

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

A Regular Session of the Board of Commissioners was held at 5:30 p.m. on Tuesday, December 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 – Pete Mayo, on behalf of Ascension Via Christi Health, provided an invocation.

PUBLIC INPUT –

Bruce Mullen and Kyle Mullen requested barricades be installed in the alley on the east side of 5th Street Bar and Grill to prevent delivery trucks from accessing the alley. Recently, delivery trucks have caused damage, resulting in the temporary closure of the 5th Street Bar and Grill kitchen.

Commissioner Chuck Munsell provided additional information regarding his November 22, 2022, vote in opposition to Ordinance No. G-1343, providing for the change of zoning for the property located at 211 West 11th Street from R-1C, Single-Family Residential, to IP-3, Planned Heavy Industrial.

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

SWEARING IN OF MAYOR – Customer Service Manager Andrea Colyer administered the Oath of Office to Mayor Seglie.

PRESENTATION OF CEREMONIAL GAVEL – Newly elected Mayor Seglie presented outgoing Mayor Cheryl Brooks with a ceremonial gavel.

ELECTION OF PRESIDENT OF THE BOARD – On motion of McNay, seconded by Brooks, the Governing Body elected Stu Hite as President of the Board. Motion carried.

SWEARING IN OF PRESIDENT OF THE BOARD – Customer Service Manager Andrea Colyer administered the Oath of Office to President of the Board Hite.

APPROVAL OF MINUTES – On motion of McNay, seconded by Brooks, the Governing Body approved the November 22, 2022, City Commission Meeting minutes as presented. Motion carried.

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OFFICIAL NEWSPAPER - On motion of McNay, seconded by Brooks, the Governing Body designated The Morning Sun as the official City newspaper.

OFFICIAL DEPOSITORIES - On motion of McNay, seconded by Brooks, 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.

SUSTAINABILITY ADVISORY COMMITTEE APPOINTMENTS - On motion of McNay, seconded by Brooks, the Governing Body appointed Denise Fitzpatrick and James Triplett to third two-year terms, appointed Andrew Ouellette and Nancy Scott to second two-year terms, appointed Tucker Jessip to a first two-year term as members of the Sustainability Advisory Committee effective January 1, 2023, and concluding on December 31, 2024. Motion carried.

AIRPORT ADVISORY BOARD APPOINTMENT – On motion of McNay, seconded by Brooks, the Governing Body appointed Matthew Kassawara to a second three-year term as a member of the Airport Advisory Board effective January 1, 2023, and concluding on December 31, 2025. Motion carried.

MEMORIAL AUDITORIUM ADVISORY BOARD APPOINTMENTS - On motion of McNay, seconded by Brooks, the Governing Body appointed Yana Feldman, Robert Poole, and Darcie Shultz to first four-year terms as members of the Memorial Auditorium Advisory Board effective January 1, 2023, and concluding December 31, 2026. Motion carried.

PLANNING COMMISSION/BOARD OF ZONING APPEALS APPOINTMENT - On motion of McNay, seconded by Brooks, the Governing Body appointed Derek Heikes to a second three-year term as member of the Planning Commission/Board of Zoning Appeals effective January 1, 2023, and concluding December 31, 2025. Motion carried.

ECONOMIC DEVELOPMENT ADVISORY COMMITTEE APPOINTMENTS - On motion of McNay, seconded by Brooks, the Governing Body appointed Rick Baden, John Clark, and Rebecca Light to second three-year terms as members of the Economic Development Advisory Committee effective January 1, 2023, and concluding December 31, 2025. Motion carried.

DISPOSITION OF BIDS – SANITARY/STORM SEWER LINE DEEP REPAIRS - On motion of McNay, seconded by Brooks, the Governing Body awarded the bid for Sanitary/Storm Sewer Line Deep Repairs for the period of January 1st through December 31st, 2023, with the option to renew the contract for two (2) additional one (1) year periods to the lone bidder, Radell Underground Construction Co., Inc., of Pittsburg, Kansas, and authorized the Mayor and City Clerk to execute the contract documents once prepared. Motion carried.

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DISPOSITION OF BIDS – DIRECTIONAL DRILLING OF WATER LINE PIPE - On motion of McNay, seconded by Brooks, the Governing Body awarded the bid for Directional Drilling of Water Line Pipe for the period of January 1st through December 31st, 2023, with the option to renew the contract for two (2) additional one (1) year periods to the lone bidder, Radell Underground Construction Co., Inc., of Pittsburg, Kansas, and authorized the Mayor and City Clerk to execute the contract documents once prepared. Motion carried.

DISPOSITION OF BIDS – ROCK - On motion of McNay, seconded by Brooks, the Governing Body awarded the bid for the purchase of AB-3 Limestone Rock and 3/4 Clean Rock for a period of January 1st through December 31st, 2023, with the option to renew the contract for two (2) additional one (1) year periods to Kunshek Chat & Coal, Inc., of Pittsburg, Kansas, based on their low bid of \$12.45 per ton for AB-3 Limestone Rock and \$15.00 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 – GASOLINE AND DIESEL FUEL - On motion of McNay, seconded by Brooks, the Governing Body awarded the bid for the purchase of Unleaded Gasoline and Diesel Fuel for the period of January 1st through December 31st, 2023, 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 -\$0.0174 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 – SANITATION SERVICE - On motion of McNay, seconded by Brooks, the Governing Body awarded the bid for the City of Pittsburg facilities sanitation service to Short's Trash Service, of Frontenac, Kansas, based on their low bid in the amount of \$1,384.00 per month for the contract period beginning January 1, 2023, and ending December 31, 2023, with an option to renew the contract for two (2) additional one (1) year periods, and authorized the Mayor and City Clerk to execute the contract documents once prepared. Motion carried.

DISPOSITION OF BIDS – AS-NEEDED DUMPSTER SERVICE - On motion of McNay, seconded by Brooks, the Governing Body awarded the bid for as-needed sanitation dumpster service to Mid-American Sanitation, of Frontenac, Kansas, based on their low bid in the amount of \$110.00 plus \$46 per ton, per pull for a 30 or 40-yard dumpster for the contract period beginning January 1, 2023, and ending December 31, 2023, with an option to renew the contract for two (2) additional one (1) year periods, and authorized the Mayor and City Clerk to execute the contract documents once prepared. Motion carried.

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DISPOSITION OF BIDS – READY MIX CEMENT/FLOWABLE FILL - On motion of McNay, seconded by Brooks, the Governing Body awarded the bid for the purchase of Ready Mix Cement/Flowable fill for a period of January 1st through December 31st 2023, with the option to renew the contract for two (2) additional one (1) year periods to American Concrete Co., Inc., of Pittsburg, Kansas, based on their bid and ability to meet the city's needs, and authorized the Mayor and City Clerk to execute the contract documents once prepared. Motion carried.

CEREAL MALT BEVERAGE LICENSES - On motion of McNay, seconded by Brooks, the Governing Body approved applications submitted by Walgreen Co dba Walgreens #09049 (1911 North Broadway), The Meat Shed, LLC dba The Meat Shed - for consumption on the premises (2401 South Rouse), The Meat Shed, LLC dba The Meat Shed - for sale in the original unopened container (2401 South Rouse), Main Street Axe Company, LLC (216 South Broadway), Horton's Pizza Plus, Inc. dba Horton's Pizza (1601 East 4th Street), Commodore Barry Corporation dba Knights of Columbus (407 East 11th Street), Aldi, Inc. (Kansas) dba Aldi #89 (3109 North Broadway), Dillon Stores, Div. of Dillon Companies, LLC dba Dillons #108 (2600 North Broadway), DG Retail dba Dollar General Store #23865 (1026 East 4th Street), K.S. 4 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 #07 (1307 South Broadway), and Pete's of Erie, Inc. dba Pete's #21 (1711 North Broadway) to sell Cereal Malt Beverages for the year 2023 and directed the City Clerk to issue the licenses. Motion carried.

APPROPRIATION ORDINANCE – On motion of McNay, seconded by Brooks, the Governing Body approved the Appropriation Ordinance for the period ending December 13, 2022, subject to the release of HUD expenditures when funds are received. Motion carried with the following roll call vote: Yea: Brooks, Hite, McNay, Munsell and Seglie.

BUILDING CODE BOARD OF APPEALS/BUILDING TRADES REVIEW BOARD APPOINTMENTS - On motion of Munsell, seconded by Hite, the Governing Body appointed Brent Linder (Licensed Master Electrician) and Bill Warlop (lay member) to third three-year terms and appointed Jeff Brooks (Licensed Master Plumber) to a second three-year term as members of the Building Code Board of Appeals/Building Trades Review Board effective January 1, 2023, and concluding December 31, 2025. Motion carried with Commissioner Brooks abstaining.

PUBLIC HEARING - 2022 BUDGET AMENDMENT – Following a Public Hearing, on motion of Hite, seconded by Brooks, the Governing Body approved the amended use of 2022 funds in the 2022 budget. Motion carried.

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APPOINTMENTS - DOWNTOWN ADVISORY BOARD – On motion of Munsell, seconded by McNay, the Governing Body appointed to first two-year terms Skip Ulrich to represent the retail industry, Ben Fowler to serve as a property owner representative, and Ashlee Ricks to serve at large as members of the Downtown Advisory Board effective January 1, 2023, and concluding December 31, 2024. Motion carried.

APPOINTMENT - PLANNING COMMISSION/BOARD OF ZONING APPEALS – On motion of McNay, seconded by Hite, the Governing Body appointed Steve Scott to a first three-year term as a member of the Planning Commission/Board of Zoning Appeals effective January 1, 2023, and concluding December 31, 2025. Motion carried with Commissioner Brooks abstaining.

VARIANCE - ALLISON - 1803 NORTH FREE KING HIGHWAY – On motion of McNay, seconded by Hite, the Governing Body approved the recommendation of the Planning Commission/Board of Zoning Appeals to grant the request submitted by Janice Allison for a variance to allow a garage to be constructed at 1803 North Free King Highway. Motion carried.

VARIANCE - BARNES - 1004 VILLAGE DRIVE – On motion of Hite, seconded by Munsell, the Governing Body approved the recommendation of the Planning Commission/Board of Zoning Appeals to grant the request submitted by David Barnes for a variance to allow a garage to be constructed at 1004 Village Drive. Motion carried.

VACATION REQUEST - FERGUSON – On motion of Hite, seconded by Brooks, the Governing Body approved the recommendation of the Planning Commission/Board of Zoning Appeals to grant the request submitted by Glenn Ferguson to vacate the unopened Linden Street right-of-way, and directed staff to prepare the necessary Order. Motion carried.

ZONING CHANGE - FERGUSON – On motion of Hite, seconded by McNay, the Governing Body approved the recommendation of the Planning Commission/Board of Zoning Appeals to grant the request submitted by Glenn Ferguson to change the zoning of 00000 Linden from RP-4: Planned Apartment House, to CP-2: Planned General Commercial, and directed staff to prepare the necessary Ordinance. Motion carried.

DVLP REDEVELOPMENT PROJECTS – On motion of Hite, seconded by McNay, the Governing Body approved the recommendation of the Economic Development Advisory Committee to provide up to \$480,000 (or 10% of the total project value, whichever is less) to DVLP, to be distributed to Smithsonian, LLC, Glick, LLC, and Town Talk, LLC, to assist with the redevelopment projects located at 113 North Broadway, 117 North Broadway, and 902 North Broadway, with up to one half of the City's funds to be dispersed in 2023 and the second half dispersed in 2024. Motion carried with Munsell voting in opposition.

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FREIGHTLINER BUCKET TRUCK PURCHASE – On motion of Munsell, seconded by Hite, the Governing Body authorized staff to purchase a 2015 Freightliner M2106 6x6 Versalift VST-95001 Bucket Truck to be used by the City's Parks and Recreation Department and to enter into a five year lease/purchase agreement with a financial institution for the purchase, and authorized the Mayor to sign the necessary lease/purchase agreement once prepared. Motion carried.

NON-AGENDA REPORTS & REQUESTS -

EXECUTIVE SESSION - On motion of McNay, seconded by Hite, the Governing Body recessed into Executive Session for thirty minutes to discuss personnel matters of non-elected personnel pursuant to K.S.A. 75-4319(b)(1), to discuss the City Manager's 2022 evaluation, with the meeting to resume in the City Commission Room in thirty minutes. Motion carried.

The Governing Body recessed into Executive Session at 6:39 p.m.

The Governing Body reconvened into Regular Session at 7:08 p.m. Absent: Brooks and McNay.

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

EXECUTIVE SESSION - On motion of Hite, seconded by Munsell, 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 City Manager's 2022 evaluation, with the meeting to resume in the City Commission Room in fifteen minutes. Motion carried. Absent: Brooks and McNay.

The Governing Body recessed into Executive Session at 7:08 p.m.

The Governing Body reconvened into Regular Session at 7:23 p.m. Absent: Hite and Munsell.

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

EXECUTIVE SESSION - On motion of Brooks, seconded by McNay, 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 City Manager's 2022 evaluation, with the meeting to resume in the City Commission Room in fifteen minutes. Motion carried. Absent: Hite and Munsell.

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The Governing Body recessed into Executive Session at 7:23 p.m.

The Governing Body reconvened into Regular Session at 7:40 p.m.

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

EMPLOYMENT AGREEMENT – On motion of McNay, seconded by Hite, the Governing Body approved the terms of the City Manager's employment agreement for calendar year 2023, to include a salary increase in the amount of 3.5%, and authorized the Mayor to sign the Agreement on behalf of the City. Motion carried with Munsell voting in opposition.

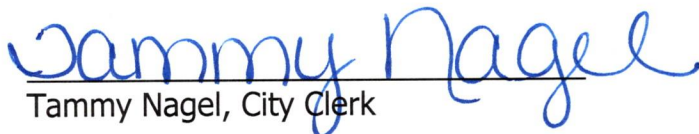
THE MAYOR'S MOMENT – Mayor Seglie announced that information will be presented in January regarding his new initiative to improve the appearance of the City.

ADJOURNMENT: On motion of McNay, seconded by Hite, the Governing Body adjourned the meeting at 7:41 p.m. Motion carried.



Ron Seglie, M.D., Mayor

ATTEST:



Tammy Nagel, City Clerk

