

OFFICIAL MINUTES
OF THE MEETING OF THE
GOVERNING BODY OF THE
CITY OF PITTSBURG, KANSAS
December 10th, 2019

A Regular Session of the Board of Commissioners was held at 5:30 p.m. on Tuesday, December 10th, 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: Dawn McNay and Chuck Munsell. Commissioners Sarah Chenoweth and Dan McNally were absent.

Mayor O'Bryan led the flag salute.

SWEARING IN OF NEWLY-ELECTED AND RE-ELECTION COMMISSIONERS – The City Clerk administered the Oath of Office to re-elected Commissioner Chuck Munsell and newly-elected Commissioners Cheryl Brooks and Larry Fields.

ELECTION OF MAYOR – On motion of O'Bryan, seconded by Munsell, the Governing Body elected Dawn McNay as Mayor of the City of Pittsburg. Motion carried.

SWEARING IN OF MAYOR – The City Clerk administered the Oath of Office to Mayor McNay and seated her.

ELECTION OF PRESIDENT OF THE BOARD – On motion of Brooks, seconded by Munsell, the Governing Body elected Commissioner Chuck Munsell as the President of the Board of Commissioners. Motion carried.

SWEARING IN OF PRESIDENT OF THE BOARD – The City Clerk administered the Oath of Office to President of the Board Munsell and seated him.

PUBLIC INPUT –

Vonnie Corsini, 1045 East 520th Avenue, thanked the members of the Governing Body and encouraged them to continue supporting heritage tourism.

Sarah Chenoweth, Pittsburg resident, spoke in opposition to Governing Body members appointing their spouses to serve on City boards and committees.

Caleb Farabi, representing the Pepsi Cola Bottling Company of Pittsburg, spoke regarding business relationship issues between the City of Pittsburg and the Pepsi Cola Bottling Company of Pittsburg.

James Bean, owner of Bean's Towing, 9436 Northeast 50th, Weir, Kansas, voiced concerns regarding the City's recent award of the bid for the Exclusive Tow Contract.

APPROVAL OF MINUTES – On motion of Brooks, seconded by Munsell, the Governing Body approved the November 26th, 2019, City Commission Meeting minutes as presented. Motion carried.

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ORDINANCE NO. G-1307 – On motion of Brooks, seconded by Munsell, the Governing Body adopted Ordinance No. G-1307, annexing land into the limits and boundaries of the City of Pittsburg, Kansas, pursuant to K.S.A. 12-520c, as amended, and authorized the Mayor to sign the Ordinance on behalf of the City. Motion carried.

OFFICIAL DEPOSITORIES – On motion of Brooks, seconded by Munsell, the Governing Body approved staff recommendation to designate BMO Harris Bank, Community National Bank, Commerce Bank, Equity Bank, GNBank, Labette Bank, and Landmark Bank as official City depositories. Motion carried.

OFFICIAL NEWSPAPER – On motion of Brooks, seconded by Munsell, the Governing Body approved staff recommendation to designate The Morning Sun as the official City newspaper. Motion carried.

CEREAL MALT BEVERAGE LICENSES – On motion of Brooks, seconded by Munsell, the Governing Body approved the applications submitted by Dillon's #108 (2600 North Broadway), Snak Atak (1101 East 4th Street), Main Street Axe Company (215 South Broadway), the Knights of Columbus (407 East 11th Street), the Pitt Stop (902 South Joplin), Horton's Pizza Plus (1601 East 4th Street), and Aldi #89 (3109 North Broadway) to sell Cereal Malt Beverages for the year 2020 and directed the City Clerk to issue the licenses. Motion carried.

SOUTHEAST KANSAS RECYCLING CENTER FORGIVAGALE LOAN – On motion of Brooks, seconded by Munsell, the Governing Body approved the Economic Development Advisory Committee's recommendation to forgive \$3,000 of the Southeast Kansas Recycling Center's 2019 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.

SURPLUS VEHICLES – On motion of Brooks, seconded by Munsell, the Governing Body approved staff request to declare certain vehicles as surplus and authorized staff to donate the vehicles to the USD #250 Auto Tech Program. Motion carried.

DISPOSITION OF BIDS – SANITARY / STORM SEWER LINE DEEP REPAIRS – On motion of Brooks, seconded by Munsell, the Governing Body approved staff recommendation to award the bid for Sanitary / Storm Sewer Line Deep Repairs 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 Jim Radell Construction Co., Inc., of Pittsburg, based on their bid of \$110.00 per hour for Backhoe & Operator; \$135.00 per hour for Excavator & Operator; \$70.00 per hour for Dump Truck & Operator; \$45.00 per hour for Truck; \$45.00 per hour for Labor; \$50.00 per hour for Supervisor; \$290.00 per hour for Crew Hour; and \$400.00 per job for Trench Box and authorized the Mayor and City Clerk to execute the contract documents once prepared. Motion carried.

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APPOINTMENT – FARMERS’ MARKET ADVISORY BOARD – On motion of Brooks, seconded by Munsell, the Governing Body appointed Matthew DeMoss to fill an unexpired term as a member of the Farmer’s Market Advisory Board effective January 1, 2020, and concluding on December 31, 2021. Motion carried.

APPOINTMENT – ACTIVE TRANSPORTATION ADVISORY BOARD – On motion of Brooks, seconded by Munsell, the Governing Body appointed Debra L. Anthony to fill an unexpired term as a member of the Active Transportation Advisory Board effective January 1, 2020, and concluding on December 31, 2020. Motion carried.

APPOINTMENT - BUILDING CODE BOARD OF APPEALS/BUILDING TRADES REVIEW BOARD – On motion of Brooks, seconded by Munsell, the Governing Body appointed Master Electrician Brent Linder to the Building Code Board of Appeals/Building Trades Review Board effective January 1, 2020, and concluding on December 31, 2022. Motion carried.

APPOINTMENTS – PLANNING COMMISSION/BOARD OF ZONING APPEALS – On motion of Brooks, seconded by Munsell, the Governing Body appointed Mike Wilber and Derek Heikes to the Planning Commission/Board of Zoning Appeals to serve terms effective January 1, 2020 and concluding on December 31, 2022. Motion carried.

APPROPRIATION ORDINANCE – On motion of Brooks, seconded by Munsell, the Governing Body approved the Appropriation Ordinance for the period ending November 26th, 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 – UNLEADED GASOLINE AND DIESEL FUEL – On motion of O’Bryan, seconded by Munsell, the Governing Body approved staff recommendation to award the bid for the purchase of Unleaded Gasoline and Diesel Fuel for the period of January 1 through December 31, 2020, with the option to renew the contract for two (2) additional one (1) year periods to Petroleum Traders Corporation, of Ft. Wayne, Indiana, with a cost above the base price of - \$0.0078 per gallon for both Unleaded Gasoline and Diesel Fuel for the Central Fuel Station Tanks and authorized the Mayor and City Clerk to execute the contract documents once prepared. Motion carried.

DISPOSITION OF BIDS – WATER TREATMENT PLANT CHEMICALS – On motion of O’Bryan, seconded by Fields, the Governing Body approved staff recommendation to award the bid for the purchase of chemicals for use at the Water Treatment Plant for the period of January 1 through December 31, 2020 with the option to renew the contract for two (2) additional one (1) year periods to the low bidders meeting specs, Lime (Calcium Oxide) to US Lime Company - St. Clair, Marble City, Oklahoma, for \$200.96 per ton; Liquid Chlorine to DPC Enterprise, of Wichita, Kansas, for \$34.20 per 100 pounds; Liquid Polymeric Phosphate to Carus Corporation, of Peru, Illinois, for \$0.53 per pound; Aluminum Sulfate to Brenntag Mid-South, of Springfield, Missouri, for \$37.65 per 100 pounds; Polymer to Brenntag Southwest, of Nowata, Oklahoma, for \$0.565 per pound; and Liquid Carbon Dioxide to Praxair, Inc., of Burr Ridge, Illinois, for \$119.00 per ton and authorize the Mayor and City Clerk to execute the contract documents once prepared. Motion carried.

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DISPOSITION OF BIDS – WASTEWATER TREATMENT PLANT CHEMICALS – On motion of Brooks, seconded by O'Bryan, the Governing Body approved staff recommendation to award the bid for the purchase of chemicals for use by the Wastewater Treatment Plant for a period of January 1 through December 31, 2020 with the option to renew the contract for two (2) additional one (1) year periods to the low bidders meeting specs, US Lime Company - St. Clair, of Marble City, Oklahoma, based on their low bid of \$200.96 per ton for Lime (Calcium Hydrate) and Polydyne, Inc., of Riceboro, Georgia, based on their low bid of \$1.19 per pound for Polymer and authorized the Mayor and City Clerk to execute the contract documents once prepared. Motion carried.

DISPOSITION OF BIDS – PARKS AND RECREATION SHIRTS – On motion of Brooks, seconded by O'Bryan, the Governing Body approved staff recommendation to award the 2020-2021 Tee Shirt bid to Express Press, of Springfield, Missouri. Motion carried.

COX INTERNSHIP REPORT - James Cox provided a report on his experience as an administrative intern with the City of Pittsburg.

FLESKE COST SHARING REQUEST – On motion of O'Bryan, seconded by Brooks, the Governing Body approved the recommendation of the Economic Development Advisory Committee (EDAC) to allocate up to, and not to exceed, \$9,360 to Mr. John Fleske, the owner of the property located at 710 North Broadway, to reinforce the northern wall of his property that will be exposed following the demolition of the Land Bank property located at 716 North Broadway, with the stipulation that the work conform to existing Pittsburg Downtown Design Standards, and authorized the Mayor to sign the appropriate documents on behalf of the City. Motion carried.

APPOINTMENTS - BUILDING CODE BOARD OF APPEALS/BUILDING TRADES REVIEW BOARD – On motion of Munsell, seconded by Fields, the Governing Body appointed Jeff Brooks (Master Plumber) and Bill Warlop (lay member) to terms on the Building Code Board of Appeals/Building Trades Review Board effective January 1, 2020 and concluding on December 31, 2022. Motion carried.

Applicants Jeff Brooks, Bob Gilmore, and Bill Warlop spoke to the Governing Body prior to the appointments.

APPOINTMENTS - DOWNTOWN ADVISORY BOARD – On motion of O'Bryan, seconded by Munsell, the Governing Body appointed Chris Goddard (downtown resident), Sydney Anselmi (hospitality industry), Denise Grasso (at-large) and Denise Loy (at-large) to the Downtown Advisory Board effective January 1, 2020, and concluding on December 31, 2021. Motion carried.

Applicants Denise Grasso, Heather Horton, Michael Fienen, Sarah Chenoweth, Stephanie Powers, Sydney Anselmi, and Xavier Sheehy spoke to the Governing Body prior to the appointments.

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APPOINTMENTS - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE – On motion of Brooks, seconded by Fields, the Governing Body appointed Rick Baden, John Clark and Rebecca Light to the Economic Development Advisory Committee (EDAC) effective January 1, 2020, and concluding on December 31, 2022. Motion carried.

Applicants Jeff Brooks, John Clark, Gerry Dennett, and Rebecca Light spoke to the Governing Body prior to the appointments.

APPOINTMENTS - FARMERS' MARKET ADVISORY BOARD – On motion of O'Bryan, seconded by Munsell, the Governing Body appointed Chuckie Hessong (K-State Research and Extension representative), Alicia Shoemaker (Live Well/Eat Well Crawford County representative), Adaven Scronce (at-large member) and Stephanie Watts (at-large member) to the Farmers' Market Advisory Board effective January 1, 2020, and concluding on December 31, 2022. Motion carried.

Applicants Adaven Scronce, Matt O'Malley, and Alicia Shoemaker spoke to the Governing Body prior to the appointments.

The Governing Body recessed at 7:06 p.m. and reconvened into Regular Session at 7:13 p.m.

APPOINTMENTS - PARKS AND RECREATION ADVISORY BOARD – On motion of Fields, seconded by Brooks, the Governing Body appointed Brad Hanson and Elizabeth Hayes to the Parks and Recreation Advisory Board effective January 1, 2020, and concluding on December 31, 2022. Motion carried.

Applicants Brad Hanson and Xavier Sheehy spoke to the Governing Body prior to the appointments.

ORDINANCE NO. S-1066 – Commissioner Brooks moved to table consideration of Ordinance No. S-1066, fixing the salary and compensation of the officers and employees of the City, to allow Governing Body members additional time to study the proposed Ordinance. The motion was seconded by Munsell. Motion failed, with Fields, McNay and O'Bryan voting in opposition.

ORDINANCE NO. S-1066 – On motion of O'Bryan, seconded by McNay, the Governing Body adopted Ordinance No. S-1066, amending Ordinance No. S-1058, fixing the salary and compensation of the officers and employees of the City of Pittsburg, Kansas. Motion carried with Brooks and Munsell voting in opposition.

DATE FOR SECOND CITY COMMISSION MEETING IN DECEMBER – On motion of O'Bryan, seconded by Munsell, the Governing Body cancelled the December 24th, 2019, City Commission Meeting. Motion carried.

NON-AGENDA REPORTS AND REQUESTS:

PURPOSE AND FORMAT OF PITTSBURG CITY COMMISSION MEETINGS - Mayor McNay discussed the proposed purpose and format of Pittsburg City Commission Meetings. It was the consensus of the Governing Body to hold a Study Session on January 25th, 2020, to further discuss the information provided by Mayor McNay, along with other information.

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CASINO REVENUES – City Manager Daron Hall indicated that the casino revenues continue to increase.

RESPONSE FROM PUBLIC INPUT – FARABI – City Manager Daron Hall explained that bids were recently received for the purchase of beverages by City departments. Bids are currently being reviewed. Mr. Hall indicated that he would look into the legal aspect of Mr. Farabi's claim.

RESPONSE FROM PUBLIC INPUT – TOW CONTRACT – Mr. Hall indicated that the City is at the mercy of the bids it received for the tow contract. The notice to bidders for the tow contract was published in the newspaper and was posted on the City's web page.

LOCAL PREFERENCE – Commissioner Munsell suggested the Local Preference Policy be revisited.

ASPHALT PLANT – Commissioner Fields suggested the purchase of a small batch asphalt plant be included in the future plans for the City.

PUBLIC INPUT – Commissioner Brooks inquired if the Public Input portion of the meeting should be moved to the end of the agenda. Mayor McNay suggested this be discussed during the January 25th, 2020, Study Session.

EXECUTIVE SESSION - On motion of Munsell, seconded by Brooks, 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 2019 evaluation and 2020 employment terms and conditions for the City Manager. Motion carried.

The Governing Body recessed into Executive Session at 7:55 p.m.

The Governing Body reconvened into Regular Session at 8:39 p.m.

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

ADJOURNMENT: On motion on Munsell, seconded by Brooks, the Governing Body adjourned the meeting at 8:39 p.m. Motion carried.




Dawn McNay, Mayor


Tammy Nagel, City Clerk