City of Pittsburg, Kansas Commission Meeting Agenda Tuesday, April 22, 2025 5:30 p.m.

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# CITY OF PITTSBURG, KANSAS COMMISSION AGENDA Tuesday, April 22, 2025 5:30 PM

### **CALL TO ORDER BY THE MAYOR:**

- a. Flag Salute Led by the Mayor
- b. Public Input
- c. Pittsburg Positive Southeast Kansas Recycling Center
- d. Proclamation Arbor Day

# **CONSENT AGENDA (ROLL CALL VOTE):**

- a. Approval of the April 8, 2025, City Commission Meeting minutes.
- b. Approval of the Appropriation Ordinance for the period ending April 22, 2025, subject to the release of HUD expenditures when funds are received.

#### **SPECIAL PRESENTATION:**

a. ECONOMIC DEVELOPMENT QUARTERLY REPORT - Director of Economic Development Blake Benson, and Pittsburg State University Associate Vice President, Research + Economic Development Wesley Streeter, will present the quarterly Economic Development Report. **Receive for file.** 

#### **CONSIDER THE FOLLOWING:**

- a. 2025 AMENDMENT TO ECONOMIC DEVELOPMENT SERVICES CONTRACT PITTSBURG AREA CHAMBER OF COMMERCE Consider staff request to amend the Economic Development Services contract with the Pittsburg Area Chamber of Commerce. Approve or disapprove the request and, if approved, authorize the Mayor to sign the Amendment on behalf of the City.
- b. 2025 AMENDMENT TO BUSINESS DEVELOPMENT AND INNOVATION SERVICES AGREEMENT PITTSBURG STATE UNIVERSITY Consider staff request to amend the Business Development and Innovation Services Agreement with Pittsburg State University. Approve or disapprove the request and, if approved, authorize the Mayor to sign the Amendment on behalf of the City.

# CITY OF PITTSBURG, KANSAS COMMISSION AGENDA Tuesday, April 22, 2025 5:30 PM

- c. MBL DEVELOPMENT COMPANY VILLAS AT WELLINGTON SPRINGS DEVELOPMENT Consider the recommendation of the Economic Development Advisory Committee (EDAC) to approve a loan in the amount of \$405,000 to MBL Development, at 1% interest, with the loan to be amortized over twenty years, with a seven-year term, to develop the Villas at Wellington Springs, a senior living facility on Bradshaw Way. **Approve or disapprove the recommendation and, if approved, authorize the Mayor to sign the necessary documents on behalf of the City.**
- d. RESOLUTION NO. 1293 Consider approval of Resolution No. 1293, determining the advisability of issuing Taxable Industrial Revenue Bonds for the purpose of financing the acquisition, construction and equipping of a commercial residential facility to be located in the City; and authorizing execution of related documents. Approve or disapprove of Resolution No. 1293 and, if approved, authorize the Mayor to sign the Resolution on behalf of the City.

**NON-AGENDA REPORTS AND REQUESTS:** 

**ADJOURNMENT** 





# Proclamation

Whereas: Arbor Day is a nationally-celebrated observance that encourages

tree planting and care; and

Whereas: J. Sterling Morton first proposed a tree-planting holiday to be called

"Arbor Day" at a meeting of the Nebraska State Board of

Agriculture; and

Whereas: The first Arbor Day was celebrated on April 10th, 1872, and it is

estimated that more than one million trees were planted in

Nebraska on that day; and

Whereas: During the 1870s, other states passed legislation to observe Arbor

Day, and the tradition began in schools nationwide in 1882; and

Whereas: Trees in our city increase property values, enhance the economic

vitality of business areas, and beautify our community.

**Now, Therefore, I,** Dawn McNay, Mayor of the City of Pittsburg, Kansas, do hereby proclaim April 25<sup>th</sup>, 2025, as

# **ARBOR DAY IN PITTSBURG**

and encourage the citizens of Pittsburg to join in this celebration and the observance of this special day set aside for tree planting.

Dated this 22<sup>nd</sup> day of April, 2025.

ATTEST:



OFFICIAL MINUTES
OF THE MEETING OF THE
GOVERNING BODY OF THE
CITY OF PITTSBURG, KANSAS
April 8, 2025

A Regular Session of the Board of Commissioners was held at 5:30 p.m. on Tuesday, April 8<sup>th</sup>, 2025, in the City Commission Room, located in the Law Enforcement Center, 201 North Pine, with President of the Board Ron Seglie presiding and the following members present: Cheryl Brooks, Stu Hite, and Chuck Munsell. Mayor Dawn McNay participated in the meeting by phone.

President of the Board Seglie led the flag salute.

INVOCATION – Dr. Nagle, on behalf of the St. Peter's Episcopal Church, provided an invocation.

MOMENT OF SILENCE – Commissioner Munsell led a moment of silence in remembrance of retired Pittsburg Fire Lieutenant Ken Thornton, who passed away on April 4, 2025.

APPROVAL OF MINUTES – On motion of Hite, seconded by Brooks, the Governing Body approved the March 25, 2025, City Commission Meeting minutes as presented. Motion carried.

PITSBURG PUBLIC LIBRARY BOARD OF TRUSTEES REAPPOINTMENTS – On motion of Hite, seconded by Brooks, the Governing Body reappointed Dan McNally and Dr. Susan Knell to second four-year terms as members of the Pittsburg Public Library Board of Trustees effective May 1<sup>st</sup>, 2025, and concluding on April 30<sup>th</sup>, 2029. Motion carried.

CELLEBRITE, INC. AGREEMENT – On motion of Hite, seconded by Brooks, the Governing Body approved staff recommendation to waive the City's bid process and to enter into a three-year purchase agreement with Cellebrite, Inc., for their Inseyets system, including 40 mobile device unlocks, in the total amount of \$62,161.61, and authorized the President of the Board to sign the necessary documents on behalf of the City. Motion carried.

ORDINANCE NO. S-1106 – On motion of Hite, seconded by Brooks, the Governing Body adopted Ordinance No. S-1106, authorizing the execution of a 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 connections therewith; and authorizing certain other actions in connection with the loan agreement, and authorized the President of the Board to sign the Ordinance on behalf of the City. Motion carried.

FOUR-WAY STOP INTERSECTIONS – On motion of Hite, seconded by Brooks, the Governing Body approved the recommendation of the Traffic Advisory Board to convert the intersection of South Woodland Street and West Washington Avenue, along with the intersection of West Martin Avenue and South College Street to four-way stops, and authorized the City staff to install the signs. Motion carried.

OFFICIAL MINUTES
OF THE MEETING OF THE
GOVERNING BODY OF THE
CITY OF PITTSBURG, KANSAS
April 8, 2025

PITTSBURG PUBLIC HOUSING AUTHORITY (PHA) POLICIES – On motion of Hite, seconded by Brooks, the Governing Body approved staff recommendation to update the Pittsburg Public Housing Authority (PHA) policies to better serve participants in the Section 8 Housing Choice Voucher (HCV) program. Motion carried.

APPROPRIATION ORDINANCE — On motion of Hite, seconded by Brooks, the Governing Body approved the Appropriation Ordinance for the period ending April 8, 2025, subject to the release of HUD expenditures when funds are received with the following roll call vote: Yea: Brooks, Hite, McNay, Munsell and Seglie. Motion carried.

VILLAS AT CREEKSIDE RURAL HOUSING INCENTIVE DISTRICT (RHID) AMENDMENT – On motion of Hite, seconded by McNay, the Governing Body approved staff recommendation to amend the Villas at Creekside Phase 1 Rural Housing Incentive District (RHID) Exhibit C, to increase the allowable amounts per line item to reflect the actual costs of infrastructure, and authorized the President of the Board to sign the Amendment on behalf of the City. Motion carried.

ACCEPTANCE OF DONATION – 616 NORTH BROADWAY – On motion of McNay, seconded by Hite, the Governing Body, approved staff recommendation to accept the donation of the vacant building, located at 616 North Broadway, from Shellie Robertson. Motion carried.

PURCHASE OF MOTOROLA IN-CAR CAMERAS — On motion of Hite, seconded by Brooks, the Governing Body approved staff recommendation to purchase thirteen M500 in-car cameras from Motorola, in the amount of \$117,011.60, for use in the Police Department's marked patrol fleet, and authorized the President of the Board to sign the necessary documents on behalf of the City. Motion carried.

ADJOURNMENT - On motion of Hite, seconded by Munsell, the Governing Body adjourned the meeting at 5:44 p.m. Motion carried.

ATTEST:	Ron Seglie, President of the Board
Tammy Nagel, City Clerk	<del></del>

A/P HISTORY CHECK REPORT PAGE: 1 VENDOR SET: 99 City of Pittsburg, KS

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DATE RANGE: 3/31/2025 THRU 4/15/2025

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AMOUNT DISCOUNT VENDOR I.D. STATUS NAME DATE 4/01/2025 197216 C-CHECK VOID CHECK V C-CHECK VOID CHECK 4/10/2025 197238 C-CHECK VOID CHECK V 4/10/2025 197239 C-CHECK VOID CHECK V 4/10/2025 197255 VOID CHECK 4/10/2025 C-CHECK V 197256 VOID CHECK C-CHECK V 4/10/2025 197257 C-CHECK VOID CHECK 4/10/2025 197258 C-CHECK C-CHECK VOID CHECK V 4/10/2025 197259 V 4/10/2025 197260 VOID CHECK 4/10/2025 197261 DISCOUNTS 0.00 \* \* T O T A L S \* \* NO INVOICE AMOUNT CHECK AMOUNT REGULAR CHECKS: 0.00 0 0.00 0.00 HAND CHECKS: 0 0.00 0.00 DRAFTS: 0.00 0.00 0.00 0 0.00 0.00 0.00 EFT: NON CHECKS: 0 0.00 0.00 0.00 10 VOID DEBITS 0.00 VOID CHECKS: VOID CREDITS 0.00 0.00 0.00 TOTAL ERRORS: 0 INVOICE AMOUNT CHECK AMOUNT NO DISCOUNTS VENDOR SET: 99 BANK: TOTALS: 10 0.00 0.00 0.00 BANK: TOTALS: 10 0.00 0.00 0.00

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City of Pittsburg, KS

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VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0101	BUG-A-WAY INC	E	4/11/2025			025558		250.00
0133	JIM RADELL CONSTRUCTION COMPAN	E	4/11/2025			025559	21	,444.84
0207	PEPSI-COLA BOTTLING CO OF PITT	E	4/11/2025			025560		211.50
0272	BO'S 1 STOP INC	E	4/11/2025			025561		17.99
0276	JOE SMITH COMPANY, INC.	E	4/11/2025			025562		701.26
0317	KUNSHEK CHAT & COAL CO, INC.	E	4/11/2025			025563	g	9,981.59
0328	KANSAS ONE-CALL SYSTEM, INC	E	4/11/2025			025564		391.02
0364	CRAWFORD COUNTY SHERIFF'S DEPA	E	4/11/2025			025565	4	1,450.00
0525	3M	E	4/11/2025			025566	1	,351.08
0534	TYLER TECHNOLOGIES INC	E	4/11/2025			025567	18	8,871.00
0597	CORNEJO & SONS LLC	E	4/11/2025			025568		796.81
0650	HOME CENTER CONSTRUCTION	E	4/11/2025			025569	21	,790.00
0779	PITTSBURG COMMUNITY THEATRE	E	4/11/2025			025570	6	5,908.35
0823	TOUCHTON ELECTRIC INC	E	4/11/2025			025571		39.00
0829	CROWN PRODUCTS INC	E	4/11/2025			025572	2	2,098.90
0866	AVFUEL CORPORATION	E	4/11/2025			025573	21	,102.34
1030	FREDDY VAN'S INC	E	4/11/2025			025574	5	5,200.00
1075	COASTAL ENERGY CORP	E	4/11/2025			025575	2	2,333.55
1792	B&L WATERWORKS SUPPLY, LLC	E	4/11/2025			025576		730.85
2005	GALLS PARENT HOLDINGS, LLC	E	4/11/2025			025577		70.74
2707	THE LAWNSCAPE COMPANY, INC.	E	4/11/2025			025578		762.50
2921	DATAPROSE LLC	E	4/11/2025			025579	5	,129.56

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VENDOR I.D. STATUS DATE AMOUNT DISCOUNT NO STATUS AMOUNT SUNNYVALE INVESTMENT PROPERTIE E 8080 4/11/2025 025602 750.00 8147 CHEM-AQUA, INC. 4/11/2025 025603 466.65 PLUNKETT'S PEST CONTROL INC 025604 1,086.62 8200 E 4/11/2025 8326 KAYLYN HITE 4/11/2025 025605 1,000.00 8554 LACEY O'BRIEN 4/11/2025 025606 1,650.00 PDQ INTERMEDIATE INC 4/11/2025 025607 475.59 8604 Ε UPLINK, LLC 4/11/2025 025608 48.00 8649 Ε 8729 NATHAN HUGHES E 4/11/2025 025609 25.00 8732 BRANDON SPEAR 4/11/2025 025610 75.00 8879 DEREK MCNAUGHT 4/11/2025 025611 250.00 700.00 9027 CLARK, JOVOLI Ε 4/11/2025 025612 9031 SAINT PIERRE, ZACHARY 4/11/2025 025613 100.00 Ε BOWNAN, BETH 3/31/2025 197211 391.25 1 R 100 NORTH PINE LLC 2,550.00 8844 4/01/2025 197212 R 5966 BERRY COMPANIES, INC. 4/01/2025 197213 255.79 CALDERON, ANA 4/01/2025 197214 2,700.00 5759 COMMUNITY HEALTH CENTER OF SEK R 4/01/2025 197215 895.00 3,228.74 8430 EQUIPMENTSHARE.COM, INC 4/01/2025 197217 R 1108 EVERGY KANSAS CENTRAL INC 4/01/2025 197218 84.53 7804 MARTIN PROFESSIONAL, LLC 4/01/2025 197219 844.80 7442 UNIFIED SCHOOL DISTRICT #250-C R 4/01/2025 197220 4,687.97 USD 250 4/01/2025 197221 175.63

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AMOUNT DISCOUNT VENDOR I.D. NAME STATUS STATUS AMOUNT DATE NO 5589 CELLCO PARTNERSHIP 4/01/2025 197222 97.81 R 1 WHITE, JANET 4/01/2025 197223 180.00 1ST DUE EMERGENCY RESPONSE SOL R 197234 73.73 6088 4/10/2025 0516 AMERICAN CONCRETE CO INC 4/10/2025 197235 773.00 1 AT & T CWO 4/10/2025 197236 12,792.45 4/10/2025 197237 13,990.70 0523 AT&T R GERSON BOCANEGRA 4/10/2025 50.00 8278 197240 R 1 BROADWAY ANIMAL HOSPITAL R 4/10/2025 197241 95.00 7838 CLELAND MASONRY, INC 4/10/2025 197242 3,600.00 4263 COX COMMUNICATIONS KANSAS LLC 4/10/2025 197243 62.98 708.63 4263 COX COMMUNICATIONS KANSAS LLC R 4/10/2025 197244 4263 COX COMMUNICATIONS KANSAS LLC 4/10/2025 197245 445.80 COX COMMUNICATIONS 4/10/2025 197246 12,569.00 1 R 1 CRAWFORD CO F.F. ASSOC 4/10/2025 197247 151.67 0497 CRAWFORD COUNTY DISTRICT COURT 4/10/2025 197248 36.00 0095 CRAWFORD COUNTY TREASURER 4/10/2025 197249 156.25 CRAWFORD, SYDNIE 4/10/2025 197250 66.73 R 0375 WICHITA WATER CONDITIONING 4/10/2025 197251 11.50 R 9042 ZIBERT, JIM 4/10/2025 197252 3,310.00 DIRECTOR OF ACCTS & REPORTS 4/10/2025 197253 300.00 R 8791 ENTERPRISE FM TRUST 4/10/2025 197254 80,867.16 1108 EVERGY KANSAS CENTRAL INC 4/10/2025 197262 40,256.46

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DATE RANGE: 3/31/2025 THRU 4/15/2025

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4/10/2025

PITTSBURG HIGHLANDS LP

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VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	CHECK DISCOUNT NO	CHECK CHECK STATUS AMOUNT
8979	ROUSE DEVELOPMENT LLC	R	4/10/2025		197285	1,335.00
1	SALAS, ARTEMIO	R	4/10/2025		197286	100.00
1	SCHIBI, ANDREA	R	4/10/2025		197287	191.28
0188	SECRETARY OF STATE	R	4/10/2025		197288	25.00
6377	SOUTHEAST KANSAS RECYCLING CEN	R	4/10/2025		197289	50.00
9043	SPORTS SURFACE MANAGEMENT	R	4/10/2025		197290	800.00
8872	TOTAL COMMUNICATIONS, INC.	R	4/10/2025		197291	3,104.00
8715	USA BLUEBOOK	R	4/10/2025		197292	743.55
8657	VERIZON CONNECT FLEET USA LLC	R	4/10/2025		197293	1,176.38
0175	REGISTER OF DEEDS	R	4/15/2025		197304	21.00
* * TOTALS * *  REGULAR CHECKS:	NO 64			INVOICE AMOUNT 249,521.85	DISCOUNTS 0.00	CHECK AMOUNT 249,521.85
HAND CHECKS:	0			0.00	0.00	0.00
DRAFTS:	2			10,216.87	0.00	10,216.87
EFT:	98			484,251.78	0.00	484,251.78
NON CHECKS:	0			0.00	0.00	0.00
VOID CHECKS:	0 VOID DEBITS		0.00			
	VOID CREDIT	S	0.00	0.00	0.00	
TOTAL ERRORS: 0						
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VENDOR SET: 99 BANK: 8	0144 TOTALS: 164			743,990.50	0.00	743,990.50
BANK: 80144 TOTALS:	164			743,990.50	0.00	743,990.50
REPORT TOTALS:	164			743,990.50	0.00	743,990.50

Passed and Approved this 22nd day of April, 2025.

Dawn McNay, Mayor	

Tammy Nagel, City Clerk

Attest:



ADMINISTRATION
201 West 4<sup>th</sup> Street · Pittsburg KS 66762

(620) 231-4100 www.pittks.org

To: Daron Hall, City Manager

From: Jay Byers, Deputy City Manager

**Date:** April 15, 2024

**Subject:** Annual Economic Development Contracts

For many years, the City has contracted with the Pittsburg Area Chamber of Commerce and Pittsburg State University to provide economic development services in support of the City's efforts. We recommend continuing these agreements with an increase to \$65,000 annually.

Please place on the agenda for April 22, 2025, a request for approval of amendments to the Economic Development Services contracts with the Chamber and PSU.

## **AMENDMENT 1**

To the Agreement between the City of Pittsburg and the Pittsburg Area Chamber of Commerce	to
provide for Economic Development Services.	

Section 3.1 is hereby amended to read as follows:

### 3.1 Fees

In full satisfaction for any and all services rendered by the Chamber for the City under this Agreement, as specified in Exhibit A, the City will pay the Chamber the total sum of sixty five thousand and no/100 (\$65,000.00) dollars annually, payable in equal quarterly installments and upon receipt of invoice.

For City of Pittsburg	Date:	4/22/25	Blake Benson	Date:

## **AMENDMENT 1**

To the Agreement between the City of Pittsburg and Pittsburg State University to provide for Economic
Development Services.

Section 3.1 is hereby amended to read as follows:

### 3.1 Fees

In full satisfaction for any and all services rendered by PSU for the City under this Agreement, as specified in Exhibit A, the City will pay PSU the total sum of sixty five thousand and no/100 (\$65,000.00) dollars annually, payable in equal quarterly installments and upon receipt of invoice.

For City of Pittsburg	Date:	4/22/25	For Pittsburg State University Date:



# Memorandum

TO: Daron Hall, City Manager

**FROM:** Blake Benson, Economic Development Director

**DATE:** April 16, 2025

**SUBJECT:** April 22, 2025 Agenda Item

Villas at Wellington Springs project

MBL Development Company, based in Kansas City, has proposed to build a senior living facility on Bradshaw Way in southeast Pittsburg. Dubbed Villas at Wellington Springs, the development will offer independent living facilities for those 55 and over.

The development will feature a 3,000 square-foot community center with full kitchen, meeting area, lounge, and exercise room. Each of the 40 independent units will be 908 square feet and available for rent at \$600-800 per month. All maintenance will be handled by on-site staff. The development is valued at more than \$12 million with a construction timeline of approximately 18 months.

MBL Development plans to apply for a Kansas Housing Resources Corporation (KHRC) resources as one component of its funding mix. As KHRC values local community buy-in when scoring grant applications, MBL Development applied for a repayable \$405,000 loan from the Revolving Loan Fund to assist with the project.

The Economic Development Advisory Committee (EDAC) considered this request at its March 5, 2025, meeting and voted to recommend approval of a \$405,000 loan with a 1% interest rate, with the loan to be amortized over 20 years with a seven-year term, meaning the loan will be repaid in full at the end of seven years.

MBL Development has also requested approval for an Industrial Revenue Bond (IRB), which will provide a sales tax exemption on construction materials. If MBL Development is approved for the KHRC grant and the project moves forward, they will likely request a property tax exemption, which is also provided by an IRB, at a later date.

Please place this item on the agenda for the City Commission meeting scheduled for Tuesday, April 22, 2025. Action being requested is approval or denial of the \$405,000 loan to MBL Development Company in support of the Villas at Wellington Springs development, along with an IRB-related sales tax exemption on construction materials, and authorize the Mayor to sign the appropriate documents.

From: <u>City of Pittsburg</u>

To: Blake Benson; bbenson710@yahoo.com

Subject: New Application for RLF Submitted

Date: Thursday, February 13, 2025 4:05:59 PM

#### General Information

#### 1. Name of Applicant Firm

MBL Development Co.

#### 2. Date of Request

02/13/2025

#### **Contact Information**

#### 3. Firm Address

9237 Ward Parkway

Suite 310

Kansas City, Missouri 64114

**United States** 

Map It

#### **Firm Phone Number**

(816) 569-6420

#### **Email Address**

mbldevco@aol.com

# 4. Names, addresses and email addresses of the principal officers, directors and members of the applicant

Kim Lingle

9237 Ward Parkway, Ste. 310 Kansas City, MO 64114

mbldevco@aol.com

### 5. Name, address, phone number and email address for applicant's attorney

Sandra Watts

Rouse Frets White Goss Gentile Rhodes, P.C.

4510 Belleview Ave. Suite 300

Kansas City, MO 64111

#### **Project Details**

#### 6. Estimated total project value (provide detailed breakdown of expected costs)

Total Development Costs - \$12,170,267

Hard Costs - \$9,132,510

Soft Costs - \$567,532

Financing Cost - \$593,947

Contingency - \$483,478

Reserves and Escrows - \$152,800

Developer Fee - \$800,000

#### 7. Amount being requested (should not exceed 10% of the total project cost)

\$405,000

#### 8. Address of proposed project

0 Bradshaw Way (near Renu Medial Spa) Pittsburg, Kansas 66762 Map It

#### 9. Estimated project completion date

05/01/2027

#### 10. Estimated job creation and expected average wage of jobs created

Property Manager - part time (\$20-\$24/hour)

Maintenance Manager - part time (\$20-\$24/hour)

Many construction jobs available - per bid process

#### 11. Other sources of funding (secured vs. pending)

City of Pittsburg RLF \$405,000 Perm Loan \$500,000 Federal LIHTC \$6,613,739 State LIHTC \$4,579,200 Deferred Developer Fee \$72,228 Total \$12,170,167

Construction Loan \$8,198,780

# 12. Summary of project, including construction to occur, future use of property, unusual demands for water/wastewater service and police/fire protection, etc.

MBL is proposing a 40 unit senior development located just NW from Renu Medical Spa, available to various income levels including market rate. Driveway to the development would be off Bradshaw Way. Each unit has 2 bedrooms with front and back porches and all appliances provided. There will be a community building available to all tenants which includes a full kitchen, meeting area, lounge area, exercise room, and computer access.

Construction is estimated to begin late fall of 2025, with an estimated completion date of spring 2027, approximately 18 months.

No unusual demands for water/wastewater services or police/fire protection is expected.

#### 13. Name, address, and phone numbers of general contractor, subcontractors, and architect/engineer.

MBL Development Co (GC) 9237 Ward Parkway, Ste. 310 Kansas City, MO 64114

Wallace Architects 302 Campusview Dr., Ste. 208 Columbia, MO 65201

Quist Engineering 821 NE Columbus Lee's Summit, MO 64063

No subcontractors have been engaged

# 14. Describe the organizational structure of applicant (proprietorship, partnership, limited liability company, corporation, etc.). Note relationship to a parent company.

MBL Development Co. is a Missouri Corporation, incorporated in 1994.

#### **RESOLUTION NO. 1293**

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF PITTSBURG, KANSAS DETERMINING THE ADVISABILITY OF ISSUING TAXABLE INDUSTRIAL REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A COMMERCIAL RESIDENTIAL FACILITY TO BE LOCATED IN THE CITY; AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS

**WHEREAS**, the City of Pittsburg, Kansas (the "Issuer") desires to promote, stimulate and develop the general economic welfare and prosperity of the City of Pittsburg, and thereby to further promote, stimulate and develop the general economic welfare and prosperity of the State of Kansas; and

**WHEREAS**, pursuant to the provisions of the Kansas Economic Development Revenue Bond Act, as amended and codified in K.S.A. 12-1740 *et seq*. (the "Act"), the Issuer is authorized to issue revenue bonds for such purposes, and it is hereby found and determined to be advisable and in the interest and for the welfare of the Issuer and its inhabitants that revenue bonds of the Issuer in a principal amount not to exceed \$8,000,000 be authorized and issued, in one or more series, to provide funds to pay the costs of the acquisition, construction and equipping of an independent senior living facility to be known as Villas at Wellington Springs (the "Project") located in the corporate limits of the Issuer and to be leased by the Issuer to MBL Development Co., a Missouri corporation, or another legal entity to be formed by the principals of MBL Development Co. (the "Tenant").

# NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF PITTSBURG, KANSAS:

- Section 1. **Public Purpose**. The governing body of the Issuer hereby finds and determines that the Project will promote, stimulate and develop the general economic welfare and prosperity of the Issuer, and thereby further promote, stimulate and develop the general economic welfare and prosperity of the State of Kansas.
- Section 2. **Authorization to Acquire Project; Intent to Issue Bonds**. The Issuer is hereby authorized to proceed with the construction of the Project and to issue its revenue bonds, in one or more series, in a principal amount not to exceed \$8,000,000 (the "Bonds") to pay the costs thereof, subject to satisfaction of the conditions of issuance set forth herein.
- Section 3. **Conditions to Issuance of Bonds**. The issuance of the Bonds is subject to: (a) the passage of an ordinance authorizing the issuance of the Bonds; (b) the successful negotiation of a Trust Indenture, Guaranty Agreement, Site Lease, Project Lease, Bond Purchase Agreement or other legal documents necessary to accomplish the issuance of the Bonds, the terms of which shall be in compliance with the Act and mutually satisfactory to the Issuer and the Tenant; (c) the successful negotiation and sale of the Bonds to a purchaser or purchasers yet to be determined (the "Purchaser"), which sale shall be the responsibility of the Tenant and not the Issuer; (d) the receipt of the approving legal opinion of Gilmore & Bell, P.C. ("Bond Counsel") in form acceptable to the Issuer, the Tenant and the Purchaser; (e) the obtaining of all necessary governmental approvals to the issuance of the Bonds; and (f) the commitment to and payment by the Tenant or Purchaser of all expenses relating to the issuance of the Bonds, including, but not limited to:

(i) expenses of the Issuer and the Issuer Attorney; (ii) any underwriting or placement fees and expenses; (iii) all legal fees and expenses of Bond Counsel; and (iv) all recording and filing fees, including fees of the Kansas Board of Tax Appeals.

Section 4. Sales Tax Exemption. The Governing Body hereby determines that pursuant to the provisions of K.S.A. 79-3601 et seq. (the "Sales Tax Act"), particularly 79-3606(b) and (d) and other applicable laws, sales of tangible personal property or services purchased in connection with construction of the Project and financed with proceeds of the Bonds are entitled to exemption from the tax imposed by the Sales Tax Act; provided proper application is made therefore. In the event that the Bonds are not issued for any reason, the Tenant will not be entitled to a sales tax exemption under the terms of the Sales Tax Act and will remit to the State Department of Revenue all sales taxes that were not paid due to reliance on the sales tax exemption certificate granted hereunder.

Section 5. Reliance by Tenant; Limited Liability of Issuer. It is contemplated that in order to expedite acquisition of the Project and realization of the benefits to be derived thereby, the Tenant may incur temporary indebtedness or expend its own funds to pay costs of the Project prior to the issuance of the Bonds. Proceeds of Bonds may be used to reimburse the Tenant for such expenditures made not more than 60 days prior to the date this Resolution is adopted. The Bonds herein authorized and all interest thereon shall be paid solely from the revenues to be received by the Issuer from the Project and not from any other fund or source. The Issuer shall not be obligated on such Bonds in any way, except as herein set out. In the event that the Bonds are not issued, the Issuer shall have no liability to the Tenant.

Section 6. Further Action. The Clerk is hereby authorized to deliver an executed copy of this Resolution to the Tenant. The Mayor, Clerk and other officials and employees of the Issuer, including the Issuer's counsel and Bond Counsel, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Resolution, including, but not limited to: (a) cooperate with the Tenant in filing an application for a sales tax exemption certificate with the Kansas Department of Revenue with respect to Bond-financed property; and (b) execution on behalf of the Issuer of the information statement regarding the proposed issuance of the Bonds to be filed with the State Board of Tax Appeals pursuant to the Act.

Section 7. Effective Date. This resolution shall become effective upon adoption by the Governing Body.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

[SEAL]	Mayor
Attest:	
Cl. 1	
Clerk	
CER	TIFICATE
	going is a true and correct copy of the Resolution of the 2025, as the same appears of record in my office.
DATED: April 22, 2025.	
	Clerk

**ADOPTED** by the governing body of the City of Pittsburg, Kansas on April 22, 2025.