

OFFICIAL MINUTES
OF THE MEETING OF THE
GOVERNING BODY OF THE
CITY OF PITTSBURG, KANSAS
June 26th, 2012

A Regular Session of the Board of Commissioners was held at 5:30 p.m., Tuesday, June 26th, 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, Michael Gray and Patrick O'Bryan. Commissioner Draper was absent.

Pete Mayo of Via Christi provided the invocation.

Mayor Ketterman led the flag salute.

APPROVAL OF MINUTES – JUNE 12th, 2012 – On motion of Gray, seconded by O'Bryan, the Governing Body approved the minutes of the June 12th, 2012, City Commission Meeting as submitted. Motion carried. Absent: Draper.

CHARTER ORDINANCE NO. 28 – On motion of Gray, seconded by O'Bryan, the Governing Body approved Charter Ordinance No. 28, exempting the City of Pittsburg, Kansas, from the provisions of K.S.A. 12-4113(g), 12-4202, 12-4203, 12-4204, 12-4205a, and 12-4207, and any amendments thereto, which relate to the preparation, filing and service of complaints and notices to appear in Municipal Court; and, providing substitute and additional provisions on the same subject on second reading with the following roll call vote: Yea: Beezley, Gray, Ketterman, and O'Bryan. Motion carried. Absent: Draper.

ORDINANCE NO. G-1163 – On motion of Gray, seconded by O'Bryan, the Governing Body approved Ordinance No. G-1163 amending Section 78-76 of the Pittsburg City Code to prohibit the operation of trucks or commercial vehicles on Tucker Street from 21st Street to a point 180 feet north of its centerline of the intersection with 23rd Street, on second reading with the following roll call vote: Yea; Beezley, Gray, Ketterman, and O'Bryan. Motion carried. Absent: Draper.

ORDINANCE NO. G-1165 – On motion of Gray, seconded by O'Bryan, the Governing Body approved Ordinance No. G-1165 providing for the change of certain areas from R-2 Two-Family Residential to RP-3 Planned Medium Density Residential and amending and supplementing the Zoning District Boundary Map and Zoning Ordinance No. G-663, as amended, of the City of Pittsburg, on first reading. Motion carried. (Kevin Seward dba Seward Rentals, 408 E. Monroe). Absent: Draper.

RESOLUTION NO. 1126 – On motion of Gray, seconded by O'Bryan, the Governing Body approved Resolution No. 1126 confirming the designation of certain city positions as "City Officers", pursuant to Charter Ordinance No. 28. Motion carried. Absent: Draper.

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APPOINTMENTS TO HUMAN RELATIONS COMMISSION – On motion of Gray, seconded by O'Bryan, the Governing Body appointed Mark Newbold, Marilyn Sheldon, Kaylene Mayarske and Nazar Saman to two year terms and Patty Horgan, Jerry Waltrip and Astrid Zagorski to one year terms as members of the Human Relations Commission effective immediately. Motion carried. Absent: Draper.

APPROPRIATION ORDINANCE – On motion of Gray, seconded by O'Bryan, the Governing Body approved the Appropriation Ordinance for the period ending June 26th, 2012, subject to the release of HUD expenditures when funds are received, with the following roll call vote: Yea: Beezley, Gray, Ketterman and O'Bryan. Motion carried. Absent: Draper.

ACCESS AGREEMENT – 1308 NORTH WALNUT – On motion of Ketterman, seconded by Beezley, the Governing Body approved the request of Metso Minerals and August Mack Environmental, Inc. for access to the City of Pittsburg right-of-ways in the vicinity of the Metso Minerals property located at 1308 North Walnut for the purpose of conducting soil and groundwater sampling, and authorized the Mayor to sign the Site Access Agreement on behalf of the City of Pittsburg. Motion carried. Absent: Draper.

ENGINEERING SERVICES AGREEMENT – PROFESSIONAL ENGINEERING CONSULTANTS, P.A. – On motion of Beezley, seconded by O'Bryan, the Governing Body approved an agreement between the City of Pittsburg and Professional Engineering Consultants, P.A. to provide professional engineering services for the Armory Storm Shelter for a lump sum fee of \$6,500 plus reimbursable expenses, and authorized the Mayor to sign the agreement on behalf of the City of Pittsburg. Motion carried. Absent: Draper.

Mayor Ketterman suggested the City's building codes be updated to require new structures to include a hardened area or safe room to be used as a shelter in case of emergency.

WATERLINE REPLACEMENT PROJECTS – John Bailey, Director of Public Utilities, provided a verbal presentation on proposed waterline replacement projects to improve the City's water distribution system. Absent: Draper.

ORDINANCE NO G-1166 – On motion of O'Bryan, seconded by Beezley, the Governing Body approved Ordinance No. G-1166 amending Section 78-116 of the Pittsburg City Code to prohibit parking on the south side of East Washington Street from Rouse Street west to the Kansas City Southern Railroad tracks and on the west side of South Olive Street from Jefferson Street to Webster Street on first reading. Motion carried. Absent: Draper.

Ken Orender, owner of property in the 1000 block of East Washington, requested clarification on which side of Washington Street parking would be prohibited. Mayor Ketterman indicated that parking would be prohibited on the south side of East Washington.

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ORDINANCE NO. G-1166 (continued)

Mayor Ketterman requested staff prepare a list of standard requirements to be met in order for "no parking" requests to be granted in the future.

FORGIVABLE LOAN - FIREWORKS LEASING, LLC - On motion of Gray, seconded by O'Bryan, the Governing Body approved the recommendation of the Economic Development Advisory Committee to grant a forgivable loan in the amount of \$700,000 at an interest rate of 3% on a three year term to Fireworks Leasing, LLC, for the purchase of and renovation of the property located at 1500 East 27th Street, saving eighty two jobs and adding five new jobs each year for three years, and authorized the Mayor to sign the appropriate documents on behalf of the City. Motion carried. Absent: Draper.

FORGIVABLE LOAN - VIA CHRISTI HOSPITAL PITTSBURG, INC. - On motion of O'Bryan, seconded by Gray, the Governing Body approved the recommendation of the Economic Development Advisory Committee to grant a forgivable loan in the amount of \$500,000 at an interest rate of 3% on a three year term to Via Christi Hospital Pittsburg, Inc. for infrastructure on the construction of a surgical wing consisting of two floors with a total of approximately 40,000 square feet on the property located at 1 Mount Carmel Way, adding sixty-one new jobs; including seven new physicians, twenty-eight clinical staff and twenty-six hospital staff, and authorized the Mayor to sign the appropriate documents on behalf of the City. Motion carried with Beezley abstaining, as she is a member of the Via Christi Board of Directors. Absent: Draper.

Commissioner Beezley noted that the Commissioners have been involved in the loans presented this evening since the initial applications were submitted.

Commissioner O'Bryan asked Director of Economic Development Mark Turnbull to explain the source of funding for the Revolving Loan Fund. Mr. Turnbull indicated that funding for the Revolving Loan Fund comes from a sales tax that was approved by the citizens of Pittsburg several years ago. This tax generates approximately \$800,000 per year to be used for economic development activities.

FORGIVABLE LOAN - COMMUNITY HEALTH CENTER OF SOUTHEAST KANSAS - On motion of Gray, seconded by Beezley, the Governing Body approved the recommendation of the Economic Development Advisory Committee to grant a forgivable loan in the amount of \$460,517 to the Community Health Center of Southeast Kansas, Inc., with a four year term based on a capital injection of \$5,700,000 and the creation of forty-two new jobs, with the stipulation that if the loan criteria is not met at the end of the four year term, the company will have a repayment period of six years at a three percent interest rate for the unforgiven amount, and authorized the Mayor to sign the appropriate documents on behalf of the City. Motion carried. Absent: Draper.

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INCENTIVES AND LOAN - CDL ELECTRIC/SIGNAL – The Governing Body tabled consideration of incentives to be granted to assist CDL Electric/Signal in the construction of a 70,000 square foot office and warehouse facility, rail spur and rail maintenance facility. Absent: Draper.

KANSAS DEPARTMENT OF TRANSPORTATION ECONOMIC DEVELOPMENT GRANT - CDL – The Governing Body tabled consideration of a KDOT Economic Development grant for CDL to allow CDL to further expand its current services by utilizing a rail spur to a rail maintenance facility (RMF) that will be constructed on an industrial site within the City of Pittsburg. Absent: Draper.

DISPOSITION OF BIDS – On motion of O'Bryan, seconded by Gray, the Governing Body awarded the bid for the Sanitary Sewer Line Repair 2012 Project to Layne (Reynolds) Inliner, LLC, of Kiowa, Colorado, based on their low bid meeting specifications of \$253,304.00, and authorized the Mayor to execute the contract documents once they are prepared. Motion carried. Absent: Draper.

NON-AGENDA REPORTS AND REQUESTS:

COMMISSIONER DRAPER - City Manager Daron Hall noted that Commissioner Draper's absence from the meeting tonight was due to an illness.

GROWTH IN PITTSBURG - Commissioner Gray commented on the growth occurring in Pittsburg, with several businesses making commitments to stay in Pittsburg.

OPERATION CLEAN SWEEP - Commissioner Gray reminded citizens to pick up their trash and to be good neighbors.

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



John Ketterman, Mayor





Tammy Nagel, City Clerk