Kansas, based on their low bid of \$8.23 per ton for AB-3 Limestone Rock and \$11.13 per ton for 3/4 Clean Rock and authorized the Mayor and City Clerk to execute the contract documents once prepared. Motion carried.

DISPOSITION OF BIDS – READY MIX CEMENT / FLOWABLE FILL – On motion of Munsell, seconded by McNally, the Governing Body approved staff recommendation to award the bid for the purchase of Ready Mix Cement/Flowable Fill for a period of January 1st through December 31st, 2020, with the option to renew the contract for two (2) additional one (1) year periods to the low bidder, American Concrete Co., Inc., of Pittsburg, Kansas, based on their low bids of \$88.30 per cubic yard for 3500 psi concrete; \$90.40 per cubic yard for 4000 psi concrete; \$101.10 per cubic yard for high early strength concrete; \$67.10 per cubic yard for flowable fill; \$5.00 per cubic yard for hot water; and \$5.00 per cubic yard for 2% calcium chloride and authorized the Mayor and City Clerk to execute the contract documents once prepared. Motion carried.

DISPOSITION OF BIDS – DIRECTIONAL DRILLING – On motion of Munsell, seconded by McNally, the Governing Body approved staff recommendation to award the bid for the Directional Drilling of Water Line Pipe for the period of January 1st through December 31st, 2020, with the option to renew the contract for two (2) additional one (1) year periods to the lone bidder, Jim Radell Construction Co., Inc., of Pittsburg, Kansas, based on their bid of \$10.00 per linear foot for 3/4" Water Pipe; \$10.00 per linear foot for 1" Water Pipe; \$10.00 per linear foot for 2" Water Pipe; \$10.00 per linear foot for 4" Water Pipe; \$18.00 per linear foot for 6" Water Pipe; \$20.00 per linear foot for 8" Water Pipe; \$20.00 per linear foot for 10" Water Pipe; \$28.00 per linear foot for 12" Water Pipe; and \$40.00 per linear foot for 16" Water Pipe and authorized the Mayor and City Clerk to execute the contract documents once prepared. Motion carried.



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DISPOSITION OF BIDS – PULSAR PLUS CALCIUM HYPOCHLORITE – On motion of Munsell, seconded by McNally, the Governing Body approved staff recommendation to award the bid for purchase of Pulsar Plus Calcium Hypochlorite to Commercial Aquatics Services Inc., of Olathe, Kansas, for the period of January 1, 2020, through December 31, 2021, based on their bid of \$115.81 per 50 gallons. Motion carried.

ORDINANCE NO. G-1305 – On motion of Munsell, seconded by McNally, the Governing Body adopted Ordinance No. G-1305, amending Section 58-31 of the Pittsburg City Code to reduce the Parks and Recreation Advisory Board membership term lengths from a four-year term to a three-year term beginning January 1, 2020, and authorized the Mayor to sign the Ordinance on behalf of the City. Motion carried.

APPROPRIATION ORDINANCE – On motion of Munsell, seconded by McNally, the Governing Body approved the Appropriation Ordinance for the period ending November 26<sup>th</sup>, 2019, subject to the release of HUD expenditures when funds are received with the following roll call vote: Yea: Chenoweth, McNally, McNay, Munsell and O'Bryan. Motion carried.

DISPOSITION OF BIDS – EXCLUSIVE CONTRACT TOWING – On motion of Chenoweth, seconded by McNally, the Governing Body approved staff recommendation to award the bid for Exclusive Contract Towing Services to Larry Barrett Body, Frame and Towing, of Pittsburg, Kansas, for the period of January 1, 2020, through December 31, 2021, based on their bid of \$165 per vehicle tow and \$25.00 per day for vehicle storage. Motion carried.

ORDINANCE NO. G-1304 – On motion of Chenoweth, seconded by McNally, the Governing Body adopted Ordinance No. G-1304, amending Section 58-2 of the Pittsburg City Code regarding the Pittsburg Area Farmers Market Advisory Board to remove the qualifications that one (1) appointee be a current member of Growing Growers program at the Southeast Kansas Career and Technical Education Center of Crawford County and one (1) appointee shall be a member of the Downtown Advisory Board and include two (2) appointees as members at-large from the community, and authorized the Mayor to sign the Ordinance on behalf of the City. Motion carried.

PUBLIC HEARING - 2019 BUDGET AMENDMENT – Following Public Hearing, on motion of Munsell, seconded by O'Bryan, the Governing Body approved the amended use of 2019 funds from the Special Parks and Recreation and Section 8 Housing Funds in the 2019 budget. Motion carried.

SPECIAL PRESENTATION – FARMERS' MARKET ADVISORY BOARD ANNUAL REPORT - Brad Snow, Chairman of the Pittsburg Farmers' Market Advisory Board, provided the end of year update to the City Commission on the 2019 Farmers' Market season.

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E & J INVESTMENTS (RENU MEDICAL & SPA) PROJECT – On motion of McNally, seconded by Munsell, the Governing Body approved the recommendation of the Economic Development Advisory Committee (EDAC) to contribute \$100,000 in non-repayable funds to E & J Investments (Dr. Jacqueline Youtsos) for the construction of a new medical facility on East 530<sup>th</sup> Street, contingent on the total value of the project exceeding \$1 million and the property being annexed into the City limits, and authorized the Mayor to sign the appropriate documents on behalf of the City. Motion carried.

RIGGS CHIROPRACTIC REQUEST – On motion of McNay, seconded by Munsell, the Governing Body approved the recommendation of the Economic Development Advisory Committee (EDAC) to contribute 10% of the total project value (with the City's portion not to exceed \$75,000) in non-repayable funds and a loan in the amount of \$12,000 to be repaid to the City over three years at 5% interest to Drs. Kayla and Tyler Riggs for the rehabilitation of the property at 4th Street and the Highway 69 Bypass to house their medical facility, and authorized the Mayor to sign the appropriate documents on behalf of the City. Motion carried.

CDL ELECTRIC PROJECT – On motion of Chenoweth, seconded by McNally, the Governing Body approved the recommendation of the Economic Development Advisory Committee (EDAC) to provide \$43,000 or 10% (whichever is less) in non-repayable funds to CDL Electric for the renovation of the properties located at 508 and 510 North Broadway, with the funds to be provided to CDL upon completion of the project, and authorized the Mayor to sign the appropriate documents on behalf of the City. Motion carried.

BLOCK 22 FORGIVABLE LOAN TIMELINE ADJUSTMENT – On motion of O'Bryan, seconded by McNay, the Governing Body approved the recommendation of the Economic Development Advisory Committee (EDAC) to update the timeline associated with the forgiveness of the \$300,000 loan to the Pittsburg State University Foundation for the buildout of the Block 22 restaurant and retail spaces from the years of 2019-2023 to the years of 2020-2024, with the first loan payment to be due on November 1<sup>st</sup>, 2020, with all other loan details to remain may unchanged, and authorized the Mayor to sign the appropriate documents on behalf of the City. Motion carried with Munsell voting in opposition.

NON-DISCRIMINATION ORDINANCE and ORDINANCE NO. G-1306 – Following discussion, on motion of Chenoweth, seconded by McNally, the Governing Body agreed to fill the positions on the Human Relations Commission, with the Human Relations Commission to investigate alleged discrimination and adopted Ordinance No. 1306, amending Sections 2-331 and 2-332 of the Pittsburg City Code to include definitions of gender identity and sexual orientation and provide that the City's Human Relations Commission may investigate complaints filed by individuals alleging to have been discriminated against on the basis of gender identity or sexual orientation. Motion carried.



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LETTER AGREEMENT – On motion of Chenoweth, seconded by O'Bryan, the Governing Body approved a letter agreement for the City Manager for calendar year 2020, and authorized the Mayor to sign the Agreement on behalf of the City. Motion carried with Munsell voting in opposition.

NON-AGENDA REPORTS & REQUESTS –

SALES TAX UPDATE – Director of Finance Jamie Clarkson announced that sales tax collections are up 4.7%.

BROOKS RETIREMENT - Director of Human Resources Michelle Ducre announced that on Wednesday, November 27<sup>th</sup>, 2019, Public Utilities employee John Brooks is retiring after 44 years of service to the City of Pittsburg.

OUTGOING COMMISSIONERS – Commissioners Chenoweth and McNally were recognized for their service as members of the Pittsburg City Commission.

ADJOURNMENT: On motion on Munsell, seconded by Chenoweth, the Governing Body adjourned the meeting at 6:43 p.m. Motion carried.

  
Dawn McNay, Mayor

ATTEST:

  
Tammy Nagel, City Clerk

