

OFFICIAL MINUTES  
OF THE MEETING OF THE  
GOVERNING BODY OF THE  
CITY OF PITTSBURG, KANSAS  
August 14<sup>th</sup>, 2012

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A Regular Session of the Board of Commissioners was held at 5:30 p.m., Tuesday, August 14<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.

Jim Akin of the First United Methodist Church provided the invocation.

Mayor Ketterman led the flag salute.

APPROVAL OF MINUTES – JULY 24, 2012 – On motion of O'Bryan, seconded by Draper, the Governing Body approved the July 24, 2012, City Commission Meeting minutes as submitted. Motion carried.

APPROVAL OF MINUTES – JULY 31, 2012 – On motion of O'Bryan, seconded by Draper, the Governing Body approved the July 31, 2012, Special City Commission Meeting minutes as submitted. Motion carried.

ORDINANCE NO. S-997 – On motion of O'Bryan, seconded by Draper, the Governing Body approved Ordinance No. S-997, levying a special assessment against the lots or parcels of land on which a public nuisance was located, to pay the cost of abating the nuisance, on second reading with the following roll call vote: Yea: Beezley, Draper, Gray, Ketterman and O'Bryan. Motion carried.

ORDINANCE NO. S-998 – On motion of O'Bryan, seconded by Draper, the Governing Body approved Ordinance No. S-998, levying a special assessment against the lots or parcels of land on which refuse matter was located to pay the cost of making the premises safe and hygienic, on second reading with the following roll call vote: Yea: Beezley, Draper, Gray, Ketterman and O'Bryan. Motion carried.

ORDINANCE NO. S-999 – On motion of O'Bryan, seconded by Draper, the Governing Body approved Ordinance No. S-999, levying a special assessment against the lots or parcels of land on which existed weeds or obnoxious vegetable growth to pay the costs of cutting or removing said growth on second reading with the following roll call vote: Yea: Beezley, Draper, Gray, Ketterman and O'Bryan. Motion carried.

ORDINANCE NO. G-1168 – On motion of O'Bryan, seconded by Draper, the Governing Body approved Ordinance No. G-1168, amending Section 78-31 of the Code of the City of Pittsburg, Kansas, and providing for the protection and health, property and safety, and the regulation of traffic by adopting by reference the 2012 Edition of the "Standard Traffic Ordinances for Kansas Cities" as published by The League of Kansas Municipalities, save and except such parts or portions as supplemented, deleted or changed; and repealing Ordinance No. G-1149, on the first and only reading. Motion carried.

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ORDINANCE NO. G-1169 – On motion of O'Bryan, seconded by Draper, the Governing Body approved Ordinance No. G-1169 amending Section 54-41 of the Code of the City of Pittsburg, Kansas, regulating certain public offenses within the corporate limits of the City of Pittsburg, Kansas, by adopting by reference the 2012 Edition of the "Uniform Public Offense Code for Kansas Cities" as published by the League of Kansas Municipalities, save and except such parts or portions as supplemented, deleted or changed; and repealing Ordinance No. G-1150, on the first and only reading. Motion carried.

QUIT CLAIM DEED – MILLER'S – On motion of O'Bryan, seconded by Draper, the Governing Body approved a Quit Claim Deed from the City of Pittsburg to Miller's Professional Imaging, Inc. for the triangular track of property between the right-of-way of Jefferson Street and Miller's Professional Imaging, Inc.'s building located at 610 East Jefferson, and authorized the Mayor to sign the Quit Claim Deed on behalf of the City of Pittsburg. Motion carried.

MAIN STREET COMMUNITY APPLICATION AND RESOLUTION NO. 1128 – On motion of O'Bryan, seconded by Draper, the Governing Body approved the submittal of an application co-sponsored by the City of Pittsburg and the Pittsburg Area Chamber of Commerce to the Kansas Main Street Inside Track Program to assist with obtaining the designation of a Main Street Community and approved Resolution No. 1128 and authorized the Mayor to sign the appropriate documents on behalf of the City. Motion carried.

DANCE HALL LICENSE APPLICATION – CRAZYTOWN LIVE – On motion of O'Bryan, seconded by Draper, the Governing Body approved the Dance Hall license application submitted by Daniel Bell for Crazytown Live located at 305 North Broadway and authorized the City Clerk to issue the license. Motion carried.

APPROPRIATION ORDINANCE – On motion of O'Bryan, seconded by Draper, the Governing Body approved the Appropriation Ordinance for the period ending August 14, 2012, subject to the release of HUD expenditures when funds are received, with the following roll call vote: Yea: Beezley, Draper, Grey, Ketterman and O'Bryan. Motion carried.

SPECIAL PRESENTATION - RV PARK RESTROOM, SHOWER FACILITY AND PAVILION - Mr. Buche, Pittsburg Beautiful and Mr. Timi, PSU Construction Management, provided a presentation on the RV Park Restroom, Shower Facility & Pavilion. Commissioners expressed their appreciation to PSU and to Pittsburg Beautiful for their efforts to beautify Pittsburg.

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**SPECIAL PRESENTATION - AIRPORT MASTER PLAN AND AIRPORT LAYOUT PLAN –** Following a presentation by representatives of Professional Engineering Consultants, P.A., on motion of Beezley, seconded by Gray, the Governing Body approved the Airport Master Plan and Airport Layout Plan and authorized the City Manager to sign the documents to be forwarded to FAA as adopted plans. Motion carried.

Commissioner Beezley inquired about the installation of approach lights on the north end of the taxiway. Director of Public Works William Beasley indicated that the lights would cost a minimum of \$500,000, and are not an FAA fundable item. He further stated that if several local pilots wanted to fund the lighting, the City would work with them on the project.

Commissioner O'Bryan indicated that if the parallel taxiway is not needed, the City should not spend money building and maintaining it. Commissioner Beezley suggested local pilots come before the Governing Body at some point in the future to discuss the importance of the parallel taxiway.

**PUBLIC HEARING - SMALL CITIES COMMUNITY DEVELOPMENT APPLICATION –** Following Public Hearing, on motion of Beezley, seconded by Gray, the Governing Body authorized staff to submit a Small Cities Community Development application to the Kansas Department of Commerce for Housing Rehabilitation for up to \$400,000 for owner-occupied structures, and adopted Resolution No. 1127 identifying matching funds up to \$75,000 and authorized the Mayor to sign the appropriate documents on behalf of the City. Motion carried.

**PUBLIC HEARING - PROPOSED 2013 BUDGET –** Following Public Hearing, on motion of Gray, seconded by O'Bryan, the Governing Body approved the 2013 Budget and authorized the Mayor and Commissioners to sign the State Budget Form on behalf of the City. Motion carried.

Commissioner Beezley suggested a 1 1/2% salary increase for employees in lieu of the 2% salary increase that was approved during the special meeting held on July 31st, 2012. Mayor Ketterman suggested instead of decreasing the raise for employees, if funding needs to be saved, the funding to outside agencies be re-evaluated. Commissioners Gray, O'Bryan and Draper indicated that they support the 2% salary increase for employees as approved on July 31st, 2012.

Mayor Ketterman requested the City's health insurance carrier provide options available to save the City money on health insurance costs.

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ORDINANCE NO. S-1000 – On motion of Gray, seconded by Beezley, the Governing Body approved Ordinance No. S-1000, attesting to an increase in tax revenues for Budget Year 2013 for The City of Pittsburg, Kansas, on the first and only reading. Motion carried.

ORDINANCE NO. G-1167 – On motion of Gray, seconded by Draper, the Governing Body approved Ordinance No. G-1167, amending Section 54-133 of the Pittsburg City Code to provide for an affirmative defense to a charge under this Section if the owner, operator or occupier of the premises in compliance with the terms and conditions as set forth in a special event permit issued by the Governing Body, on the first and only reading. Motion carried.

PITTSBURG STATE UNIVERSITY SPECIAL EVENT REQUEST – On motion of Gray, seconded by Beezley, the Governing Body approved the request submitted by Pittsburg State University for a Special Event Permit for the third annual Fraternal Leadership Summit (FLS) to be held from 8:00 a.m. on August 18th and conclude at 2:00 a.m. on 19th, 2012, with activities to be held on the PSU oval, and directed staff to issue the permit. Motion carried.

FACADE GRANT APPLICATION - 808 NORTH BROADWAY - On motion of Beezley, seconded by Gray, the Governing Body approved a Facade Grant Application submitted by Joe Kim, owner of the property located at 808 North Broadway, in the amount of \$2,500.00, with the conditions that the owner completes all work as presented in the application, meets or increases financial contribution toward facility upgrade matching costs, and passes fire inspection. Motion carried.

FORGIVABLE LOAN - VIETTI AUTO BODY AND ALIGNMENT INC. – On motion of Beezley, seconded by Gray, the Governing Body approved a two (2) year forgivable loan in the amount of \$14,448 to Jeff and Penny Wood, owners of Vietti Auto Body and Alignment, Inc., to assist in infrastructure improvements including demolition and a drive approach at 321 East 4th Street and authorized the Mayor to sign the appropriate documents. Motion carried.

SOUTHEAST KANSAS REGIONAL PLANNING COMMISSION CONTRACT – On motion of O'Bryan, seconded by Draper, the Governing Body approved a contract with the Southeast Kansas Regional Planning Commission to administer the Community Development Block Grant if funded by the State of Kansas Department of Commerce and authorized the Mayor to sign the appropriate documents. Motion carried.

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ENGINEERING SERVICES AGREEMENT – On motion of O'Bryan, seconded by Draper, the Governing Body approved an agreement between the City of Pittsburg and Professional Engineering Consultants, P.A. to provide Civil Engineering Services relative to the construction of a 16-inch water line on Madison Street from Broadway Street to Joplin Street for a not-to-exceed fee of \$53,424 and authorized the Mayor to sign the agreement on behalf of the City of Pittsburg. Motion carried.

REQUEST TO REZONE – KNIGHTS OF COLUMBUS - On motion of O'Bryan, seconded by Beezley, the Governing Body approved the request submitted by the Knights of Columbus to rezone the vacant property located between 11th Street/12th Street and Joplin/Grand from the current "NO ZONE" to CP-0 Planned Commercial Office District for the purpose of developing a meeting/event hall for their activities. Motion carried.

REQUEST TO REZONE – COMMUNITY HEALTH CENTER OF SOUTHEAST KANSAS - On motion of Beezley, seconded by Gray, the Governing Body approved the request submitted by Community Health Center of Southeast Kansas to rezone the lots to the south and west of 3011 North Michigan from R-1B Single Family Residential to CP-0 Planned Commercial Office District for the planned purpose of expanding its current operations to accommodate the increased demand for space needed for the medical and support staff. Motion carried.

QUINCY STREET IMPROVEMENTS – On motion of O'Bryan, seconded by Draper, the Governing Body approved Supplemental Agreement No. 1 to the Contract for Engineering Services dated February 8, 2011, by and between the City of Pittsburg, Kansas and Professional Engineering Services, P.A. in conjunction with design of Quincy Street from Broadway Street to Stilwell Street revising the Project Limits and Scope of Services for Phase I for an upper limit of compensation for work detailed in Phase I of \$178,105, and authorized the Mayor to sign Supplemental Agreement No. 1 on behalf of the City of Pittsburg. Motion carried.

DISPOSITION OF BIDS – DIPOLE QUASI-OMNI ANTENNAS - On motion of Gray, seconded by O'Bryan, the Governing Body awarded the bid for the purchase of four exposed Dipole Quasi-OMNI Antennas, four side mounting kits, cables, connectors and other necessary appurtenances to be used on the new communications tower to be constructed at 1st and Locust to the low bidder meeting specifications, Primus Electronics, of Morris, Illinois, in the amount of \$6,966.33, and authorized City staff to issue the necessary purchase order. Motion carried.

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DISPOSITION OF BIDS – GENERATOR - On motion of Gray, seconded by Draper, the Governing Body awarded the bid for the purchase of a 14 kW generator to be used to provide backup power for the City's radio equipment on the new communications tower to be constructed at 1st and Locust to the low bidder meeting specifications, B & R Electric, LLC, of Pittsburg, in the amount of \$3,614.82, and authorized City staff to issue the necessary purchase order. Motion carried.

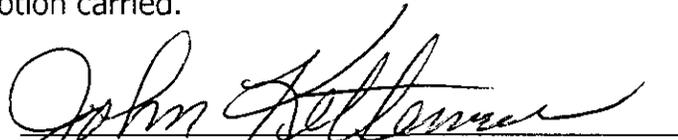
NON-AGENDA REPORTS & REQUESTS:

RLF APPLICATION – C.P. COMMUNICATIONS, LLC – On motion of Gray, seconded by O'Bryan, the Governing Body approved the Revolving Loan Fund application submitted by Charles and Kelligene Parsons, owners of C.P. Communications, LLC, for a forgivable loan in the amount of \$23,980 for a drive approach to be installed at their new facility located at 2400 North Broadway. Motion carried.

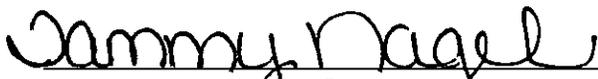
CLEAN SWEEP PROGRAM - Mayor Ketterman reminded citizens to continue to beautify Pittsburg. Commissioner O'Bryan noted that the City-owned property at Quincy and Joplin needs to be cleaned up.

INDUSTRY VISITS - Mayor Ketterman thanked Director of Economic Development Mark Turnbull for scheduling industry visits for the Commissioners.

ADJOURNMENT: On motion of Beezley, seconded by Gray, the Governing Body adjourned the meeting at 7:46 p.m. Motion carried.

  
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John Ketterman, Mayor

ATTEST:

  
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Tammy Nagel, City Clerk

