

OFFICIAL MINUTES  
OF THE  
GOVERNING BODY  
OF THE  
CITY OF PITTSBURG, KANSAS  
January 26, 2010

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A Regular Session of the Board of Commissioners was held at 5:30 p.m., Tuesday, January 26, 2010, in the City Commission Room, located in the Law Enforcement Center, 201 North Pine, with Mayor Rudy Draper presiding and the following members present: Marty Beezley, Pamela Henderson, Patrick O'Bryan, and William H. Rushton.

Kevin Arensman, of the First Christian Church, provided the invocation.

Mayor Draper led the flag salute.

PUBLIC INPUT –

AGC AWARDS – Interim Fire Chief Scott Crain announced that on Friday, January 22<sup>nd</sup>, 2010, the City of Pittsburg received the Award of Excellence in the category of New Construction from the Associated General Contractors of Kansas, Inc. Crain thanked the Commissioners, present and past, for their foresight to construct the facilities, and thanked the citizens for passing the sales tax to fund their construction.

APPROVAL OF MINUTES – JANUARY 12<sup>th</sup>, 2010 - On motion of Beezley, seconded by Henderson, the Governing Body approved the minutes of the January 12<sup>th</sup>, 2010, City Commission Meeting as submitted. Motion carried.

APPROVAL OF MINUTES – JANUARY 19<sup>th</sup>, 2010 – On motion of Beezley, seconded by Henderson, the Governing Body approved the minutes of the January 19<sup>th</sup>, 2010, Special City Commission Meeting as submitted. Motion carried.

ORDINANCE NO. S-983 – On motion of Beezley, seconded by Henderson, the Governing Body approved Ordinance No. S-983, granting an ad valorem tax exemption to Progressive Products, Inc., pursuant to the City of Pittsburg's Policy and Procedures adopted November 10, 1987 as authorized by Section 13, Article 11, of the Constitution of the State of Kansas, on second reading with the following roll call vote: Yea: Beezley, Draper, Henderson, O'Bryan and Rushton. Motion carried.

ORDINANCE NO. G-1082 – On motion of Beezley, seconded by Henderson, the Governing Body approved Ordinance No. G-1082, amending Section 50-40 of the Pittsburg City Code to increase the costs of abatement when the City abates nuisances (Trash), on second reading with the following roll call vote: Yea: Beezley, Draper, Henderson, O'Bryan and Rushton. Motion carried.

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ORDINANCE NO. G-1083 – On motion of Beezley, seconded by Henderson, the Governing Body approved Ordinance No. G-1083, amending Section 50-94 of the Pittsburg City Code increasing the costs assessed when the City must cut weeds and obnoxious vegetable growth to abate a nuisance, on second reading with the following roll call vote: Yea: Beezley, Draper, Henderson, O'Bryan and Rushton. Motion carried.

ORDINANCE NO. G-1084 – On motion of Beezley, seconded by Henderson, the Governing Body approved Ordinance No. G-1084, amending Section 18-35 of the Pittsburg City Code to increase building permit fees, on second reading with the following roll call vote: Yea: Beezley, Draper, Henderson, O'Bryan and Rushton. Motion carried.

ORDINANCE NO. G-1085 – On motion of Beezley, seconded by Henderson, the Governing Body approved Ordinance No. G-1085, amending Sections 62-83, 62-106 and 62-142 of the Pittsburg City Code to increase the fees to apply for change of zoning, zoning amendments, conditional use permits, vacation of streets and alleys, variances, special exceptions and platting of land, on second reading with the following roll call vote: Yea: Beezley, Draper, Henderson, O'Bryan and Rushton. Motion carried.

ORDINANCE NO. G-1086 – On motion of Beezley, seconded by Henderson, the Governing Body approved Ordinance No. G-1086, amending Section 78-73 of the Pittsburg City Code to designate and establish Quincy Avenue from the west City limits to the east City limits, and Rouse Street from the north City limits to the south City limits, as main trafficways, as defined by K.S.A. 12-685, all within the City limits of Pittsburg, Kansas, on first reading. Motion carried.

CEREAL MALT BEVERAGE APPLICATION – EL RANCHO MEXICAN RESTAURANT – On motion of Beezley, seconded by Henderson, the Governing Body approved the application submitted by El Rancho Mexican Restaurant, 2420 South Broadway, to renew their Cereal Malt Beverage License for 2010 and directed the City Clerk to issue the license. Motion carried.

PITSCO FIRE FIGHTING CONTRACT - On motion of Beezley, seconded by Henderson, the Governing Body approved the Annual Fire Fighting Contract for Pitsco's facility at 2106 West 4th Street for an annual payment of \$3,772.12, and authorized the Mayor to sign the contract on behalf of the City. Motion carried.

APPROPRIATION ORDINANCE – On motion of Beezley, seconded by Henderson, the Governing Body approved the Appropriation Ordinance for the period ending January 27, 2010, subject to the release of HUD expenditures when funds are received, with the following roll call vote: Yea: Beezley, Draper, Henderson, O'Bryan and Rushton. Motion carried.

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DANCE HALL LICENSE RENEWAL - TORNADO LOUNGE – On motion of Beezley, seconded by O'Bryan, the Governing Body approved the request submitted by Brian Stotler of Tornado Lounge, 305 N. Broadway, for the renewal of his dance hall license and authorized the City Clerk to issue the license. Motion carried.

FORGIVABLE LOANS – On motion of Henderson, seconded by Rushton, the Governing Body approved staff recommendation to forgive the loan payment for Stockade Brands, Inc. in the amount of \$25,833.33, NPC International, Inc. in the amount of \$46,667 and the Family Resource Center in the amount of \$98,750, as all three entities have met the employment targets stipulated in their loan documents with the City. Motion carried.

LOAN EXTENSION - PITTSBURG INDUSTRIAL DEVELOPMENT CORPORATION (PIDC) – On motion of O'Bryan, seconded by Henderson, the Governing Body approved the recommendation of the Economic Development Advisory Committee to extend the current loans in the amount of \$163,086.77 and \$60,000 to the Pittsburg Industrial Development Corporation (PIDC) through January 31, 2011, with all late fees and charges accrued to date to be waived, and authorized the Mayor to sign the appropriate documents on behalf of the City. Motion carried.

NON-AGENDA REPORTS AND REQUESTS:

SOLICITATION OF BIDS - GOLF COURSE FLAGS – Interim Parks and Recreation Director Jeff Wilbert requested Governing Body approval to advertise for bids to prospective advertisers to place their logo on flags placed at the holes at the Four Oaks Golf Course. It was the consensus of the Governing Body to allow the Parks and Recreation Department to solicit bids as requested.

ORDINANCE NO. S-984 – On motion of Rushton, seconded by O'Bryan, the Governing Body approved first reading of Ordinance No. S-984 authorizing the execution of a First Amendment to the loan agreement between the City of Pittsburg, Kansas and the State of Kansas, acting by and through the Kansas Department of Health and Environment for the purpose of obtaining a loan from the Kansas Water Pollution Control Revolving Fund for the purpose of financing a Wastewater Treatment Project; establishing a dedicated source of revenue for repayment of such loan; authorizing and approving certain documents in connection therewith; and authorizing certain other actions in connection with the First Amendment to the Loan Agreement. Motion carried.

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EXECUTIVE SESSION - On motion of Beezley, seconded by Henderson, the Governing Body recessed into Executive Session not to exceed 30 minutes for discussion regarding items deemed confidential in the attorney client relationship. Motion carried.

The Governing Body recessed into Executive Session at 5:54 p.m.

The Governing Body reconvened into Special Session at 6:20 p.m.

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

ADJOURNMENT: On motion of Henderson, seconded by Rushton, the Governing Body adjourned the meeting at 6:21 p.m. Motion carried.

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Rudy Draper, Mayor

ATTEST:

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Tammy Nagel, City Clerk