

OFFICIAL MINUTES
OF THE MEETING OF THE
GOVERNING BODY OF THE
CITY OF PITTSBURG, KANSAS
September 13, 2022

A Regular Session of the Board of Commissioners was held at 5:30 p.m. on Tuesday, September 13, 2022, in the City Commission Room, located in the Law Enforcement Center, 201 North Pine, with Mayor Cheryl Brooks presiding and the following members present: Stu Hite, Dawn McNay, Chuck Munsell and Ron Seglie.

Mayor Brooks led the flag salute.

INVOCATION – Father Jerome Spexarth, on behalf of Our Lady of Lourdes, provided an invocation.

PROCLAMATION – Mayor Brooks proclaimed September 17th through 23rd, 2022, as Constitution Week in Pittsburg.

APPROVAL OF MINUTES – On motion of Munsell, seconded by Seglie, the Governing Body approved the August 23, 2022, City Commission Meeting minutes as presented. Motion carried.

FINAL PAYMENT – NORTH WATER TOWER BLASTING AND PAINTING PROJECT – On motion of Munsell, seconded by Seglie, the Governing Body approved the issuance of final payment in the amount of \$303,000.00 to Utility Service Co. Inc., of Perry, Georgia, for the North Water Tower Blasting and Painting Project. Motion carried.

VOTING DELEGATES – LEAGUE OF KANSAS MUNICIPALITIES – On motion of Munsell, seconded by Seglie, the Governing Body appointed Cheryl Brooks, Stu Hite, Chuck Munsell, and Ron Seglie as voting delegates, and Daron Hall, Jay Byers and Tammy Nagel as alternate voting delegates to represent the City of Pittsburg at the League of Kansas Municipalities Annual Meeting scheduled for October 8th through 10th, 2022, in Overland Park, Kansas. Motion carried.

APPROPRIATION ORDINANCE – On motion of McNay, seconded by Hite, the Governing Body approved the Appropriation Ordinance for the period ending September 13, 2022, subject to the release of HUD expenditures when funds are received. Motion carried with Brooks abstaining due to a conflict.

PUBLIC HEARING - PROPOSED 2023 REVENUE NEUTRAL RATE – Following a Public Hearing, Munsell motioned, seconded by Brooks, to reduce the mill levy from 51.636 to 49.961, and to exceed the Revenue Neutral Rate (RNR) for the 2023 Budget. Following discussion, Commissioner Munsell stated an amended motion, seconded by Brooks, to approve exceeding the Revenue Neutral Rate (RNR) for the 2023 Budget and to adopt Resolution No. 1253 regarding the Governing Body's intent to levy a property tax exceeding the Revenue Neutral Rate, and authorized the Mayor to sign the Resolution on behalf of the City. Motion carried with the following roll call vote: Yea: Brooks, Hite, McNay, Munsell and Seglie.

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PUBLIC HEARING - PROPOSED 2023 BUDGET – Following a Public Hearing, Munsell motioned, seconded by Brooks, to reduce the mill levy from 51.636 to 49.961. Motion failed with Hite, McNay and Seglie voting in opposition.

On motion of McNay, seconded by Seglie, the Governing Body approved the 2023 Budget as submitted and authorized the Mayor and City Commissioners to sign the State Budget Certificate Form on behalf of the City. Motion carried with Brooks and Munsell voting in opposition.

REGIONAL ECONOMY UPDATE - Dr. Michael Davidsson, Director of the Pittsburg State University Business and Economic Research Center, provided an update on the regional economy.

919 JDJME, LLC, PROJECT – On motion of Hite, seconded by McNay, the Governing Body approved the recommendation of the Economic Development Advisory Committee (EDAC) to support the 919 JDJME, LLC, project by allocating an amount equal to 10% of the total project value to renovate the dilapidated property located at 919 North Broadway, with the City's portion not to exceed \$35,000 in non-repayable funds, to be used specifically for infrastructure improvements. Motion carried.

RELEASE OF MORTGAGE AND WAIVER OF RIGHT OF REPURCHASE - P & L DEVELOPMENT - SILVERBACK HOUSING DEVELOPMENT – On motion of McNay, seconded by Seglie, the Governing Body approved a Release of Mortgage and Waiver of Right of Repurchase for P & L Development in relation to Lots Number 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 114, 115, 116, 117 and 118 in Silverback Landing, located in the Silverback housing development, and authorized the Mayor to sign the Release of Mortgage and Waiver of Right of Repurchase on behalf of the City. Motion carried.

AIRPORT AVGAS REFUELER PURCHASE – On motion of Munsell, seconded by Hite, the Governing Body approved staff request to waive the formal bid process and award the contract for the purchase of a 1,000 gallon Avgas refueler, for use at the Atkinson Municipal Airport, to Garsite Aviation Refueling Equipment, in the amount of \$137,500. Motion carried.

ALLTEL CORPORATION d/b/a VERIZON WIRELESS - MEMORANDUM OF THIRD AMENDMENT TO TOWER LEASE AGREEMENT AND THIRD AMENDMENT TO TOWER LEASE AGREEMENT – On motion of McNay, seconded by Seglie, the Governing Body approved staff recommendation to accept a Memorandum of Third Amendment to Tower Lease Agreement and a Third Amendment to Tower Lease Agreement between the City of Pittsburg and Alltel Corporation d/b/a Verizon Wireless to extend the lease agreement for the tower located at 101 North Locust for six years, with one additional extension term of four years, commencing on October 1, 2022, with an annual rental amount of \$40,829, and authorized the Mayor to sign the necessary documents on behalf of the City. Motion carried.

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LAND WATER CONSERVATION FUND GRANT APPLICATION - PARKS AND RECREATION – On motion of Hite, seconded by Munsell, the Governing Body authorized staff to apply for a Land Water Conservation Fund Grant to support the construction of a new miniature golf course, club house/concession stand and additional parking at the Four Oaks Golf Course Complex, and authorized the Mayor to sign the necessary documents on behalf of the City. Motion carried.

NON-AGENDA REPORTS & REQUESTS –

KANSAS BOARD OF REGENTS APPOINTMENT – City Manager Daron Hall announced that Economic Development Director and Pittsburg Area Chamber of Commerce President Blake Benson has been appointed to the Kansas Board of Regents.

EXECUTIVE SESSION - On motion of Brooks, seconded by Munsell, the Governing Body, along with City Manager Daron Hall and City Attorney Henry Menghini, 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), regarding public safety, with the meeting to resume in the City Commission Room in forty-five minutes. Motion carried with McNay and Hite voting in opposition.

The Governing Body recessed into Executive Session at 7:03 p.m.

The Governing Body reconvened into Regular Session at 7:48 p.m.

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

ADJOURNMENT: On motion of Hite, seconded by Seglie, the Governing Body adjourned the meeting at 7:48 p.m. Motion carried.

Cheryl L. Brooks, Mayor

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ATTEST:

Tammy Nagel

Tammy Nagel, City Clerk

