

OFFICIAL MINUTES  
OF THE MEETING OF THE  
GOVERNING BODY OF THE  
CITY OF PITTSBURG, KANSAS  
May 8<sup>th</sup>, 2012

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A Regular Session of the Board of Commissioners was held at 5:30 p.m., Tuesday, May 8<sup>th</sup>, 2012, in the City Commission Room, located in the Law Enforcement Center, 201 North Pine, with Mayor John Ketterman presiding and the following members present: Marty Beezley, Rudy Draper, Michael Gray and Patrick O'Bryan.

Mary Cash of the Community of Christ provided the invocation.

Mayor Ketterman led the flag salute.

Mayor Ketterman proclaimed May 8<sup>th</sup>, 2012, as Ruth Lemon Day in Pittsburg.

Mayor Ketterman proclaimed May 2012 as National Preservation Month in Pittsburg.

APPROVAL OF MINUTES – APRIL 24<sup>th</sup>, 2012 – On motion of Beezley, seconded by O'Bryan, the Governing Body approved the minutes of the April 24<sup>th</sup>, 2012, City Commission Meeting as submitted.

ORDINANCE NO. G-1162 – On motion of Beezley, seconded by O'Bryan, the Governing Body approved Ordinance No. G-1162 amending Section 78-116 of the Pittsburg City Code to prohibit parking on both sides of Pine Street from Quincy Street south 535 feet, both sides of Oak Ridge Road from Tucker Terrace east 115 feet, and Homer Street from the pedestrian crosswalk at the intersection of Homer and Normal south 130 feet to the entrance of the parent drop off to George Nettels Elementary School on second reading with the following roll call vote: Yea: Beezley, Draper, Gray, Ketterman and O'Bryan. Motion carried.

ACCEPTANCE OF TITLE - #4 4<sup>th</sup> STREET CIRCLE – On motion of Beezley, seconded by O'Bryan, the Governing Body accepted the clear title to #4 4<sup>th</sup> Street Circle from Todd Kennemer for the purpose of demolition. Motion carried.

CIVIL RIGHTS COMPLAINT POLICY AND FAIR HOUSING COMPLAINT POLICY – On motion of Beezley, seconded by O'Bryan, the Governing Body approved the City of Pittsburg Civil Rights Complaint Policy and the Fair Housing Complaint Policy. Motion carried.

REVOLVING LOAN FUND APPLICATION – WARE – On motion of Beezley, seconded by O'Bryan, the Governing Body approved staff recommendation to re-approve the Revolving Loan Fund application submitted by Ron and Dora Ware with a new capital investment amount to equal \$101,324.00 with the five (5) year lease provision, and authorized the Mayor to sign the appropriate documents. Motion carried.

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ROLLSOURCE LEASE – On motion of Beezley, seconded by O’Bryan, the Governing Body approved a three year lease extension with RollSource and authorized the Mayor to sign the appropriate documents. Motion carried.

REAPPOINTMENT – PITTSBURG PUBLIC LIBRARY BOARD OF TRUSTEES – On motion of Beezley, seconded by O’Bryan, the Governing Body reappointed Gil Cooper to a second four-year term as a member of the Library Board of Trustees effective May 1, 2012, and to expire on April 30, 2016. Motion carried.

APPROPRIATION ORDINANCE – On motion of Beezley, seconded by O’Bryan, the Governing Body approved the Appropriation Ordinance for the period ending April 24<sup>th</sup>, 2012, subject to the release of HUD expenditures when funds are received, with the following roll call vote: Yea: Beezley, Draper, Gray, Ketterman and O’Bryan. Motion carried.

POLICE COMPUTER – On motion of Beezley, seconded by Gray, the Governing Body approved staff request to purchase seven Panasonic Toughbook laptop computers and connection systems, and seven Gamber-Johnson Brand computer and equipment console systems for a total purchase price of \$36,028.65, and directed staff to prepare the necessary purchase order. Motion carried.

CONDITIONAL USE REQUEST - On motion of O’Bryan, seconded by Beezley, the Governing Body approved the recommendation of the Planning and Zoning Commission to grant a request submitted by the City of Pittsburg on behalf of Verizon for a Conditional Use under the provisions of Article 30 of the Pittsburg Zoning Ordinance to allow for a 200' communications tower to be placed at 101 N. Locust. Motion carried.

DISPOSITION OF BIDS - SALES TAX STREET PROGRAM – On motion of O’Bryan, seconded by Gray, the Governing Body awarded the bid for the Sales Tax Street Program to the low bidder meeting specifications, APAC-Missouri, of Springfield, Missouri, for a total combined bid of \$464,791.66, and authorized the Mayor to sign the contract documents once they are prepared. Motion carried.

EXECUTIVE SESSION - On motion of Gray, seconded by O’Bryan, the Governing Body recessed into Executive Session not to exceed 60 minutes for discussion deemed privileged in the attorney-client relationship. Motion carried.

The Governing Body recessed into Executive Session at 5:57 p.m.

The Governing Body reconvened into Regular Session at 6:56 p.m.

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

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WATER TREATMENT PLANT IMPROVEMENTS – Following a verbal presentation by Director of Public Utilities John Bailey, on motion of O’Bryan, seconded by Draper, the Governing Body approved Change Order No. 3 for the Water Treatment Plant Improvements Project, and authorized the Mayor to sign the Change Order on behalf of the City. Motion carried.

Director of Public Utilities John Bailey stated the change order was being proposed in five groups, Treatment Process Operation and Maintenance Improvements for an Add of \$58,073.00; Exterior Architectural Improvements for an Add of \$61,904.00; Interior Architectural Improvements for an Add of \$47,112.00; ADA Accessibility Improvements for an Add of \$39,388.00; and Miscellaneous Deducts for a Deduct of (\$24,231.28); for a Total Change Order #3 Amount of Add \$182,245.72. The following changes are hereby made to the contract price:

Original Contract Price:	\$7,367,000.00
Current Contract Price as adjusted by previous Change Orders:	\$7,352,876.92
Contract Price due to this Change Order will be increased by:	\$ 182,245.72
New Contract Price including this Change Order will be:	\$7,535,122.64

The major change will be the extension of time for the contractor to complete construction of this project. The Substantial Completion date will be extended to July 17, 2012, and the Final Completion will be July 22, 2012. The exception will be the four Long Lead Items that will have a Substantial Completion Date of August 28, 2012 and a Final Completion date of September 1, 2012. The contractor will shut down on July 22<sup>nd</sup> and then will reoccupy the project site on August 28<sup>th</sup> to complete the Long Lead Items with Final Completion on September 1<sup>st</sup>.

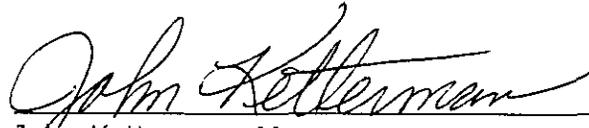
#### NON-AGENDA REPORTS AND REQUESTS:

HOME RULE ORDINANCE NO. HR-3 – Director of Public Works Bill Beasley stated the traditional State Statutes and Charter Ordinances used by the City to authorize the issuance of General Obligation Bonds for projects are not applicable to the improvements to the City’s Public Emergency Siren System Improvements. The staff has been working with the City’s Bond Advisor, Mr. Phil Wolfe of Nichols & Wolfe, to determine the authorization the City can use to issue bonds for improvements to this system. After consulting with the Kansas Attorney General’s Office, Mr. Wolfe has recommended the passage of a Home Rule Ordinance pursuant to Section 5 of Article 12 of the Kansas Constitution. Like most City Ordinances, the Home Rule Ordinance will require two readings and publication in the City newspaper before it is passed. After the passage of the Ordinance, the City will also have to pass an authorizing Resolution for the project. On motion of Beezley, seconded by Draper, the Governing Body approved on first reading Home Rule Ordinance No. HR-3 to authorize the issuance of General Obligation Bonds for improvements to the City’s Public Emergency Warning Siren System. Motion carried.

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ADJOURNMENT: On motion of Beezley, seconded by O'Bryan, the Governing Body adjourned the meeting at 7:05 p.m. Motion carried.

  
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John Ketterman, Mayor

ATTEST:

  
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Joye VanGorden, Deputy City Clerk

