

OFFICIAL MINUTES  
OF THE MEETING OF THE  
GOVERNING BODY OF THE  
CITY OF PITTSBURG, KANSAS  
December 15<sup>th</sup>, 2020

---

A Special Session of the Board of Commissioners was held at 5:30 p.m. on Tuesday, December 15<sup>th</sup>, 2020, in the City Commission Room, located in the Law Enforcement Center, 201 North Pine, with Mayor Dawn McNay presiding and the following members present: Cheryl Brooks, Larry Fields, Chuck Munsell and Patrick O'Bryan.

FLAG SALUTE – Mayor Dawn McNay led the flag salute.

INVOCATION – Mark Chambers, on behalf of the First United Methodist Church, provided an invocation.

PROCLAMATION – Mayor McNay proclaimed Tuesday, December 15<sup>th</sup>, 2020, as Nancy Evans Day in Pittsburg.

ELECTION OF MAYOR – On motion of Brooks, seconded by McNay, the Governing Body elected Chuck Munsell as Mayor. Motion carried.

SWEARING IN OF MAYOR – The City Clerk administered the Oath of Office to Mayor Munsell.

PRESENTATION OF CEREMONIAL GAVEL – Newly elected Mayor Munsell presented outgoing Mayor Dawn McNay with a ceremonial gavel.

ELECTION OF PRESIDENT OF THE BOARD – On motion of Munsell, seconded by O'Bryan, the Governing Body elected Cheryl Brooks as President of the Board. Motion carried.

SWEARING IN OF PRESIDENT OF THE BOARD – The City Clerk administered the Oath of Office to President of the Board Cheryl Brooks.

APPROVAL OF MINUTES – On motion of Fields, seconded by O'Bryan, the Governing Body approved the November 24<sup>th</sup>, 2020, City Commission Meeting minutes as presented. Motion carried.

OFFICIAL DEPOSITORIES – On motion of Fields, seconded by O'Bryan, 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 Fields, seconded by O'Bryan, the Governing Body approved staff recommendation to designate The Morning Sun as the official City newspaper. Motion carried.

LEAGUE OF KANSAS MUNICIPALITIES DUES – On motion of Fields, seconded by O'Bryan, the Governing Body approved the 2021 dues to the League of Kansas Municipalities in the amount of \$9,045.07. Motion carried.

OFFICIAL MINUTES  
OF THE MEETING OF THE  
GOVERNING BODY OF THE  
CITY OF PITTSBURG, KANSAS  
December 15<sup>th</sup>, 2020

---

**PURCHASE OF VEHICLE – PUBLIC UTILITIES DEPARTMENT** – On motion of Fields, seconded by O'Bryan, the Governing Body approved staff request to waive the City bid policy to purchase one (1) new 2021 Ford EcoSport S 4WD for use by the Public Utilities Facilities Maintenance Division, to purchase the vehicle through the local dealership of Mike Carpino Ford in the amount of \$22,550.00 in lieu of State contract with National Joint Purchasing Alliance in the amount of \$21,904.00, and authorized the issuance of the necessary purchase requisition. Motion carried.

**2020 SURFACE PRESERVATION PROJECT CHANGE ORDER AND FINAL PAYMENT** – On motion of Fields, seconded by O'Bryan, the Governing Body approved Change Order No. 1, reflecting an increase of \$13,022.77, making a new contract construction amount of \$192,331.14, and final payment in the amount of \$44,560.80 to Heckert Construction Co., Inc., of Pittsburg, for the 2020 Surface Preservation Project. Motion carried.

**2020 ASPHALT REJUVENATION PROJECT FINAL PAYMENT** – On motion of Fields, seconded by O'Bryan, the Governing Body approved final payment to ProSeal, Inc., of El Dorado, Kansas, in the amount of \$75,727.54 for the 2020 Asphalt Rejuvenation Project. Motion carried.

**CONSENT AND ACKNOWLEDGEMENT OF ASSIGNMENTS – TURNKEY DEVELOPERS – CREEKSIDE EAST PROJECT** – On motion of Fields, seconded by O'Bryan, the Governing Body approved staff recommendation to accept the Consent and Acknowledgement of Assignments for rights to payments related to the Creekside East housing development, as representatives of Turnkey Developers, LLC, have assigned their rights to payments received from the Rural Housing Incentive District (RHID) as well as infrastructure development costs associated with the agreement from the Economic Development Advisory Committee (EDAC) to be paid directly to the Bank of Commerce until their loan is satisfied, and authorized the Mayor to sign the Consent and Acknowledgement of Assignment documents on behalf of the City. Motion carried.

**LAND BANK BOARD OF TRUSTEES** - On motion of Fields, seconded by O'Bryan, the Governing Body approved staff recommendation to reappoint Tom Spurgeon to a third three-year term effective January 1, 2021, and concluding on December 31, 2023, and to appoint Elizabeth "May" Smith to an unexpired term effective immediately and concluding on December 31, 2022, as members of the Land Bank Board of Trustees. Motion carried.

**SUSTAINABILITY ADVISORY COMMITTEE** – On motion of Fields, seconded by O'Bryan, the Governing Body approved staff recommendation to reappoint Denise Fitzpatrick and James Triplett to second two-year terms and to appoint Andrew Ouellette, Nancy Scott, and George Weeks to first two-year terms as members of the Sustainability Advisory Committee effective January 1, 2021, and to conclude on December 31, 2022. Motion carried.



OFFICIAL MINUTES  
OF THE MEETING OF THE  
GOVERNING BODY OF THE  
CITY OF PITTSBURG, KANSAS  
December 15<sup>th</sup>, 2020

---

MEMORIAL AUDITORIUM ADVISORY BOARD – On motion of Fields, seconded by O'Bryan, the Governing Body approved staff recommendation to reappoint Pam Henderson, Mike Lewark and Andra Stefanoni to second four-year terms as members of the Memorial Auditorium Advisory Board effective January 1, 2021, and to conclude on December 31, 2024. Motion carried.

ACTIVE TRANSPORTATION ADVISORY BOARD – On motion of Fields, seconded by O'Bryan, the Governing Body approved staff recommendation to appoint Debra Anthony, Erin Fletcher, and Leah Gagnon to first four-year terms as members of the Active Transportation Advisory Board effective January 1, 2021, and concluding on December 31, 2024. Motion carried.

AIRPORT ADVISORY COMMITTEE – On motion of Fields, seconded by O'Bryan, the Governing Body approved staff recommendation to appoint Matthew Kassawara to fill an unexpired term as a member of the Airport Advisory Committee effective immediately and concluding on December 31, 2022. Motion carried.

BUILDING CODE BOARD OF APPEALS/BUILDING TRADES REVIEW BOARD – On motion of Fields, seconded by O'Bryan, the Governing Body approved staff recommendation to reappoint Paul Chappell (Building Contractor), Brian Coomes (Engineer) and Shannon Nicklaus (Mechanical) to second three-year terms and to appoint Melissa Bow-Richardson (Architect) to a first three-year term as members of the Building Code Board of Appeals/Building Trades Review Board effective January 1, 2021, and concluding on December 31, 2023. Motion carried.

PLANNING COMMISSION/BOARD OF ZONING APPEALS – On motion of Fields, seconded by O'Bryan, the Governing Body approved staff recommendation to reappoint Kyle Michael to a second three-year term as a member of the Planning Commission/Board of Zoning Appeals effective January 1, 2021, and concluding on December 31, 2023. Motion carried.

APPROPRIATION ORDINANCE – On motion of Fields, seconded by O'Bryan, the Governing Body approved the Appropriation Ordinance for the period ending December 15<sup>th</sup>, 2020, subject to the release of HUD expenditures when funds are received with the following roll call vote: Yea: Brooks, Fields, McNay, Munsell and O'Bryan. Motion carried.

CEREAL MALT BEVERAGE LICENSES – On motion of Brooks, seconded by McNay, the Governing Body approved the applications submitted by Dollar General Store #18856 (820 West 4<sup>th</sup> Street), Dollar General Store #13065 (2004 South Rouse), Dollar General Store #3785 (2810 North Broadway), Commodore Barry Corporation - Knights of Columbus (407 East 11<sup>th</sup> Street), Aldi #89 (3109 North Broadway), Walgreens #09049 (1911 North Broadway), Horton's Pizza Plus (1601 East 4<sup>th</sup> Street), Main Street Axe Company (two licenses - one for consumption on the premises and one not for consumption on the premises at 216 South Broadway), Pitt Stop (902 South Joplin), Dillons (2600 North Broadway), and Snak Atak (1101 East 4<sup>th</sup> Street) to sell Cereal Malt Beverages for the year 2021 and directed the City Clerk to issue the licenses. Motion carried.



OFFICIAL MINUTES  
OF THE MEETING OF THE  
GOVERNING BODY OF THE  
CITY OF PITTSBURG, KANSAS  
December 15<sup>th</sup>, 2020

---

PITTSBURG PUBLIC LIBRARY ANNUITY USE – On motion of McNay, seconded by Brooks, the Governing Body approved staff request to use up to \$40,000 in funds from the Pittsburg Public Library building annuity to replace the dry sprinkler system at the library. Motion carried.

MEMORIAL AUDITORIUM ADVISORY BOARD – On motion of Fields, seconded by McNay, the Governing Body appointed Ginger Cawley to fill an unexpired term effective immediately and concluding on December 31, 2022, and Cooper Neil to a first term effective January 1, 2021, and concluding on December 31, 2024, as members of the Memorial Auditorium Advisory Board. Motion carried.

PLANNING COMMISSION/BOARD OF ZONING APPEALS – On motion of O'Bryan, seconded by Fields, the Governing Body appointed Martin Dickinson to a first term effective January 1, 2021, and concluding on December 31, 2023, as members of the Planning Commission/Board of Zoning Appeals. Motion carried.

REQUEST TO CHANGE ZONING – On motion of McNay, seconded by O'Bryan, the Governing Body approved the recommendation of the Planning Commission/Board of Zoning Appeals, to approve the request submitted by Shari Mendez to change the existing zoning of the property located at 102 East 16th Street from R-1C Single Family Residential to CP-2 Planned General Commercial to allow a parking lot to be constructed, and directed staff to prepare the necessary ordinance. Motion carried.

MODIFICATION TO FIRE DEPARTMENT RESCUE 7 PURCHASE SPECIFICATIONS – On motion of McNay, seconded by O'Bryan, the Governing Body approved staff recommendation to remove the pump, tank, hose, and all other associated items from the specifications of the new rescue unit and use the funds saved by making this modification to purchase other equipment that will directly support the Fire Department's rescue capabilities. Motion carried with Brooks and Munsell voting in opposition.

ALLOCATION OF FUNDS - COMMUNITY DEVELOPMENT BLOCK GRANT CORONAVIRUS RESPONSE SUPPLEMENT (CDBG-CV) – On motion of Fields, seconded by Brooks, the Governing Body approved the allocation of funds from the CDBG-CV grant program from the Kansas Department of Commerce with The Lord's Diner, FLAG Church and Wesley House each receiving \$11,666.00 in funding to support programs that provide access to nutritious foods during the COVID-19 crisis, particularly programs supporting children, and authorized the Mayor to sign the necessary documents on behalf of the City. Motion carried.

RESOLUTION NO. 1240 – On motion of O'Bryan, seconded by Fields, the Governing Body adopted Resolution No. 1240, amending Resolution No. 1238, dated October 13, 2020, determining that the City of Pittsburg is considering establishing a Rural Housing Incentive District within the City to include property annexed into the City following the adoption of Resolution No. 1238, and authorized the Mayor to sign the Resolution on behalf of the City. Motion carried.

OFFICIAL MINUTES  
OF THE MEETING OF THE  
GOVERNING BODY OF THE  
CITY OF PITTSBURG, KANSAS  
December 15<sup>th</sup>, 2020

---

ORDINANCE NO. G-1317 – On motion of Brooks, seconded by Munsell, the Governing Body tabled consideration of Ordinance No. G-1317, amending Sections 2-102, 2-103, 2-104 and 2-105 of the Pittsburg City Code to update and streamline the uniform procedures and platting requirements for subdivisions including the pre-platting conference, preliminary plat, final plat and short form plat, to the January 12<sup>th</sup>, 2021, City Commission Meeting to allow staff time to provide the red-lined version of the documents to Governing Body members and to allow time to receive additional input regarding the proposed changes. Motion carried.

ORDINANCE NO. S-1076 – On motion of McNay, seconded by O'Bryan, the Governing Body approved Ordinance No. S-1076, 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.

EXECUTIVE SESSION - On motion of O'Bryan, seconded by Fields, the Governing Body recessed into Executive Session for forty-five minutes to discuss personnel matters of non-elected personnel pursuant to K.S.A. 75-4319(b)(1), to discuss the 2020 evaluation and 2021 employment terms and conditions for the City Manager, with the meeting to resume in the City Commission Room. Motion carried.

The Governing Body recessed into Executive Session at 7:07 p.m.

The Governing Body reconvened into Regular Session at 7:52 p.m. Absent: McNay and O'Bryan.

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

EXECUTIVE SESSION - On motion of Brooks, seconded by Fields, the Governing Body recessed into Executive Session for fifteen minutes to discuss personnel matters of non-elected personnel pursuant to K.S.A. 75-4319(b)(1), to discuss the 2020 evaluation and 2021 employment terms and conditions for the City Manager, with the meeting to resume in the City Commission Room. Motion carried. Absent: McNay and O'Bryan.

The Governing Body recessed into Executive Session at 7:54 p.m.

The Governing Body reconvened into Regular Session at 8:06 p.m.

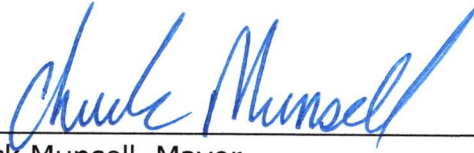
Mayor Munsell announced that no decisions were made and no votes were taken during the Executive Session.



OFFICIAL MINUTES  
OF THE MEETING OF THE  
GOVERNING BODY OF THE  
CITY OF PITTSBURG, KANSAS  
December 15<sup>th</sup>, 2020

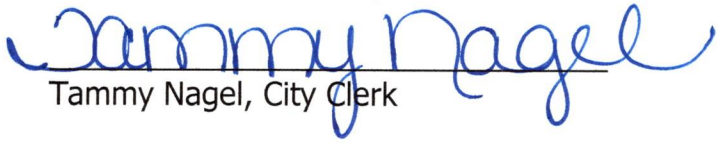
---

ADJOURNMENT: On motion of O'Bryan, seconded by Brooks, the Governing Body adjourned the meeting at 8:06 p.m. Motion carried.



\_\_\_\_\_  
Chuck Munsell, Mayor

ATTEST:



\_\_\_\_\_  
Tammy Nagel, City Clerk

