

OFFICIAL MINUTES  
OF THE MEETING OF THE  
GOVERNING BODY OF THE  
CITY OF PITTSBURG, KANSAS  
December 14, 2021

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A Regular Session of the Board of Commissioners was held at 5:30 p.m. on Tuesday, December 14<sup>th</sup>, 2021, in the City Commission Room, located in the Law Enforcement Center, 201 North Pine, with President of the Board Cheryl Brooks presiding and the following members present: Larry Fields, Dawn McNay, and Patrick O'Bryan. Mayor Chuck Munsell participated by phone.

President of the Board Brooks led the flag salute.

RECOGNITION OF OUTGOING COMMISSIONERS – President of the Board Brooks presented outgoing Commissioners Larry Fields and Patrick O'Bryan with a token of appreciation.

SWEARING IN OF NEWLY-ELECTED AND RE-ELECTION COMMISSIONERS – The City Clerk administered the Oath of Office to re-elected Commissioner Dawn McNay and newly-elected Commissioners Stu Hite and Ron Seglie.

ELECTION OF MAYOR – On motion of McNay, seconded by Hite, the Governing Body elected Cheryl Brooks as Mayor of the City of Pittsburg. Motion carried.

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

ELECTION OF PRESIDENT OF THE BOARD – On motion of Brooks, seconded by Seglie, the Governing Body elected Commissioner Ron Seglie as the President of the Board of Commissioners. Motion carried with McNay and Hite abstaining.

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

PUBLIC INPUT –

INVOCATION – Isaac Jung, on behalf of the College Heights United Methodist Church, provided an invocation.

"ALL IS CALM" – John Mazuerk announced that the Pittsburg Community Theater will present "All is Calm" on December 17<sup>th</sup>, 18<sup>th</sup>, and 19<sup>th</sup>, 2021, at Memorial Auditorium. A portion of the cast presented songs from the production.

APPROVAL OF MINUTES – On motion of McNay, seconded by Hite, the Governing Body approved the November 23, 2021, City Commission Meeting minutes as presented. Motion carried.

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**APPROVAL OF MINUTES** – On motion of McNay, seconded by Hite, the Governing Body approved the December 6, 2021, Special City Commission Meeting minutes as presented. Motion carried.

**ORDINANCE NO. G-1334** – On motion of McNay, seconded by Hite, the Governing Body adopted Ordinance No. G-1334, providing for the change of certain areas from R-1C, Single-Family Residential, to CP-2, Planned General Commercial, and amending and supplementing the Zoning District Boundary Map and Zoning Ordinance No. G-663, as amended, of the City of Pittsburg, Kansas (Request of the City of Pittsburg, for property located at 4th & Rouse), and authorized the Mayor to sign the Ordinance on behalf of the City. Motion carried.

**VACATION ORDER – TROXEL ROAD** – On motion of McNay, seconded by Hite, the Governing Body approved an Order vacating the West Half of Troxel Road, Troxel Subdivision of Lot 8, Brailey's Subdivision, submitted by 3P Development Group, LLC, and authorized the Mayor to sign the Order on behalf of the City. Motion carried.

**FARM LEASE** – On motion of McNay, seconded by Hite, the Governing Body approved the First Amended Farm Lease between the City of Pittsburg and Mr. Kenneth Biancarelli for the lease of all the tillable and grass land in Tracts 3, 4, 5, 5A located at the Atkinson Municipal Airport for a term of twelve months beginning January 1, 2022, and ending December 31, 2022, in the amount of \$8,147.70 and authorized the Mayor to sign the lease on behalf of the City. Motion carried.

**PLANNING COMMISSION/BOARD OF ZONING APPEALS REAPPOINTMENTS** – On motion of McNay, seconded by Hite, the Governing Body reappointed Mike Hanika to a first three-year term and reappointed Laura Klusener and Leah Posterick to second three-year terms as members of the Planning Commission/Board of Zoning Appeals effective January 1, 2022, and concluding on December 31, 2024. Motion carried.

**ECONOMIC DEVELOPMENT ADVISORY COMMITTEE REAPPOINTMENT** – On motion of McNay, seconded by Hite, the Governing Body reappointed Todd McKnight to a second three-year term as a member of the Economic Development Advisory Committee (EDAC) effective January 1, 2022, and concluding on December 31, 2024. Motion carried.

**TERMINATION AND RELEASE OF LEASE** – On motion of McNay, seconded by Hite, the Governing Body accepted the Termination and Release of Lease between the City of Pittsburg, Veritiv Operating Company and Pixelle Specialty Solutions, LLC, in regard to the property most recently leased to Rollsource located at 3004 North Rotary Terrace, and authorized the Mayor to sign the Termination and Release of Lease on behalf of the City. Motion carried.



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ENGINEERING AGREEMENT – OLSSON, INC. – On motion of McNay, seconded by Hite, the Governing Body approved staff recommendation to enter into an Engineering Agreement for Professional Services with Olsson, Inc., of Pittsburg, in an amount of \$41,000.00 in which Olsson, Inc. will perform contract document preparation, contract execution and administration services, and construction observation and inspection related to the project of sandblasting and repainting of the north water tower located at 22<sup>nd</sup> and Joplin and to provide an alternative for the sandblasting and repainting of the interior of the water tower located in the Northeast Industrial Park and authorized the Mayor and City Clerk to execute the Agreement on behalf of the City of Pittsburg. Motion carried.

GEORGIA STREET CHANNELS / CULVERT PROJECT - CHANGE ORDER NO. 6 – On motion of McNay, seconded by Hite, the Governing Body approved Change Order No. 6, reflecting a decrease of \$1,556.60, making a new contract construction amount of \$471,586.56, and final payment in the amount of \$55,519.12 to Heck & Wicker, Inc., of Parsons, Kansas, for the Georgia Street Channels / Culvert Project. Motion carried.

DISPOSITION OF BIDS – GENERATOR INSPECTION AND MAINTENANCE – On motion of McNay, seconded by Hite, the Governing Body awarded the bid for the Annual Fixed Location Generator Inspection and Maintenance Contract for the period of January 1, 2022, to December 31, 2024, to CDL Electric Company, Inc., of Pittsburg, based on their low bid of \$6,887.00 annually and authorized the Mayor and City Clerk to execute the contract documents once prepared. Motion carried.

DISPOSITION OF BIDS – LIQUID CHLORINE – On motion of McNay, seconded by Hite, the Governing Body awarded the bid for Liquid Chlorine for use at the Water Treatment Plant for the period of January 1, 2022, to December 31, 2022, to Brenntag Southwest, Inc., of Nowata, Oklahoma, based on their low bid of \$87.08/100 lb, and authorized the Mayor and City Clerk to execute contract documents once prepared. Motion carried.

DISPOSITION OF BIDS – LIQUID POLYMERIC PHOSPHATE – On motion of McNay, seconded by Hite, the Governing Body awarded the bid for Liquid Polymeric Phosphate for use at the Water Treatment Plant for the period of January 1, 2022, to December 31, 2022, to Carus LLC, of Peru, Illinois, based on their low bid of \$0.91/lb, and authorized the Mayor and City Clerk to execute the contract documents once prepared. Motion carried.

DISPOSITION OF BIDS – T-SHIRTS – On motion of McNay, seconded by Hite, the Governing Body awarded the 2022-2023 Parks and Recreation T-Shirt bid to Riddell/All American, of North Ridgeville, Ohio. Motion carried.



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CONDENSING UNITS – PITTSBURG PUBLIC LIBRARY – On motion of McNay, seconded by Hite, the Governing Body approved the request of the Pittsburg Public Library Board of Trustees to use the remaining funds in the library building annuity in the amount of \$102,870, along with funds from the library capital improvement fund, to purchase and install two 25-ton Condensing Units from Trane U.S. Inc. through a State of Kansas contract, in the total purchase amount of \$136,420. Motion carried.

CEREAL MALT BEVERAGE LICENSES – On Motion of McNay, seconded by Hite, the Governing Body approved applications submitted by KS 4 LLC dba Snak Atak (1101 East 4th Street), Pete's of Erie, Inc. dba Pete's #13 (4002 North Broadway), Pete's of Erie, Inc. dba Pete's #21 (1711 North Broadway), Pete's of Erie, Inc. dba Pete's #07 (1307 South Broadway), Aldi, Inc. dba Aldi #89 (3109 North Broadway), Commodore Barry Corporation dba Knights of Columbus (407 East 11th Street), EK Enterprises, LLC dba Pitt Express (302 West 4th Street), Horton's Pizza Plus, Inc. dba Horton's Pizza Plus (1601 East 4<sup>th</sup> Street), Dillon Stores, Div. of Dillon Companies, LLC dba Dillon's #108 (2600 North Broadway), Pitt Stop, LLC dba Pitt Stop (902 South Joplin), Main Street Axe Company, LLC dba Main Street Axe Company - for sale in the original unopened container and not for consumption on the premises (216 South Broadway), Main Street Axe Company, LLC dba Main Street Axe Company - for consumption on the premises (216 South Broadway), The Meat Shed, LLC dba The Meat Shed - for sale in the original unopened container and not for consumption on the premises (2401 "A" South Rouse), The Meat Shed, LLC dba The Meat Shed - for consumption on the premises (2401 "A" South Rouse), and Bo's 1 Stop, Inc. dba Bo's 1 Stop (1116 West 4th Street) to sell Cereal Malt Beverages for the year 2022 and directed the City Clerk to issue the licenses. Motion carried.

OFFICIAL NEWSPAPER – On motion of McNay, seconded by Hite, the Governing Body designated The Morning Sun as the official City newspaper. Motion carried.

OFFICIAL DEPOSITORIES – On motion of McNay, seconded by Hite, the Governing Body designated BMO Harris Bank, Community National Bank, Commerce Bank, Equity Bank, GNBank, Labette Bank, and Landmark Bank as official City depositories. Motion carried.

APPROPRIATION ORDINANCE – On motion of McNay, seconded by Hite, the Governing Body approved the Appropriation Ordinance for the period ending December 14<sup>th</sup>, 2021, subject to the release of HUD expenditures when funds are received with the following roll call vote: Yea: Brooks, Hite, McNay, Munsell and Seglie. Motion carried.

PURCHASE OF TRUCK – On motion of McNay, seconded by Hite, the Governing Body approved staff request to pursue the purchase of one used 3/4-ton truck through an auction service for an amount up to \$40,000.00 and authorized the issuance of the necessary purchase order. Motion carried.



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**PURCHASE OF TRUCKS** – On motion of McNay, seconded by Hite, the Governing Body approved staff request to waive the bid policy and purchase six Ford F-150 trucks from Mike Carpino Ford of Pittsburg, Kansas, utilizing Public Utilities Operating Funds and Sales Tax Capital Outlay (STCO) funds for a total purchase price of \$214,608.24, and authorized the issuance of the necessary purchase orders. Motion carried.

**SALE OF 4311 NORTH FREE KING HIGHWAY** – On motion of Hite, seconded by McNay, the Governing Body approved the sale of the property located at 4311 North Free King Highway to Dr. Dustin Bonzo for a total purchase price of \$465,000, authorized the Mayor to sign the necessary documents on behalf of the City, and authorized the City Manager to represent the City and execute the required documents at the closing. Motion carried.

**DISPOSITION OF BIDS - AQUATIC CENTER SANDBLASTING AND PAINTING** – On motion of Brooks, seconded by Seglie, the Governing Body awarded the bid for the sandblasting and painting of the Aquatic Center to INSCO Industries, of Kansas City, Missouri, based on their low bid meeting specifications of \$135,455, and authorized the Mayor to sign the necessary documents on behalf of the City. Motion carried.

**2022 PITTSBURG CCLIP PROJECT 019 U-2388-01 - CHANGE ORDERS NO. 2 AND 3** – On motion of McNay, seconded by Hite, the Governing Body approved Change Orders No. 2 and 3 to the contract with Heckert Construction Co., Inc. for the 2022 Pittsburg CCLIP Project on Broadway and on 4th Street reflecting a total increase of \$172,295.00 making a new contract construction amount of \$1,238,161.37. Motion carried. Absent: Munsell.

**FINAL PLAT - 3P DEVELOPMENT GROUP, LLC - SUNFLOWER ESTATES** – On motion of Hite, seconded by McNay, the Governing Body approved the Final Plat submitted by 3P Development Group, LLC, for Sunflower Estates, located near East 14th Street and North Home Street, and authorized the Mayor to sign the plat on behalf of the City. Motion carried.

**VARIANCE - 3P DEVELOPMENT GROUP, LLC - SUNFLOWER ESTATES** – On motion of Seglie, seconded by Hite, the Governing Body approved a variance request submitted by 3P Development Group, LLC, to allow for adjusted setback requirements on Lots 1, 2, 11 and 12 in Sunflower Estates, along North Home Street and the proposed Ashton Way. Motion carried.

**COLBY 2021, LLC - REAL ESTATE CONTRACT EXTENSION** – On motion of Hite, seconded by McNay, the Governing Body approved an Amendment to the Real Estate Contract with Colby 2021, LLC, in which the timeframe for Colby 2021, LLC, to purchase the property is extended to expire on February 11, 2022, to allow for a necessary inspection period, and authorized the Mayor to sign the Amendment to the Real Estate Contract on behalf of the City. Motion carried.

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SECTION 8 HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN – On motion of Brooks, seconded by Seglie, the Governing Body adopted the Pittsburg Public Housing Authority's 2022 Section 8 Housing Choice Voucher Administrative Plan. Motion carried.

EMERGENCY HOUSING VOUCHER (EHV) ADMINISTRATIVE PLAN – On motion of McNay, seconded by Hite, the Governing Body adopted the Pittsburg Public Housing Authority's 2022 Emergency Housing Voucher (EHV) Administrative Plan. Motion carried.

FOSTER YOUTH TO INDEPENDENCE INITIATIVE (FYI) ADMINISTRATIVE PLAN – On motion of Seglie, seconded by McNay, the Governing Body adopted the Pittsburg Public Housing Authority's 2022 Foster Youth to Independence (FYI) Administrative Plan. Motion carried.

BODY WORN CAMERA PURCHASE – On motion of Hite, seconded by McNay, the Governing Body approved Police Department staff recommendation to purchase thirty-two V300 Body Worn Cameras and related software and equipment from WatchGuard for a total purchase price of \$85,590. Motion carried.

RESOLUTION NO. 1250 – On motion of Hite, seconded by Seglie, the Governing Body approved Resolution No. 1250, approving the execution and delivery of an agreement to release and assign the City's opioid claims to the Kansas Attorney General and certifying costs attributable to substance abuse and addiction mitigation in excess of \$500, and authorized the Mayor to sign the Resolution on behalf of the City. Motion carried.

CITY COMMISSION MEETING SCHEDULE - On motion of Seglie, seconded by Hite, the Governing Body cancelled the December 28<sup>th</sup>, 2021, City Commission Meeting. Motion carried.

NON-AGENDA REPORTS & REQUESTS:

EMPLOYEE RECOGNITION – Mayor Brooks recognized Joye VanGorden (37 years), John James (34 years), Matt Lemon (27 years), Brent Murray (22 years), Bryan Main (25 years), and Joe Stuckwisch (13 years) on their retirement from their employment with the City.

Commissioner Seglie suggested Certificates of Appreciation be presented to the retirees on behalf of the City.



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ADJOURNMENT: On motion of McNay, seconded by Seglie, the Governing Body adjourned the meeting at 6:35 p.m. Motion carried.

Cheryl L. Brooks, Mayor  
Cheryl L. Brooks, Mayor

ATTEST:

Tammy Nagel  
Tammy Nagel, City Clerk

