

OFFICIAL MINUTES
OF THE MEETING OF THE
GOVERNING BODY OF THE
CITY OF PITTSBURG, KANSAS
November 27th, 2012

A Regular Session of the Board of Commissioners was held at 5:30 p.m., Tuesday, November 27th, 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 – NOVEMBER 13th, 2012 – On motion of O'Bryan, seconded by Draper, the Governing Body approved the November 13th, 2012, City Commission Meeting minutes as submitted. Motion carried.

COLONIAL FOX FAÇADE GRANT EXTENSION – On motion of O'Bryan, seconded by Draper, the Governing Body approved staff recommendation to extend the Colonial Fox Theatre's facade grant until April 30, 2013. Motion carried.

MEMORIAL AUDITORIUM AND CONVENTION CENTER ADVISORY BOARD APPOINTMENTS/REAPPOINTMENT – On motion of O'Bryan, seconded by Draper, the Governing Body approved staff recommendation to reappoint April Wilkes to a second term and appoint Pat Clement, Lora Grooms and John Kutz to first terms as members of the Memorial Auditorium and Convention Center Advisory Board effective January 1st, 2013 and to expire December 31, 2016. Motion carried.

CEREAL MALT BEVERAGE LICENSE RENEWALS – On motion of O'Bryan, seconded by Draper, the Governing Body approved the applications submitted by Four Oaks Golf Course (910 Memorial Drive), Rhodes Grocery, Inc. (310 East Centennial), Wal-Mart #72 (2710 North Broadway), Casey's General Store #2962 (434 West 4th Street), Casey's General Store #2961 (612 South Broadway), Casey's General Store #2893 (2912 North Broadway), Pump N Pete's (4002 North Broadway), Pump N. Pete's (1711 North Broadway), Walgreens #9049 (1911 North Broadway) and Bo's 1 Stop, Inc. (1116 West 4th Street) to sell Cereal Malt Beverages for the year 2013 and directed the City Clerk to issue the licenses. Motion carried.

SUPPLEMENTAL AGREEMENT NO. 1 – KLINK RESURFACING PROJECT – On motion of O'Bryan, seconded by Draper, the Governing Body approved Supplemental Agreement No. 1 to Agreement No. 223-10 dated January 20, 2012, between the City of Pittsburg and the Kansas Department of Transportation to cancel KLINK Resurfacing Project No. 69B-19 U-0116-01 and combine the work and funding into KLINK Resurfacing Project No. 69B-19 U-0029-01, such that the resurfacing now is for US-69B, Jefferson to 2nd Street, and authorized the Mayor to sign Supplemental Agreement No. 1 on behalf of the City of Pittsburg. Motion carried.

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SUPPLEMENTAL AGREEMENT NO. 1 – ARMORY STORM SHELTER PROJECT – On motion of O'Bryan, seconded by Draper, the Governing Body approved Supplemental Agreement No. 1 to the Agreement dated December 12, 2011, between the City of Pittsburg and Professional Engineering Consultants, P.A. to modify the scope of work for the design of the Armory Storm Shelter, and authorized the Mayor to sign Supplemental Agreement No. 1 on behalf of the City of Pittsburg. Motion carried.

AGREEMENT NO. 273-12 – BROADWAY AND CENTENNIAL PROJECT – On motion of O'Bryan, seconded by Draper, the Governing Body approved Agreement No. 273-12 between the City of Pittsburg and the Kansas Department of Transportation to participate in funding a Geometric Improvements and Installation of Right Turn Lane Project at the intersection of Broadway and Centennial, and authorized the Mayor to sign the Agreement on behalf of the City of Pittsburg. Motion carried.

CHANGE ORDER NO. 1 AND FINAL PAYMENT – 7th STREET STORM SEWER PROJECT – On motion of O'Bryan, seconded by Draper, the Governing Body approved Change Order No. 1 reflecting an increase of \$3,633.00 making a new contract construction amount of \$138,003.00 and final payment in the amount of \$25,395.00 to Freddy Van's, Inc., of Pittsburg, Kansas, for the 7th Street Storm Sewer Replacement Project. Motion carried.

DISPOSITION OF BIDS – HOME REHABILITATION PROGRAM – On motion of O'Bryan, seconded by Draper, the Governing Body awarded the bids for the second round of the Home Rehabilitation Program as follows: 444 East 27th Street to D&D Construction in the amount of \$18,100, 206 North Rouse to Nance Construction in the amount of \$24,450, and 513 East 8th Street to Ewing Construction in the amount of \$19,600. Motion carried.

LOAN – WANDA ROTH – On motion of O'Bryan, seconded by Draper, the Governing Body approved staff recommendation to grant a loan to Wanda Roth at 206 North Rouse in the amount of \$3,650 at 2% interest with payment of \$24.93/month for a period of 14 years and authorized the Mayor to sign the appropriate documents on behalf of the City. Motion carried.

APPROPRIATION ORDINANCE – On motion of O'Bryan, seconded by Draper, the Governing Body approved the Appropriation Ordinance for the period ending November 27th, 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.

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PARTNERSHIP OPPORTUNITY – Following a presentation by Pittsburg State University representatives, it was the consensus of the Governing Body to have City Manager Daron Hall work with Pittsburg State University Official on funding options for the proposed capital investment project. These options will be presented to the City Commission at a later date.

Kaye Lynne Webb, Watco Companies, spoke in favor of the proposed partnership. She stated that the project would have a positive affect many groups.

Dr. Steve Scott, President of Pittsburg State University, thanked the City of Pittsburg for the past partnerships between the City and PSU. President Scott provided an overview of the proposed set of projects designed to reshape the PSU Campus, grow enrollment and spur regional economic development. The projects include the renovation of the Jack H. Overman Student Center (\$14M total project cost – this project is fully funded by PSU students), construction of the Center for the Arts (\$30M total project cost – this project is fully funded by private and student investment), and the renovation of the Weede and construction of an Indoor Event Facility (\$17M total project cost - \$5M has been secured by private and student investment). Dr. Scott requested the City of Pittsburg invest \$7.6M in the proposal utilizing the City's Revolving Loan Fund and the City's bonding authority.

Kendall Gammon, spoke in reference to the favorable impact the Indoor Event Facility would have on the student athlete population at PSU.

B.J. Harris, of the Crawford County Convention and Visitors Center, spoke in reference to the potential number of visitors that would visit the Indoor Event Center on an annual basis.

Blake Benson, President of the Pittsburg Area Chamber of Commerce, discussed the positive economic impact the projected growth of PSU enrollment would have on the City.

Cindy Ward, Vice-President of Student Government at PSU, spoke regarding the relationship between the City and the University. She spoke in favor of the proposed partnership opportunity presented by PSU.

Commissioner Beezley inquired how the proposed Indoor Event Facility space can be useful to everyone. Dr. Scott indicated that the space in the facility would be maximized - citing the Armory/Rec Center as an example. Dr. Scott suggested a Memorandum of Understanding be adopted by the parties involved to ensure all parties have access to the facility.

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Commissioner O'Bryan questioned the effect intramurals would have on the events scheduled by the Convention and Visitors Bureau. Dr. Scott indicated that there would need to be give and take on both sides. He stated that intramural sports are not the priority for the facility.

Commissioner O'Bryan asked if a hardened room would be included in the Fine Arts building. Dr. Scott stated that a hardened room was not considered as a part of the Fine Arts Building.

Commissioner O'Bryan noted the infrastructure challenges the City will face as the PSU student population increases.

Commissioner Gray inquired how student growth compares with growth experienced by other Regents schools. Dr. Scott indicated that Hays has experienced a large growth of on-line students. Commissioner Gray inquired how tuition assistance compares with regents schools. Dr. Scott discussed several colleges and universities that offer tuition assistance programs.

Mayor Ketterman inquired how other universities have funded indoor event facilities. Dr. Scott stated that Missouri Western built their facility with tax credits. City Attorney Henry provided details of a proposed partnership project between KU and the City of Lawrence.

Mayor Ketterman stated that he does not want to rely on RLF funds for the proposed partnership, as he is uncertain if the funds would be available in the future. Mayor Ketterman suggested the citizens be allowed to vote on the use of City funds for the proposed projects. Commissioner O'Bryan stated that he believed the citizens elected the Commissioners to make these decisions. City Manager Daron Hall discussed the RLF and other funding options available for the project. Commissioner Beezley stated that she felt the Commissioners should make the decision, as citizens elected Commissioners to look out for the best interest of the residents.

Dr. Scott offered to put a committee together to include City representatives and PSU Officials to work together and answer questions regarding this partnership. Commissioner O'Bryan suggested the process move forward quickly. It was decided that City Manager Hall will work with PSU Officials regarding financing options available for the partnership.

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PUBLIC HEARING - WATER TREATMENT PLANT EMERGENCY GENERATOR AND ODOR CONTROL – Following Public Hearing, on motion of O'Bryan, seconded by Gray, the Governing Body approved a proposed loan in an amount not to exceed \$1,800,000.00 to be taken by the City of Pittsburg from the Kansas Public Water Supply Loan Fund administered by the Kansas Department of Health and Environment pursuant to K.S.A. 65-163c et seq to finance certain modifications and improvements to the City's water supply and distribution system, and to pay loan origination costs and interest during construction of the Project. Motion carried.

RESOLUTION NO. 1131 – On motion of Gray, seconded by Draper, the Governing Body approved Resolution No. 1131 authorizing the completion of an application to the Kansas Department Of Health and Environment regarding a loan from the Kansas Public Water Supply Loan Fund, and authorized the Mayor to sign the Resolution on behalf of the City of Pittsburg. Motion carried.

BOARD OF ZONING APPEALS APPOINTMENT – On motion of Gray, seconded by Draper, the Governing Body appointed Timothy Kundiger, to a first term as a member of the Board of Zoning Appeals effective January 1, 2013, and to expire on December 31st, 2015. Motion carried.

AIRPORT ADVISORY COMMITTEE APPOINTMENT/REAPPOINTMENT – On motion of Beezley, seconded by Gray, the Governing Body reappointed Nathan Keizer and Ron Long to second terms and appointed Ron Close to an unexpired term and Jerry Waltrip to a first term as members of the Airport Advisory Committee effective January 1, 2013, and to expire on December 31st, 2015. Motion carried.

PLANNING AND ZONING COMMISSION APPOINTMENT/REAPPOINTMENT – On motion of O'Bryan, seconded by Beezley, the Governing Body reappointed Brian Sullivan to a second term and appointed Patty Horgan and Michael Swartz to first terms as members of the Planning and Zoning Commission effective January 1, 2013, and to expire on December 31st, 2015. Motion carried.

DATE FOR SECOND CITY COMMISSION MEETING IN DECEMBER – On motion of Gray, seconded by O'Bryan, the Governing Body selected December 18th, 2012, to hold a Special Commission Meeting and cancelled their regularly scheduled meeting of December 25th, 2012. Motion carried.

EXECUTIVE SESSION - On motion of Draper, seconded by Beezley, the Governing Body recessed into Executive Session not to exceed 30 minutes for discussion regarding personnel matters of non-elected personnel. Motion carried.

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The Governing Body recessed into Executive Session at 7:18 p.m.

The Governing Body reconvened into Regular Session at 7:47 p.m.

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

ADJOURNMENT: On motion of O'Bryan, seconded by Draper, the Governing Body adjourned the meeting at 7:47 p.m. Motion carried.





John Ketterman, Mayor



Tammy Nagel, City Clerk