

Table of Contents

Agenda	3
Proclamation - Boy Scouts of America 100 Years of Scouting Day - Received by members of Troop 81	
Boy Scout Proclamation.	7
Approval of the minutes of the January 26, 2010, City Commission Meeting.	
January 26, 2010 Minutes.	8
Approval of the minutes of the February 1, 2010, Special City Commission Meeting.	
Special Meeting Minutes - February 1, 2010	12
Approval of Ordinance No. G-1087 amending Sections 18-34, 18-63, 18-101, and 18-102 of the Pittsburg City Code by adopting by reference the 2008 Edition of The National Electrical Code, as adopted by the National Fire Protection Association (NFPA No. 70) and approved by The American National Standards Institute, except such parts or portions thereof as are deleted, modified, supplemented or amended by Section 18-102.	
Adoption of 2008 NEC Memo.	13
G-1087 - Adopting 2008 NEC.	14
Approval of the low bid submitted by Ryan's Cleaners to provide dry cleaning services for the Police and Fire Departments.	
Cleaneraward2010	17
Cleanerbidtab.	18
Approval of generator maintenance contract for the annual maintenance of six (6) generators located at City facilities throughout the City to JCI - Electric Motor Supply, of Joplin, Missouri, on the basis of their low bid of \$2,650.00, and authorization for the Mayor to sign the contract on behalf of the City.	
Generator Maintenance Bid Disposition Memo	19
Generator Maintenance Bid Tab Sheet.	21
Approval of Staff recommendation to enter into a contract with Synergy Brass Quintet for performances on October 3rd and 4th, 2010, at Memorial Auditorium and Convention Center for an amount of \$6,000 and authorization for the Mayor to sign the contract on behalf of the City.	
Synergy Brass Quintet Memo.	22
Approval of Staff recommendation to apply for an Operational Support Grant from the Kansas Arts Commission for funding to be used for marketing of the auditorium and to assist with Pittsburg Community Theater and school productions.	
Kansas Arts Commission Grant Memo	23
Approval of Supplemental Agreement No. 1 to the Agreement for Engineering Services Dated January 23, 2007 between the City of Pittsburg and Professional Engineering Consultants, P.A. to incorporate KDHE ARRA Contract Provisions for Consultants as part of this contract for the Water Treatment Plant Improvements - Phase I.	

WTP Supplemental Agreement Memo	24
WTP Supplemental Agreement No 1 Eng Servs	25
Approval of the Appropriation Ordinance for the period ending February 10, 2010, subject to the release of HUD expenditures when funds are received.	
CHECK LIST	43
Signature Sheet.	61
REQUEST TO VACATE - The City of Pittsburg advertised for Public Hearing, Tuesday, February 9, 2010, at the City Commission Meeting commencing at 5:30 p.m. for the purpose of vacating the 600 Block of East Monroe beginning at the east right-of-way line of Homer Street and extending east a distance of 506 feet to the west right-of-way line of Stilwell Street, located adjacent to Lots 1 through 11, Block 4; and Lots 12 through 22, Block 3, Bonview Addition, all located in the City of Pittsburg, Crawford County, Kansas. (Request of Miller's Professional Imaging).	
Millers Vacation PZC Recommendation	62
Millers Vacation Map	64
RECEIPT OF DONATED PROPERTY - Staff is requesting approval of a charitable gift of property from Graig A. and Mary Kelli Moore located east of Schlanger Park better know as lots numbered Thirteen (13) and Fourteen (14) in Block Number Six (6) in Playter's 3rd Addition to the City of Pittsburg.	
Memo for Charitable Contribution of Property.	65
AMENDMENTS TO ZONING ORDINANCE - The Planning and Zoning Commission, in its meeting of January 25, 2010, voted unanimously to recommend Governing Body approval of a proposed Ordinance defining group homes and group residences; adding group homes to the list of allowed uses in all residential districts; eliminating the maximum square footage allowance for accessory buildings in all residential districts; and establishing a maximum lot coverage allowance in all residential districts by amending and supplementing Zoning Ordinance No. G-663.	
Zoning Amendments Ordinance Memo.	66
G-0000 - Group Homes, Min. Access SQFT	68
CONDITIONAL USE FOR DAYCARE HOME - The Planning and Zoning Commission, in its meeting of January 25, 2010, voted unanimously to recommend to the Governing Body approval of a request submitted by Michele Walrod for a Conditional Use under the provisions of Article 30 of the Pittsburg Zoning Ordinance to allow a daycare home to care for up to 10 children at 211 West 19th Street with the condition the drop-off/pick-up area be widened or driveways connected within 60 days to help alleviate traffic concerns.	
Walrod Daycare Memo	84
Walrod Daycare Maps	86
DISPOSITION OF BIDS - COLLECTION SYSTEM I/I LOCATION AND REPAIR EQUIPMENT (KWPCRF C20 1818 01A)- Staff is making a verbal recommendation to award the purchase of Collection System I/I Location and Repair Equipment based on the bids received.	
Collection System Equipment Bid Tab	88

CITY OF PITTSBURG, KANSAS
COMMISSION AGENDA
Tuesday, February 09, 2010
5:30 PM

CALL TO ORDER BY THE MAYOR:

- a. Invocation by Jim Akins of the First United Methodist Church
- b. Flag Salute Led by the Mayor
- c. Proclamation - Boy Scouts of America 100 Years of Scouting Day - Received by members of Troop 81
- d. Recognition of Honorary Mayors - Ms. Pyle's 5th Grade Reading Class from Meadowlark Elementary School consisting of Caitlyn Burdick, Kagan B. Cole, A.J. Currier, Kelsey Fuchs, Liz Graham, Gaige Hooper, Kyle Muathe, Megan L. Munger, Devon Nelson, Lexington Peterson, Dawnetta Rosiles, Colton Vance, Keyth Waltrip, and Tyler J. Wright.
- e. Public Input

CONSENT AGENDA:

- a. Approval of the minutes of the January 26, 2010, City Commission Meeting.
- b. Approval of the minutes of the February 1, 2010, Special City Commission Meeting.
- c. Approval of Ordinance No. G-1086, amending Section 78-73 of the Pittsburg City Code to designate and establish Quincy Avenue from the west City limits to the east City limits, and Rouse Street from the north City limits to the south City limits, as main trafficways, as defined by K.S.A. 12-685, all within the City limits of Pittsburg, Kansas. **Second Reading - ROLL CALL VOTE.**
- d. Approval of Ordinance No. G-1087 amending Sections 18-34, 18-63, 18-101, and 18-102 of the Pittsburg City Code by adopting by reference the 2008 Edition of The National Electrical Code, as adopted by the National Fire Protection Association (NFPA No. 70) and approved by The American National Standards Institute, except such parts or portions thereof as are deleted, modified, supplemented or amended by Section 18-102. **First Reading, if the Governing Body concurs.**

CITY OF PITTSBURG, KANSAS
COMMISSION AGENDA
Tuesday, February 09, 2010
5:30 PM

- e. Approval of Ordinance No. S-984 authorizing the execution of a First Amendment to the 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 connection therewith; and authorizing certain other actions in connection with the First Amendment to the Loan Agreement. **Second Reading - ROLL CALL VOTE.**

- f. Approval of the low bid submitted by Ryan's Cleaners to provide dry cleaning services for the Police and Fire Departments.

- g. Approval of generator maintenance contract for the annual maintenance of six (6) generators located at City facilities throughout the City to JCI - Electric Motor Supply, of Joplin, Missouri, on the basis of their low bid of \$2,650.00, and authorization for the Mayor to sign the contract on behalf of the City.

- h. Approval of Staff recommendation to enter into a contract with Synergy Brass Quintet for performances on October 3rd and 4th, 2010, at Memorial Auditorium and Convention Center for an amount of \$6,000 and authorization for the Mayor to sign the contract on behalf of the City.

- i. Approval of Staff recommendation to apply for an Operational Support Grant from the Kansas Arts Commission for funding to be used for marketing of the auditorium and to assist with Pittsburg Community Theater and school productions.

- j. Approval of Supplemental Agreement No. 1 to the Agreement for Engineering Services Dated January 23, 2007 between the City of Pittsburg and Professional Engineering Consultants, P.A. to incorporate KDHE ARRA Contract Provisions for Consultants as part of this contract for the Water Treatment Plant Improvements - Phase I. **Approve or disapprove Supplemental Agreement No. 1 and, if approved, authorize the City Manager and the City Clerk to execute the supplemental agreement on behalf of the City.**

CITY OF PITTSBURG, KANSAS
COMMISSION AGENDA
Tuesday, February 09, 2010
5:30 PM

- k. Approval of the Appropriation Ordinance for the period ending February 10, 2010, subject to the release of HUD expenditures when funds are received. **ROLL CALL VOTE.**

PUBLIC HEARING:

- a. **REQUEST TO VACATE** - The City of Pittsburg advertised for Public Hearing, Tuesday, February 9, 2010, at the City Commission Meeting commencing at 5:30 p.m. for the purpose of vacating the 600 Block of East Monroe beginning at the east right-of-way line of Homer Street and extending east a distance of 506 feet to the west right-of-way line of Stilwell Street, located adjacent to Lots 1 through 11, Block 4; and Lots 12 through 22, Block 3, Bonview Addition, all located in the City of Pittsburg, Crawford County, Kansas. (Request of Miller's Professional Imaging). **Following Public Hearing, consider request and, if approved, direct the preparation of the necessary Order.**

CONSIDER THE FOLLOWING:

- a. **RECEIPT OF DONATED PROPERTY** - Staff is requesting approval of a charitable gift of property from Graig A. and Mary Kelli Moore located east of Schlanger Park better known as lots numbered Thirteen (13) and Fourteen (14) in Block Number Six (6) in Playter's 3rd Addition to the City of Pittsburg. **Approve or disapprove acceptance of donated property.**
- b. **AMENDMENTS TO ZONING ORDINANCE** - The Planning and Zoning Commission, in its meeting of January 25, 2010, voted unanimously to recommend Governing Body approval of a proposed Ordinance defining group homes and group residences; adding group homes to the list of allowed uses in all residential districts; eliminating the maximum square footage allowance for accessory buildings in all residential districts; and establishing a maximum lot coverage allowance in all residential districts by amending and supplementing Zoning Ordinance No. G-663. **Approve or disapprove the recommendation and, if approved, direct staff to place it on a future agenda for FIRST READING.**

CITY OF PITTSBURG, KANSAS
COMMISSION AGENDA
Tuesday, February 09, 2010
5:30 PM

- c. CONDITIONAL USE FOR DAYCARE HOME - The Planning and Zoning Commission, in its meeting of January 25, 2010, voted unanimously to recommend to the Governing Body approval of a request submitted by Michele Walrod for a Conditional Use under the provisions of Article 30 of the Pittsburg Zoning Ordinance to allow a daycare home to care for up to 10 children at 211 West 19th Street with the condition the drop-off/pick-up area be widened or driveways connected within 60 days to help alleviate traffic concerns. **Approve or disapprove the recommendation.**

- d. DISPOSITION OF BIDS - COLLECTION SYSTEM I/I LOCATION AND REPAIR EQUIPMENT (KWPCRF C20 1818 01A)- Staff is making a verbal recommendation to award the purchase of Collection System I/I Location and Repair Equipment based on the bids received. **Approve or disapprove recommendation and, if approved, authorize staff to issue the necessary purchase orders.**

NON-AGENDA REPORTS & REQUESTS:

ADJOURNMENT

Office of the Mayor
CITY OF PITTSBURG, KANSAS

Proclamation

WHEREAS, the Boy Scouts of America was established in 1910 to teach patriotism, courage, self-reliance, and kindred values; and

WHEREAS, this national youth organization, through its values-based program, has made serving others its mission; and

WHEREAS, today the Boy Scouts of America is one of the largest youth service organizations in America, with nearly three million members learning responsible citizenship, character development, and self-reliance through participation in a wide range of outdoor activities, educational programs, and career-oriented programs in partnership with community organizations; and

WHEREAS, the volunteer leaders of the Boy Scouts of America make Scouting available to thousands of youth members who participate in the program as a means for character building, citizenship training, and personal fitness; and

AND WHEREAS, the Ozark Trails Council has provided a strong Scouting program since 1916;

NOW, THEREFORE, I, Rudy Draper, Mayor of the City of Pittsburg, Kansas do hereby proclaim the week of February 7th through February 13th, 2010 to be

***Boy Scouts of America
100 years of Scouting Week***

and encourage all citizens to join with me in recognizing the impact of this great organization and the importance of its one-hundred years of service to our community and communities across America.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the official seal of the City of Pittsburg, Kansas, to be affixed this 9th day of February, in the year two thousand and ten.

ATTEST:

CITY CLERK

MAYOR

OFFICIAL MINUTES
OF THE
GOVERNING BODY
OF THE
CITY OF PITTSBURG, KANSAS
January 26, 2010

A Regular Session of the Board of Commissioners was held at 5:30 p.m., Tuesday, January 26, 2010, in the City Commission Room, located in the Law Enforcement Center, 201 North Pine, with Mayor Rudy Draper presiding and the following members present: Marty Beezley, Pamela Henderson, Patrick O'Bryan, and William H. Rushton.

Kevin Arensman, of the First Christian Church, provided the invocation.

Mayor Draper led the flag salute.

PUBLIC INPUT –

AGC AWARDS – Interim Fire Chief Scott Crain announced that on Friday, January 22nd, 2010, the City of Pittsburg received the Award of Excellence in the category of New Construction from the Associated General Contractors of Kansas, Inc. Crain thanked the Commissioners, present and past, for their foresight to construct the facilities, and thanked the citizens for passing the sales tax to fund their construction.

APPROVAL OF MINUTES – JANUARY 12th, 2010 - On motion of Beezley, seconded by Henderson, the Governing Body approved the minutes of the January 12th, 2010, City Commission Meeting as submitted. Motion carried.

APPROVAL OF MINUTES – JANUARY 19th, 2010 – On motion of Beezley, seconded by Henderson, the Governing Body approved the minutes of the January 19th, 2010, Special City Commission Meeting as submitted. Motion carried.

ORDINANCE NO. S-983 – On motion of Beezley, seconded by Henderson, the Governing Body approved Ordinance No. S-983, granting an ad valorem tax exemption to Progressive Products, Inc., pursuant to the City of Pittsburg's Policy and Procedures adopted November 10, 1987 as authorized by Section 13, Article 11, of the Constitution of the State of Kansas, on second reading with the following roll call vote: Yea: Beezley, Draper, Henderson, O'Bryan and Rushton. Motion carried.

ORDINANCE NO. G-1082 – On motion of Beezley, seconded by Henderson, the Governing Body approved Ordinance No. G-1082, amending Section 50-40 of the Pittsburg City Code to increase the costs of abatement when the City abates nuisances (Trash), on second reading with the following roll call vote: Yea: Beezley, Draper, Henderson, O'Bryan and Rushton. Motion carried.

OFFICIAL MINUTES
OF THE
GOVERNING BODY
OF THE
CITY OF PITTSBURG, KANSAS
January 26, 2010

ORDINANCE NO. G-1083 – On motion of Beezley, seconded by Henderson, the Governing Body approved Ordinance No. G-1083, amending Section 50-94 of the Pittsburg City Code increasing the costs assessed when the City must cut weeds and obnoxious vegetable growth to abate a nuisance, on second reading with the following roll call vote: Yea: Beezley, Draper, Henderson, O'Bryan and Rushton. Motion carried.

ORDINANCE NO. G-1084 – On motion of Beezley, seconded by Henderson, the Governing Body approved Ordinance No. G-1084, amending Section 18-35 of the Pittsburg City Code to increase building permit fees, on second reading with the following roll call vote: Yea: Beezley, Draper, Henderson, O'Bryan and Rushton. Motion carried.

ORDINANCE NO. G-1085 – On motion of Beezley, seconded by Henderson, the Governing Body approved Ordinance No. G-1085, amending Sections 62-83, 62-106 and 62-142 of the Pittsburg City Code to increase the fees to apply for change of zoning, zoning amendments, conditional use permits, vacation of streets and alleys, variances, special exceptions and platting of land, on second reading with the following roll call vote: Yea: Beezley, Draper, Henderson, O'Bryan and Rushton. Motion carried.

ORDINANCE NO. G-1086 – On motion of Beezley, seconded by Henderson, the Governing Body approved Ordinance No. G-1086, amending Section 78-73 of the Pittsburg City Code to designate and establish Quincy Avenue from the west City limits to the east City limits, and Rouse Street from the north City limits to the south City limits, as main trafficways, as defined by K.S.A. 12-685, all within the City limits of Pittsburg, Kansas, on first reading. Motion carried.

CEREAL MALT BEVERAGE APPLICATION – EL RANCHO MEXICAN RESTAURANT – On motion of Beezley, seconded by Henderson, the Governing Body approved the application submitted by El Rancho Mexican Restaurant, 2420 South Broadway, to renew their Cereal Malt Beverage License for 2010 and directed the City Clerk to issue the license. Motion carried.

PITSCO FIRE FIGHTING CONTRACT - On motion of Beezley, seconded by Henderson, the Governing Body approved the Annual Fire Fighting Contract for Pitsco's facility at 2106 West 4th Street for an annual payment of \$3,772.12, and authorized the Mayor to sign the contract on behalf of the City. Motion carried.

APPROPRIATION ORDINANCE – On motion of Beezley, seconded by Henderson, the Governing Body approved the Appropriation Ordinance for the period ending January 27, 2010, subject to the release of HUD expenditures when funds are received, with the following roll call vote: Yea: Beezley, Draper, Henderson, O'Bryan and Rushton. Motion carried.

OFFICIAL MINUTES
OF THE
GOVERNING BODY
OF THE
CITY OF PITTSBURG, KANSAS
January 26, 2010

DANCE HALL LICENSE RENEWAL - TORNADO LOUNGE – On motion of Beezley, seconded by O'Bryan, the Governing Body approved the request submitted by Brian Stotler of Tornado Lounge, 305 N. Broadway, for the renewal of his dance hall license and authorized the City Clerk to issue the license. Motion carried.

FORGIVABLE LOANS – On motion of Henderson, seconded by Rushton, the Governing Body approved staff recommendation to forgive the loan payment for Stockade Brands, Inc. in the amount of \$25,833.33, NPC International, Inc. in the amount of \$46,667 and the Family Resource Center in the amount of \$98,750, as all three entities have met the employment targets stipulated in their loan documents with the City. Motion carried.

LOAN EXTENSION - PITTSBURG INDUSTRIAL DEVELOPMENT CORPORATION (PIDC) – On motion of O'Bryan, seconded by Henderson, the Governing Body approved the recommendation of the Economic Development Advisory Committee to extend the current loans in the amount of \$163,086.77 and \$60,000 to the Pittsburg Industrial Development Corporation (PIDC) through January 31, 2011, with all late fees and charges accrued to date to be waived, and authorized the Mayor to sign the appropriate documents on behalf of the City. Motion carried.

NON-AGENDA REPORTS AND REQUESTS:

SOLICITATION OF BIDS - GOLF COURSE FLAGS – Interim Parks and Recreation Director Jeff Wilbert requested Governing Body approval to advertise for bids to prospective advertisers to place their logo on flags placed at the holes at the Four Oaks Golf Course. It was the consensus of the Governing Body to allow the Parks and Recreation Department to solicit bids as requested.

ORDINANCE NO. S-984 – On motion of Rushton, seconded by O'Bryan, the Governing Body approved first reading of Ordinance No. S-984 authorizing the execution of a First Amendment to the 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 connection therewith; and authorizing certain other actions in connection with the First Amendment to the Loan Agreement. Motion carried.

OFFICIAL MINUTES
OF THE
GOVERNING BODY
OF THE
CITY OF PITTSBURG, KANSAS
January 26, 2010

EXECUTIVE SESSION - On motion of Beezley, seconded by Henderson, the Governing Body recessed into Executive Session not to exceed 30 minutes for discussion regarding items deemed confidential in the attorney client relationship. Motion carried.

The Governing Body recessed into Executive Session at 5:54 p.m.

The Governing Body reconvened into Special Session at 6:20 p.m.

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

ADJOURNMENT: On motion of Henderson, seconded by Rushton, the Governing Body adjourned the meeting at 6:21 p.m. Motion carried.

Rudy Draper, Mayor

ATTEST:

Tammy Nagel, City Clerk

OFFICIAL MINUTES
OF THE SPECIAL MEETING OF THE
GOVERNING BODY OF THE
CITY OF PITTSBURG, KANSAS
February 1st, 2010

A Special Session of the Board of Commissioners was held at Noon on Monday, February 1st, 2010, in the City Commission Room, located in the Law Enforcement Center, 201 North Pine, with Mayor Rudy Draper presiding and the following members present: Marty Beezley and William H. Rushton. Commissioners Pam Henderson and Patrick O'Bryan were absent.

EXECUTIVE SESSION - On motion of Rushton, seconded by Beezley, the Governing Body recessed into Executive Session not to exceed 60 minutes for discussion regarding items deemed confidential in the attorney client relationship. Motion carried. Absent: Henderson and O'Bryan

The Governing Body recessed into Executive Session at 12:01 p.m.

Commissioner O'Bryan entered the meeting at 12:02 p.m.

Commissioner Henderson entered the meeting at 12:03 p.m.

The Governing Body reconvened into Special Session at 12:53 p.m.

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

ADJOURNMENT: On motion of Rushton, seconded by O'Bryan, the Governing Body adjourned the meeting at 12:53 p.m.

Rudy Draper, Mayor

ATTEST:

Tammy Nagel, City Clerk



Interoffice Memorandum

TO: JOHN D. VANGORDEN
Interim City Manager

FROM: TODD KENNEMER
Assistant Director of Public Works

DATE: February 2, 2010

SUBJECT: Agenda Item – February 9, 2010
ORDINANCE NO. G-1087
Adoption of 2008 National Electrical Code (NEC)

The Public Works Department is proposing the adoption of the 2008 National Electrical Code (NEC) to replace the 2002 NEC version the City is currently using.

The main reasons for this change are to keep up with changing technology and the fact that the 2002 and 2005 versions of the National Electrical Code are no longer used to train electricians. Continuing education courses required of electricians by the State are now being taught from the 2008 NEC.

Would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, February 9, 2010. Action requested is approval of the proposed Ordinance on **FIRST READING**.

If you have any questions concerning this matter, please do not hesitate to contact me.

Attachment: Ordinance No. G-1087

cc: Tammy Nagel, City Clerk
Memo File

(Published in The Morning Sun _____, 2010)

ORDINANCE NO. G-1087

AN ORDINANCE, amending Sections 18-34, 18-63, 18-101, and 18-102 of the Pittsburg City Code by adopting by reference the 2008 Edition of The National Electrical Code, as adopted by the National Fire Protection Association (NFPA No. 70) and approved by The American National Standards Institute, except such parts or portions thereof as are deleted, modified, supplemented or amended by Section 18-102.

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

Section 1. Section 18-34 of the Pittsburg City Code is hereby amended to read as follows:

The International Residential Code (IRC), as adopted, is hereby amended:

(a) All references to the International Code Council Electrical Code shall be changed to the 2008 National Electrical Code (NEC).

Section 2. Section 18-63 of the Pittsburg City Code is hereby amended to read as follows:

Sec. 18-63. Sections deleted/repealed.

(a) Section 103, Section 105.2(2), and Section 106.2 are deleted.

(b) All references to the International Existing Building Code, International Property Maintenance Code, International Private Sewage Disposal Code, International Plumbing Code, and the International Energy Conservation Code are deleted.

(c) All references to the International Code Council Electrical Code are deleted and replaced with references to the 2008 National Electric Code (NEC).

Section 3. Section 18-101 of the Pittsburg City Code is hereby amended to read as follows:

Sec. 18-101. National Electrical Code adopted.

The National Electrical Code, 2008 Edition, as adopted by the National Fire Protection Association (NFPA No. 70) and approved by The American National Standards Institute, of which not less than three (3) copies are on file with the City Clerk's office, is hereby adopted and incorporated as fully as if set forth herein excepting only such parts or portions thereof as are hereinafter deleted, modified, supplemented or amended by Section 18-102.

Section 4. Section 18-102 of the Pittsburgh City Code is hereby amended to read as follows:

Sec. 18-102. Deletions, modifications, supplements or amendments.

(a) The National Electrical Code, as adopted in Section 18-101 is hereby amended and supplemented by the addition of the following definitions to Article 100:

Grade. The lower point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and property line or, when the property line is more than five feet from the building, between the building and a line five feet from the building.

Story. That portion of a building included between the upper surface or any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement or unused under-floor space is more than six feet above grade as defined herein for more than 50 percent of the total perimeter or is more than 12 feet above grade as defined herein at any point, such basement or unused under-floor space shall be considered as a story.

(b) The National Electrical Code, as adopted, is hereby amended and modified, and Section 230-70 shall read as follows:

230-70. Service Equipment Disconnecting Means – General
Means shall be provided to disconnect all conductors in a building or other structure from the service-entrance conductors.

(a) *Location.* The service disconnecting means shall be installed in accordance with 230.70(A)(1), (A)(2), and (A)(3).

(1) *Readily Accessible Location.* The service means shall be installed to disconnect service at a readily accessible location either outside the building or structure, or inside the building or structure nearest the point of entrance of the service conductors. Service entrance conductors shall not exceed 15 feet in length from the utility metering to the main disconnect, without the approval of the administrative authority.

(2) *Bathrooms.* Service disconnecting means shall not be installed in bathrooms.

(3) *Remote Control.* Where a remote control device(s) is used to actuate the service disconnecting means, the service disconnecting means shall be located in accordance with 230.70(A)(1).

(b) *Marking.* Each service disconnect shall be permanently marked to identify it as a service disconnect.

(c) *Suitable for Use.* Each service disconnecting means shall be suitable for the prevailing conditions. Service equipment installed in hazardous (classified) locations shall comply with the requirements of Articles 500 through 517.

Section 5. This Ordinance shall take effect and be in force from and after its passage and publication in the official City paper.

APPROVED this _____ day of _____, 2010.

Mayor – Rudy Draper

ATTEST:

City Clerk – Tammy Nagel



Interoffice Memorandum

To: Interim City Manager John VanGorden
Chief of Police Mendy Hulvey
Interim Fire Chief Scott Crain

From: Sergeant Timothy W. Tompkins

Date: February 2, 2010

Subject: Disposition of Dry Cleaning Services Bids

The Pittsburg Police and Fire Department solicited bids from interested companies for the purpose of providing dry cleaning services from March 1, 2010 through February 28, 2011. On Tuesday, February 2, 2010, bids were received from two interested businesses, opened and reviewed according to City bid policy. Both bids received met applicable bid specifications for consideration. Following is a summation of the bids received:

Ryan's Cleaners	Price per pant	\$1.65
706 N. Broadway	Price per shirt	\$1.65
Pittsburg, Kansas 66762	Price per coat	<u>\$.85</u>
Total combined costs		\$4.15
A-Plus Dry Cleaners, LLC	Price per pant	\$1.75
2308 S. Rouse, Suite A	Price per shirt	\$1.75
Pittsburg, Kansas 66762	Price per coat	<u>\$.75</u>
Total combined costs		\$4.25

Based on the bids received, staff would recommend awarding the bid for dry cleaning services to Ryan's Cleaners based on the lowest majority cost for services. Should you have any questions concerning the bids or recommendations, please contact me.

CITY OF PITTSBURG, KANSAS

Recapitulation of Bids Received Dry Cleaning Services Tuesday, February 2nd, 2010 – 2:00 p.m.

Name and Address of Bidder	Price Per Pant	Price Per Shirt	Price Per Coat
Ryan's Cleaners 706 North Broadway Pittsburg, Kansas 66762	\$1.65	\$1.65	\$0.85
A-Plus Dry Cleaners, LLC 2308 South Rouse, Suite A Pittsburg, Kansas 66762	\$1.75	\$1.75	\$.075



Interoffice Memorandum

TO: JOHN D. VANGORDEN
Interim City Manager

FROM: WILLIAM A. BEASLEY
Director of Public Works

DATE: February 2, 2010

SUBJECT: Agenda Item – February 9, 2010
Disposition of Bids
Generator Maintenance

Bids were received on Tuesday, February 2, 2010 for the annual maintenance of six (6) generators located at City facilities throughout the City (see attached bid tab sheet). The generators to be maintained and their locations are as follows:

Generator #1	Generac	Waste Water Treatment Plant
Generator #2	Kohler	Waste Water Treatment Plant
Generator #4	Generac	Radio Tower
Generator #5	Generac	Fire Department #2
Generator #6	Kohler	Fire Department #3
Generator #7	Generac	Memorial Auditorium

The City has two additional generators located at the Law Enforcement Center and Fire Station #1 that are currently under warranty and not included. These generators will be added next year when their warranty period expires.

After reviewing the bids received, City staff is recommending the bids be awarded to the JCI – Electric Motor Supply, of Joplin, Missouri, based on its low bid of \$2,650.00.

Would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, February 9, 2010. Action necessary will be approval or disapproval of staff's recommendation to award the bids to the low bidder as stipulated above.

MEMO TO: JOHN D. VANGORDEN
FEBRUARY 2, 2010
PAGE TWO

If you have any questions concerning this matter, please do not hesitate to contact me.

Attachment: Bid Tab Sheet

cc: Tammy Nagel, City Clerk
Andy Huyett, Building Official
Troy Graham, Traffic and Communications Supervisor
Bid File
Memo File

The City of Pittsburg, Kansas

**Recapitulation of Bids Received
for Generator Maintenance**

Tuesday, February 2nd, 2010 – 2:00 p.m.

NAME & ADDRESS OF BIDDER	BID AMOUNT
Mid America Power Systems 500 NW Business Park Lane Riverside, Missouri 64150	\$4,385.00
Cummins Central Power, LLC 3507 East 20 th Street Joplin, Missouri 64801	\$4,789.96
Clifford Power Systems, Inc. 9310 East 46 th Street North Tulsa, Oklahoma 74117	\$4,671.00
JCI - Electric Motor Supply 2301 West 20 th Joplin, Missouri 64804	\$2,650.00



Interoffice Memorandum

TO: John D. VanGorden
Interim City Manager

FROM: Jeff Wilbert
Interim Parks and Recreation Director

DATE: February 1st, 2010

SUBJECT: Agenda Item – February 9th, 2010
Synergy Brass Quintet

Staff is recommending Governing Body approval of a contract between the City of Pittsburg and Synergy Brass Quintet. The contract has been approved by Henry Menghini, City Attorney following his requested revisions. Synergy Brass Quintet accepted the revisions and approved the revised contract. The performance date is October 3rd & 4th 2010, at Memorial Auditorium & Convention Center.

Please place this item on the agenda for the February 9th, 2010, City Commission Meeting. Action needed is approval of Commissioner for the Mayor to sign the contract.

If you have any questions, please give me a call.



Interoffice Memorandum

TO: John D. VanGorden
Interim City Manager

FROM: Jeff Wilbert
Interim Parks and Recreation Director

DATE: February 1st, 2010

SUBJECT: Agenda Item – February 9th, 2010
Kansas Arts Commission-Operational Support Grant Application

Staff is recommending Governing Body approval to apply for an operational support grant from the Kansas Arts Commission. If accepted the funds will assist in the marketing of the auditorium and assist PCT and school productions. We received funding in 2009 from the Kansas Arts Commission in the amount of \$7,808.00.

Please place this item on the agenda for the February 9th, 2010, City Commission Meeting. Action needed is approval of Commission for the Mayor to sign the application.

If you have any questions, please give me a call.



Interoffice Memorandum

TO: JOHN D. VANGORDEN
Interim City Manager

FROM: JOHN H. BAILEY, P.E., PhD
Director of Public Utilities

DATE: February 3, 2010

SUBJECT: Agenda Item – February 9, 2010
Supplemental Agreement No. 1
Water Treatment Plant Improvements – Phase I

Professional Engineering Consultants, P.A. has provided the City with Supplemental Agreement No. 1 to the agreement for engineering services dated January 23, 2007 for the above-referenced project. This supplemental agreement does not modify the contract amount for this project, but was necessary to incorporate KDHE ARRA Contract Provisions for Consultants as part of this contract.

Would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, February 9, 2010. Action necessary will be approval or disapproval of the supplemental agreement and, if approved, authorize the City Manager and City Clerk to sign the supplemental agreement on behalf of the City.

If there are any other questions concerning this matter, please do not hesitate to contact me.

cc: Tammy Nagel, City Clerk
Project File
Memo File

SUPPLEMENTAL AGREEMENT NO. 1

to the

AGREEMENT FOR ENGINEERING SERVICES DATED JANUARY 23, 2007

between

CITY OF PITTSBURG

Party of the First Part, hereinafter called the

"OWNER"

and

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

303 S. TOPEKA

WICHITA, KANSAS 67202

Party of the Second Part, hereinafter called the

"ENGINEER"

WITNESSETH:

WHEREAS, there now exists a Contract between the two parties covering Engineering Services to be provided by the ENGINEER in conjunction with the Phase 1 of Water Treatment Facility Improvements, and

WHEREAS, the OWNER now desires to update the Scope of Services to include the KDHE ARRA Contract Provisions for Consulting Contracts with the Agreement, the combination thereof hereinafter called the "PROJECT", and

WHEREAS, it is the desire of both parties that the ENGINEER include ARRA Provisions for the PROJECT;

NOW, THEREFORE, the parties hereto do mutually agree as follows:

I. SCOPE OF SERVICES

A. ARRA PROVISIONS

Exhibit 1 – The KDHE ARRA Contract Provisions for Consultants pages 1 through 15 shall be incorporated as part of this Contract.

II. PROVISIONS OF THE ORIGINAL AGREEMENT

The parties hereunto mutually agree that the provisions and requirements of the original agreement dated January 23, 2007 not specifically modified by Supplemental Agreement shall remain in force and effect for the duration of this agreement.

IN WITNESS THEREOF, the OWNER and ENGINEER have executed this Supplemental Agreement as of this ____ day of _____, 2010.

CITY OF PITTSBURG

By: _____
John VanGorden, City Manager

OWNER

ATTEST:

Tammy Nagel, City Clerk

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

By: _____
Rod Young, P.E., President

ENGINEER

ATTEST:

Andy Buessing, P.E. Water/Wastewater Division Manager

**KDHE ARRA CONTRACT PROVISIONS
FOR CONSULTING CONTRACTS**

CONTRACT PROVISIONS OF KANSAS STATE ANNOTATED
(K.S.A.) 44-1030
KANSAS ACT AGAINST DISCRIMINATION

Except as provided by subsection (c) of this section, every contractor for or on behalf of the State and any county or municipality or other political subdivision of the State, or any agency of or authority created by any of the foregoing, for the construction, alteration, or repair of any public building or public work or for the acquisition of materials, equipment, supplies, or services shall contain provisions by which the contractor agrees that:

1. The contractor shall observe the provisions of the Kansas Act Against Discrimination and shall not discriminate against any person in the performance of work under the present contract because of race, religion, color, sex, physical handicap unrelated to such person's ability to engage in the particular work, national origin, or ancestry;
2. In all solicitations or advertisements for employees, the contractor shall include the phrase "equal opportunity employer" or a similar phrase to be approved by the Commission;
3. If the contractor fails to comply with the manner in which the contractor reports to the Commission in accordance with the provisions of K.S.A. 1977 Supp. 44-1031, the contractor shall be deemed to have breached the present contract and it may be cancelled, terminated, or suspended, in whole or in part, by the contracting agency;
4. If the contractor is found guilty of a violation of the Kansas Act Against Discrimination under a decision or order of the Commission which has become final, the contractor shall be deemed to have breached the present contract and it may be cancelled, terminated or suspended, in whole, or in part, by the contracting agency; and
5. The contractor shall include the provisions of paragraphs (1) through (4) inclusively of this subsection (a) in every subcontract or purchase order so that such provisions will be binding upon such subcontractor or vendor.

(b) The Kansas Commission on Civil Rights shall not be prevented hereby from requiring reports of contractors found to be not in compliance with the Kansas Act Against Discrimination.

(c) The provisions of this section shall not apply to a contract entered into by a contractor (1) who employs fewer than four (4) employees during the term of such contract; or (2) whose contracts with the governmental entity letting such contract cumulatively total five thousand dollars (\$5,000) or less during the fiscal year of such governmental entity. (K.S.A. 44-1030; L. 1977, ch. 183, 1; July 1)

STATE OF KANSAS
ACT AGAINST DISCRIMINATION
CONTRACT PROVISIONS

During the performance of this contract, the contractor agrees as follows:

1. The contractor shall observe the provisions of the Kansas Act Against Discrimination and shall not discriminate against any person in the performance of work under the present contract because of race, religion, color, sex, physical handicap unrelated to such person's ability to engage in the particular work, national origin, or ancestry;
2. In all solicitations or advertisements for employees, the contractor shall include the phrase "equal opportunity employer" or a similar phrase to be approved by the Commission;
3. If the contractor fails to comply with the manner in which the contractor reports to the Commission in accordance with the provisions of K.S.A. 1977 Supp. 44-1031, the contractor shall be deemed to have breached the present contract and it may be cancelled, terminated, or suspended, in whole or in part, by the contracting agency;
4. If the contractor is found guilty of a violation of the Kansas Act Against Discrimination under a decision or order of the Commission which has become final, the contractor shall be deemed to have breached the present contract and it may be cancelled, terminated or suspended, in whole, or in part, by the contracting agency; and
5. The contractor shall include the provisions of paragraphs (1) through (4) inclusively of this subsection (a) in every subcontract or purchase order so that such provisions will be binding upon such subcontractor or vendor.
 - (b) The Kansas Commission on Civil Rights shall not be prevented hereby from requiring reports of contractors found to be not in compliance with the Kansas Act Against Discrimination.
 - (c) The provisions of this section shall not apply to a contract entered into by a contractor (1) who employs fewer than four (4) employees during the term of such contract; or (2) whose contracts with the governmental entity letting such contract cumulatively total five thousand dollars (\$5,000) or less during the fiscal year of such governmental entity. (K.S.A. 44-1030; L. 1977, ch. 183, 1; July 1)

PROJECT/CONTRACT NAME AND NO.

MUNICIPALITY City of Pittsburg

KWPCRF NO. 2489

CONTRACTOR'S SIGNATURE 

TITLE RESIDENT

DATE 1/6/10

Trafficking Victim Protection Act of 2000 Contract Provisions

The Contractor, its employees, subcontractors and subcontractors' employees may not engage in severe forms of trafficking in persons during the period of time that the contract is in effect; procure a commercial sex act during the period of time that the contract is in effect; or use forced labor in the performance of the contract or subcontract.

Contract Provisions for Reporting the Use of Funds

The Contractor agrees to comply with all requests for data related to the use of the funds provided by this Contract, including the information required in section 1512 of American Recovery and Reinvestment Act of 2009, and to report to the Owner all uses of the fund no less than weekly, as EPA specifies for the Clean Water Benefits Project Tracking System.

Contract Provisions for Inspector General Reviews

The Contractor must allow any appropriate representative of the EPA Office of Inspector General to (1) examine any of its records and subcontractors' records that pertain to, and involve transactions relating to, the procurement contract or subcontract for this project, (2) interview any officer or employee of the contractor or subcontractor regarding such transactions. Providing false, fictitious or misleading information with respect to the receipt of funds provided by the Kansas Water Pollution Control Revolving Loan Fund may result in criminal, civil or administrative fines and / or penalties.

Contract for Protection of Whistleblowers

In accordance with section 1553 of the American Recovery and Reinvestment Act of 2009 (Act), the Contractor agrees that employees and subcontractors receiving funds from this agreement may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing, including a disclosure made in the ordinary course of an employee's duties, to the Recovery Accountability and Transparency Board, an inspector general, the Comptroller General, a member of Congress, a State or Federal regulatory or law enforcement Agency, a person with supervisory authority over the employee, a court or grand jury, the head of a Federal agency, or their representatives, information that the employee reasonably believes is evidence of (1) gross mismanagement of an agency contract or grant relating to grant funds; (2) a gross waste of covered funds; (3) a substantial and specific danger to public health or safety related to implementation or use of grant funds; (4) an abuse of authority related to implementation or use of covered funds; or (5) a violation of law, rule, or regulation related to a grant awarded or issued relating to covered funds.

Contract Provisions for Restrictions on Lobbying

The Contractor agrees to comply with Title 40 CRF Part 34, New Restrictions on Lobbying. **A Certification form must be submitted with Contract.**

Contract Provisions for Invoices

The Contractor agrees to include information in all invoices that indicate hours worked and if those hours worked were part of a job that was retained or created as a result of the ARRA project.

KANSAS
DEPARTMENT OF HEALTH & ENVIRONMENT
DIVISION OF ENVIRONMENT
BUREAU OF WATER

KANSAS PUBLIC WATER SUPPLY LOAN FUND
KANSAS WATER POLLUTION CONTROL REVOLVING LOAN FUND

Participation By Disadvantaged Business Enterprises Information Sheet

As a recipient of EPA SRF Capitalization Grants, the Kansas Department of Health and Environment (KDHE) is required by 40 CFR Part 33 to seek and is encouraged to utilize small, minority, and women-owned businesses in procurement under loan agreements associated with those grants. Because this project will receive funding, at least in part, from KDHE through a Kansas Public Water supply Loan Fund (KPWSLF) or a Kansas Water Pollution Control Revolving Loan Fund (KWPCRLF) loan agreement, those requirements are applicable to the loan recipient (municipality), engineering firm responsible for construction phase services, and prime contractor.

This information sheet explains requirements of the KPWSLF and KWPCRLF for Disadvantaged Business Enterprises (DBE) utilization. A copy of this Information Sheet must be included within engineering contracts for construction phase services and must be included within the contract documents of construction specifications.

Definitions

Disadvantaged Business Enterprise - entities owned and/or controlled by socially and economically disadvantaged individuals (as described in 42 USC 7601 and 42 USC 4370d - which includes Women's Business Enterprises (WBE) and Minority Business Enterprises (MBE) as defined in this information sheet); a Small Business Enterprise (SBE); a Small Business in Rural Area (SBRA); a Labor Surplus Area Firm (LSAF); or a Historically Underutilized Business (HUB) Zone Small Business Concern or a concern under a successor program.

Socially disadvantaged individual – individuals who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities, and are further defined as:

Black Americans	Asian Pacific Americans	Indian Tribes
Hispanic Americans	Native Hawaiian Organizations	Women
Native Americans	Historically Black Colleges and Universities	

Economically disadvantaged individual - those socially disadvantaged individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital or credit opportunities, as compared to others in the same business area who are not socially disadvantaged.

Women's Business Enterprise (WBE) – a business concern which is at least 51% owned or controlled by women for purposes of 42 USC 7601 of 42 USC 4370d.

Minority Business Enterprises (MBE) - a Disadvantaged Business Enterprise *other than* a SBE, SBRA, LSAF, or WBE.

KDHE Implementation Requirements for DBE Procurement Opportunities

KDHE has an objective of using an amount equal to 4.1% of the capitalization grant as awarded by EPA to KDHE, for construction procurement performed by MBE entities and 6.9% of the capitalization grant for WBE entities. This is referred to as a fair share objective. The loan recipient (municipality), engineering firm responsible for construction phase services, and prime contractor are required to adopt this same fair share objective. The fair share objective is not a quota and EPA cannot penalize KDHE, the loan recipient, engineering firm, or the prime contractor for not meeting MBE or WBE participation objectives.

The prime contractor and consulting engineer responsible for construction phase services are required to make the good faith efforts and apply the administrative requirements listed below. If the good faith efforts are not made when subcontracts are considered for the prime construction contract or for engineering construction phase services, the ability of the KDHE to fund this project, or portion thereof, will be jeopardized. Under no circumstances are race and/or gender conscious actions required by EPA or KDHE.

Good Faith Efforts

1. Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities.

This step may include sending letters or making other personal contacts with DBEs. DBEs should be contacted when other potential subcontractors/suppliers are contacted, within reasonable time (i.e. minimum of fifteen days) prior to bid submission or closing date for receipt of initial offers. Those letters or other contacts should communicate the following:

- i. Specific description of the work to be subcontracted or supplies to be purchased;
 - ii. How and where to obtain a copy of plans and specifications or other detailed information needed to prepare a detailed price quotation;
 - iii. Date the quotation is due to the prime contractor;
 - iv. Name, address, and phone number of the person in the prime contractor's firm whom the prospective DBE subcontractor/supplier should contact for additional information.
2. Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a *minimum* of 30 calendar days before the bid or proposal closing date.

3. Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs.
4. Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
5. Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.

Administrative Requirements

The prime contractor/engineering firm responsible for construction phase services:

1. Must pay its subcontractor for satisfactory performance not more than 30 days from the prime contractor's receipt of payment.
2. Must notify KDHE in writing prior to termination of a DBE subcontractor for convenience.
3. Must employ the good faith efforts when soliciting a replacement subcontractor, if the original subcontractor fails to complete work for any reason.
4. Shall provide EPA Form 6100-2—DBE Program Subcontractor Participation Form to all of its DBE subcontractors. Subcontractors can submit this form to KDHE if there are any concerns regarding the project.
5. Must have its DBE subcontractors complete EPA Form 6100-3—DBE Program Subcontractor Performance Form, and submit it with the bid or proposal package.
6. Must complete and submit EPA Form 6100-4—DBE Program Subcontractor Utilization Form with the bid or proposal package (use additional copies of form if needed).
7. Shall not discriminate on the basis of race, color, national origin or sex in the performance of this contract. The contractor shall carry out applicable requirements of 40 CRF part 33 in the award and administration of contracts awarded under EPA financial assistance agreements. Failure by the contractor to carry out these requirements is a material breach of this contract which may result in the termination of this contract or other legally available remedies.

Finding DBE Firms

The Central Contractor Registration (CCR) maintains a database for the U.S. Federal Government that can be searched for various DBE contractors certified by SBA. The database is located on the web at <https://www.bpn.gov/CCRSearch/Search.aspx>.

The Kansas Department of Transportation Directory of Disadvantaged Business Enterprise (DBE) can be found on the web at <http://www.ksdot.org/divAdmin/DBEConstruction/dbedir.aspx>.

The Minority Business Development Agency of the Department of Commerce maintains a business locator database on the web at <http://www.mbda.gov>.

KDHE and the municipality are required to maintain a list of bidders that have competed for loan fund projects. This list can be used in conjunction with the directories listed above to find DBE firms. This list can be found on the web at <http://www.kdheks.gov/pws/loan/SRFbidlist.xls>.

DBE firms are not limited by the directories listed above. Prime contractors should use any means necessary to locate and contact DBE firms.

In order for a DBE to participate as an MBE or WBE, that entity must be certified by one of the following; the (1) Environmental Protection Agency (EPA), (2) Small Business Administration (SBA), (3) US Department of Transportation, or (4) any other state or local government or private organization certification that has standards that meet or exceed the EPA certification program. MBE's and WBE's must be certified in order for procurement to count towards meeting Fair Share Goals.

Determination of Compliance

Prime contractors must demonstrate compliance with DBE requirements in order to be deemed responsive prior to contract award. Demonstration of compliance shall include submittal of EPA Form 6100-3, EPA Form 6100-4, and a list of DBE subcontractors contacted and the method used to contact them (the attached Demonstration of Compliance with DBE Good Faith Efforts Worksheet can be used for this purpose).

Engineering firms responsible for construction phase services must demonstrate compliance with DBE requirements prior to the construction contract award. Demonstration of compliance shall include submittal of EPA Form 6100-3, EPA Form 6100-4, and a list of DBE subcontractors contacted and the method used to contact them (the attached Demonstration of Compliance with DBE Good Faith Efforts Worksheet can be used for this purpose).

The municipality is required to submit a copy of this information to KDHE as well as submit the Applicant Assurance with Respect to Good Faith Efforts for DBE Utilization form prior to the award of the construction contract. The municipality is also required to submit to KDHE by April 15 and October 15 (during project construction), EPA Form 5700-52A - MBE/WBE Utilization under Federal Grants, Cooperative Agreements, and Interagency Agreements. If MBE/WBE firms are utilized, proof of certification must be submitted with EPA Form 5700-52A

Demonstration of Compliance with DBE Good Faith Efforts Worksheet

Project Name

City of Pittsburg Water Treatment Facility Improvements - Phase 1

KPWSLF or KWPCRLF Project No. 2489

Prime Contract Bidder/Engineering Firm Professional Engineering Consultants, P.A.

Address 303 S. Topeka Wichita, KS 67202

Contact Person: Rod Young, P.E. Telephone No. 316-262-2691

The following firms were made aware of subcontracting/supplier opportunities related to the project listed above.

DBE Subcontractor/Supplier contacted _____

Address _____

Contact Person: _____ Telephone No. _____

Email _____ Method used to contact (circle one): Phone Mail Fax

Is entity also a certified as a MBE _____ or WBE _____? (if no leave blank)

MBE/WBE status certified by (circle one) EPA SBA Other _____

DBE Subcontractor/Supplier contacted _____

Address _____

Contact Person: _____ Telephone No. _____

Email _____ Method used to contact (circle one): Phone Mail Fax

Is entity also a certified as a MBE _____ or WBE _____? (if no leave blank)

MBE/WBE status certified by (circle one) EPA SBA Other _____

DBE Subcontractor/Supplier contacted _____

Address _____

Contact Person: _____ Telephone No. _____

Email _____ Method used to contact (circle one): Phone Mail Fax

Is entity also a certified as a MBE _____ or WBE _____? (if no leave blank)

MBE/WBE status certified by (circle one) EPA SBA Other _____

DBE Subcontractor/Supplier contacted _____

Address _____

Contact Person: _____ Telephone No. _____

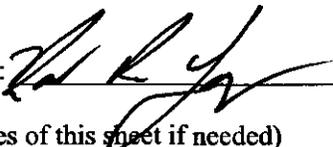
Email _____ Method used to contact (circle one): Phone Mail Fax

Is entity also a certified as a MBE _____ or WBE _____? (if no leave blank)

MBE/WBE status certified by (circle one) EPA SBA Other _____

Comments No subcontractor will be used for construction phase services.

Prepared By: _____



Date: _____



(Use additional copies of this sheet if needed)

CERTIFICATION REGARDING LOBBYING

**CERTIFICATION FOR CONTRACTS, GRANTS,
LOANS AND COOPERATIVE AGREEMENTS**

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31 U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Rod Young, P.E. President
Typed Name & Title of Authorized Representative


Signature and Date of Authorized Representative

§ 1532.20

~~(EPA) policies and procedures for non-procurement debarment and suspension. It thereby gives regulatory effect for the EPA to the OMB guidance as supplemented by this part. This part satisfies the requirements in section 3 of Executive Order 12549, "Debarment and Suspension" (3 CFR 1986 Comp., p. 189), Executive Order 12680, "Debarment and Suspension" (3 CFR 1989 Comp., p. 235) and 31 U.S.C. 6101 note (Section 2456, Pub. L. 102 366, 108 Stat. 3327).~~

§ 1532.20 Does this part apply to me?

~~This part and, through this part, pertinent portions of the OMB guidance in subparts A through I of 2 CFR part 180 (see table at 2 CFR 180.100(b)) apply to you if you are a~~

~~(a) Participant or principal in a "covered transaction" (see subpart B of 2 CFR part 180 and the definition of "nonprocurement transaction" at 2 CFR 180.070;~~

~~(b) Respondent in an EPA suspension or debarment action;~~

~~(c) EPA debarment or suspension official; or~~

~~(d) EPA grants officer, agreements officer, or other official authorized to enter into any type of nonprocurement transaction that is a covered transaction.~~

§ 1532.20 What policies and procedures must I follow?

~~The EPA policies and procedures that you must follow are the policies and procedures specified in each applicable section of the OMB guidance in subparts A through I of 2 CFR part 180, as that section is supplemented by the section in this part with the same section number. The contracts that are covered transactions, for example, are specified by section 220 of the OMB guidance (i.e., 2 CFR 180.220) as supplemented by section 220 in this part (i.e., § 1532.220).~~

~~For any section of OMB guidance in subparts A through I of 2 CFR 180 that has no corresponding section in this part, EPA policies and procedures are those in the OMB guidance.~~

2 CFR Ch. XV (1-1-09 Edition)

Subpart A—General

§ 1532.197 Who in the EPA may grant an exception to let an excluded person participate in a covered transaction?

~~The EPA Debarment Official has the authority to grant an exception to let an excluded person participate in a covered transaction, as provided in the OMB guidance at 2 CFR 180.135. If the EPA Debarment Official grants an exception, the exception must be in writing and state the reason(s) for deviating from the governmentwide policy in Executive Order 12549.~~

Subpart B—Covered Transactions

§ 1532.220 What contracts and subcontracts, in addition to those listed in 2 CFR 180.220, are covered transactions?

~~In addition to the contracts covered under 2 CFR 180.220(b) of the OMB guidance, this part applies to any contract, regardless of tier, that is awarded by a contractor, subcontractor, supplier, consultant, or its agent or representative in any transaction, if the contract is to be funded or provided by the EPA under a covered nonprocurement transaction and the amount of the contract is expected to equal or exceed \$25,000. This extends the coverage of the EPA nonprocurement suspension and debarment requirements to all lower tiers of subcontracts under covered nonprocurement transactions, as permitted under the OMB guidance at 2 CFR 180.220(e) (see optional lower tier coverage in the figure in the appendix to 2 CFR part 180).~~

Subpart C—Responsibilities of Participants Regarding Transactions

§ 1532.332 What methods must I use to pass requirements down to participants at lower tiers with whom I intend to do business?

~~You as a participant must include a term or condition in lower-tier transactions requiring lower-tier participants to comply with subpart C of the~~

Environmental Protection Agency

§ 1532.890

OMB guidance in 2 CFR part 180, as supplemented by this subpart.

Subpart D—Responsibilities of Federal Agency Officials Regarding Transactions

~~§ 1532.437 What method do I use to communicate to a participant the requirements described in the OMB guidance at 2 CFR 180.435?~~

~~To communicate to a participant the requirements described in 2 CFR 180.436 of the OMB guidance, you must include a term or condition in the transaction that requires the participant's compliance with subpart C of 2 CFR part 180, as supplemented by subpart C of this part, and requires the participant to include a similar term or condition in lower tier covered transactions.~~

Subparts E–F [Reserved]

Subpart G—Suspension

~~§ 1532.765 How may I appeal my EPA suspension?~~

~~(a) If the EPA suspending official issues a decision under 2 CFR 180.765 to continue your suspension after you present information in opposition to that suspension under 2 CFR 180.720, you can ask for review of the suspending official's decision in two ways:~~

~~(1) You may ask the suspending official to reconsider the decision for material errors of fact or law that you believe will change the outcome of the matter; and/or~~

~~(2) You may request the Director, Office of Grants and Debarment (OGD Director), to review the suspending official's decision to continue your suspension within 30 days of your receipt of the suspending official's decision under 2 CFR 180.755 or paragraph (a)(1) of this section. However, the OGD Director can reverse the suspending official's decision only where the OGD Director finds that the decision is based on a clear error of material fact or law, or where the OGD Director finds that the suspending official's decision was arbitrary, capricious, or an abuse of discretion.~~

~~(b) A request for review under this section must be in writing; state the specific findings you believe to be in~~

~~error; and include the reasons or legal bases for your position.~~

~~(c) A review under paragraph (a)(2) of this section is solely within the discretion of the OGD Director who may also stay the suspension pending review of the suspending official's decision.~~

~~(d) The EPA suspending official and the OGD Director must notify you of their decisions under this section, in writing, using the notice procedures at 2 CFR 180.615 and 180.075.~~

Subpart H—Debarment

~~§ 1532.800 How may I appeal my EPA debarment?~~

~~(a) If the EPA debarring official issues a decision under 2 CFR 180.870 to debar you after you present information in opposition to a proposed debarment under 2 CFR 180.815, you can ask for review of the debarring official's decision in two ways:~~

~~(1) You may ask the debarring official to reconsider the decision for material errors of fact or law that you believe will change the outcome of the matter; and/or~~

~~(2) You may request the Director, Office of Grants and Debarment (OGD Director), to review the debarring official's decision to debar you within 30 days of your receipt of the debarring official's decision under 2 CFR 180.870 or paragraph (a)(1) of this section. However, the OGD Director can reverse the debarring official's decision only where the OGD Director finds that the decision is based on a clear error of material fact or law, or where the OGD Director finds that the debarring official's decision was arbitrary, capricious, or an abuse of discretion.~~

~~(b) A request for review under this section must be in writing; state the specific findings you believe to be in error; and include the reasons or legal bases for your position.~~

~~(c) A review under paragraph (a)(2) of this section is solely within the discretion of the OGD Director who may also stay the debarment pending review of the debarring official's decision.~~

~~(d) The EPA debarring official and the OGD Director must notify you of their decisions under this section, in writing, using the notice procedures at 2 CFR 180.615 and 180.075.~~

§ 180.220

2 CFR Ch. I (1-1-09 Edition)

(2) A public international organization;

(3) An entity owned (in whole or in part) or controlled by a foreign government; or

(4) Any other entity consisting wholly or partially of one or more foreign governments or foreign governmental entities.

(b) A benefit to an individual as a personal entitlement without regard to the individual's present responsibility (but benefits received in an individual's business capacity are not excepted). For example, if a person receives social security benefits under the Supplemental Security Income provisions of the Social Security Act, 42 U.S.C. 1301 *et seq.*, those benefits are not covered transactions and, therefore, are not affected if the person is excluded.

(c) Federal employment.

(d) A transaction that a Federal agency needs to respond to a national or agency recognized emergency or disaster.

(e) A permit, license, certificate or similar instrument issued as a means to regulate public health, safety or the environment, unless a Federal agency specifically designates it to be a covered transaction.

(f) An incidental benefit that results from ordinary governmental operations.

(g) Any other transaction if—

(1) The application of an exclusion to the transaction is prohibited by law; or

(2) A Federal agency's regulation exempts it from coverage under this part.

§180.220 Are any procurement contracts included as covered transactions?

(a) Covered transactions under this part—

(1) Do not include any procurement contracts awarded directly by a Federal agency; but

(2) Do include some procurement contracts awarded by non-Federal participants in nonprocurement covered transactions.

(b) Specifically, a contract for goods or services is a covered transaction if any of the following applies:

(1) The contract is awarded by a participant in a nonprocurement transaction that is covered under §180.210;

and the amount of the contract is expected to equal or exceed \$25,000.

(2) The contract requires the consent of an official of a Federal agency. In that case, the contract, regardless of the amount, always is a covered transaction, and it does not matter who awarded it. For example, it could be a subcontract awarded by a contractor at a tier below a nonprocurement transaction, as shown in the appendix to this part.

(3) The contract is for Federally required audit services.

(c) A subcontract also is a covered transaction if—

(1) It is awarded by a participant in a procurement transaction under a nonprocurement transaction of a Federal agency that extends the coverage of paragraph (b)(1) of this section to additional tiers of contracts (see the diagram in the appendix to this part showing that optional lower tier coverage); and

(2) The value of the subcontract is expected to equal or exceed \$25,000.

[70 FR 51865, Aug. 31, 2005, as amended at 71 FR 66432, Nov. 15, 2006]

§180.225 How do I know if a transaction in which I may participate is a covered transaction?

As a participant in a transaction, you will know that it is a covered transaction because the Federal agency regulations governing the transaction, the appropriate Federal agency official or participant at the next higher tier who enters into the transaction with you, will tell you that you must comply with applicable portions of this part.

Subpart C—Responsibilities of Participants Regarding Transactions Doing Business With Other Persons

§ 180.300 What must I do before I enter into a covered transaction with another person at the next lower tier?

When you enter into a covered transaction with another person at the next lower tier, you must verify that the person with whom you intend to do business is not excluded or disqualified. You do this by:

(a) Checking the EPLS; or

(b) Collecting a certification from that person; or

(c) Adding a clause or condition to the covered transaction with that person.

[70 FR 51865, Aug. 31, 2005, as amended at 71 FR 66432, Nov. 15, 2006]

§ 180.305 May I enter into a covered transaction with an excluded or disqualified person?

(a) You as a participant may not enter into a covered transaction with an excluded person, unless the Federal agency responsible for the transaction grants an exception under § 180.135.

(b) You may not enter into any transaction with a person who is disqualified from that transaction, unless you have obtained an exception under the disqualifying statute, Executive order, or regulation.

§ 180.310 What must I do if a Federal agency excludes a person with whom I am already doing business in a covered transaction?

(a) You as a participant may continue covered transactions with an excluded person if the transactions were in existence when the agency excluded the person. However, you are not required to continue the transactions, and you may consider termination. You should make a decision about whether to terminate and the type of termination action, if any, only after a thorough review to ensure that the action is proper and appropriate.

(b) You may not renew or extend covered transactions (other than no-cost time extensions) with any excluded person, unless the Federal agency responsible for the transaction grants an exception under § 180.135.

§ 180.315 May I use the services of an excluded person as a principal under a covered transaction?

(a) You as a participant may continue to use the services of an excluded person as a principal under a covered transaction if you were using the services of that person in the transaction before the person was excluded.

However, you are not required to continue using that person's services as a principal. You should make a decision about whether to discontinue that

person's services only after a thorough review to ensure that the action is proper and appropriate.

(b) You may not begin to use the services of an excluded person as a principal under a covered transaction unless the Federal agency responsible for the transaction grants an exception under § 180.135.

§ 180.320 Must I verify that principals of my covered transactions are eligible to participate?

Yes, you as a participant are responsible for determining whether any of your principals of your covered transactions is excluded or disqualified from participating in the transaction.

You may decide the method and frequency by which you do so. You may, but you are not required to, check the EPLS.

§ 180.325 What happens if I do business with an excluded person in a covered transaction?

If as a participant you knowingly do business with an excluded person, the Federal agency responsible for your transaction may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

§ 180.330 What requirements must I pass down to persons at lower tiers with whom I intend to do business?

Before entering into a covered transaction with a participant at the next lower tier, you must require that participant to—

(a) Comply with this subpart as a condition of participation in the transaction. You may do so using any method(s), unless the regulation of the Federal agency responsible for the transaction requires you to use specific methods.

(b) Pass the requirement to comply with this subpart to each person with whom the participant enters into a covered transaction at the next lower tier.

§ 180.335

2 CFR Ch. I (1-1-09 Edition)

**DISCLOSING INFORMATION—PRIMARY
TIER PARTICIPANTS**

§ 180.335 What information must I provide before entering into a covered transaction with a Federal agency?

Before you enter into a covered transaction at the primary tier, you as the participant must notify the Federal agency office that is entering into the transaction with you, if you know that you or any of the principals for that covered transaction:

- (a) Are presently excluded or disqualified;
- (b) Have been convicted within the preceding three years of any of the offenses listed in §180.800(a) or had a civil judgment rendered against you for one of those offenses within that time period;
- (c) Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses listed in §180.800(a); or
- (d) Have had one or more public transactions (Federal, State, or local) terminated within the preceding three years for cause or default.

§ 180.340 If I disclose unfavorable information required under § 180.335, will I be prevented from participating in the transaction?

As a primary tier participant, your disclosure of unfavorable information about yourself or a principal under §180.335 will not necessarily cause a Federal agency to deny your participation in the covered transaction. The agency will consider the information when it determines whether to enter into the covered transaction. The agency will also consider any additional information or explanation that you elect to submit with the disclosed information.

§ 180.345 What happens if I fail to disclose information required under § 180.335?

If a Federal agency later determines that you failed to disclose information under §180.335 that you knew at the time you entered into the covered transaction, the agency may—

- (a) Terminate the transaction for material failure to comply with the

terms and conditions of the transaction; or

- (b) Pursue any other available remedies, including suspension and debarment.

§ 180.350 What must I do if I learn of information required under § 180.335 after entering into a covered transaction with a Federal agency?

At any time after you enter into a covered transaction, you must give immediate written notice to the Federal agency office with which you entered into the transaction if you learn either that—

- (a) You failed to disclose information earlier, as required by §180.335; or
- (b) Due to changed circumstances, you or any of the principals for the transaction now meet any of the criteria in §180.335.

**DISCLOSING INFORMATION—LOWER TIER
PARTICIPANTS**

§ 180.355 What information must I provide to a higher tier participant before entering into a covered transaction with that participant?

Before you enter into a covered transaction with a person at the next higher tier, you as a lower tier participant must notify that person if you know that you or any of the principals are presently excluded or disqualified.

§ 180.360 What happens if I fail to disclose information required under § 180.355?

If a Federal agency later determines that you failed to tell the person at the higher tier that you were excluded or disqualified at the time you entered into the covered transaction with that person, the agency may pursue any available remedies, including suspension and debarment.

§ 180.365 What must I do if I learn of information required under § 180.355 after entering into a covered transaction with a higher tier participant?

At any time after you enter into a lower tier covered transaction with a person at a higher tier, you must provide immediate written notice to that person if you learn either that—

(a) You failed to disclose information earlier, as required by § 180.355; or

(b) Due to changed circumstances, you or any of the principals for the transaction now meet any of the criteria in § 180.355.

Subpart D—Responsibilities of Federal Agency Officials Regarding Transactions

~~§ 180.400 May I enter into a transaction with an excluded or disqualified person?~~

~~(a) You as a Federal agency official may not enter into a covered transaction with an excluded person unless you obtain an exception under § 180.135.~~

~~(b) You may not enter into any transaction with a person who is disqualified from that transaction, unless you obtain a waiver or exception under the statute, Executive order, or regulation that is the basis for the person's disqualification.~~

~~§ 180.405 May I enter into a covered transaction with a participant if a principal of the transaction is excluded?~~

~~As a Federal agency official, you may not enter into a covered transaction with a participant if you know that a principal of the transaction is excluded, unless you obtain an exception under § 180.135.~~

~~§ 180.410 May I approve a participant's use of the services of an excluded person?~~

~~After entering into a covered transaction with a participant, you as a Federal agency official may not approve a participant's use of an excluded person as a principal under that transaction, unless you obtain an exception under § 180.135.~~

~~§ 180.415 What must I do if a Federal agency excludes the participant or a principal after I enter into a covered transaction?~~

~~(a) You as a Federal agency official may continue covered transactions with an excluded person, or under which an excluded person is a principal, if the transactions were in existence when the person was excluded. You are not required to continue the~~

~~transactions, however, and you may consider termination. You should make a decision about whether to terminate and the type of termination action, if any, only after a thorough review to ensure that the action is proper.~~

~~(b) You may not renew or extend covered transactions (other than no-cost time extensions) with any excluded person, or under which an excluded person is a principal, unless you obtain an exception under § 180.135.~~

~~§ 180.420 May I approve a transaction with an excluded or disqualified person at a lower tier?~~

~~If a transaction at a lower tier is subject to your approval, you as a Federal agency official may not approve—~~

~~(a) A covered transaction with a person who is currently excluded, unless you obtain an exception under § 180.135; or~~

~~(b) A transaction with a person who is disqualified from that transaction, unless you obtain a waiver or exception under the statute, Executive order, or regulation that is the basis for the person's disqualification.~~

~~§ 180.425 When do I check to see if a person is excluded or disqualified?~~

~~As a Federal agency official, you must check to see if a person is excluded or disqualified before you—~~

~~(a) Enter into a primary tier covered transaction;~~

~~(b) Approve a principal in a primary tier covered transaction;~~

~~(c) Approve a lower tier participant if your agency's approval of the lower tier participant is required; or~~

~~(d) Approve a principal in connection with a lower tier transaction if your agency's approval of the principal is required.~~

~~§ 180.430 How do I check to see if a person is excluded or disqualified?~~

~~You check to see if a person is excluded or disqualified in two ways:~~

~~(a) You as a Federal agency official must check the EPLS when you take any action listed in § 180.425.~~

~~(b) You must review information that a participant gives you, as required by § 180.335, about its status or the status of the principals of a transaction.~~

VENDOR SET: 99 City of Pittsburg, KS
BANK: * ALL BANKS
DATE RANGE: 1/20/2010 THRU 2/02/2010

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
C-CHECK	VOID CHECK	V	1/21/2010			161581		
C-CHECK	VOID CHECK	V	1/21/2010			161582		
C-CHECK	VOID CHECK	V	1/29/2010			161616		

* * T O T A L S * *	NO	CHECK AMOUNT	DISCOUNTS	TOTAL APPLIED
REGULAR CHECKS:	0	0.00	0.00	0.00
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	3 VOID DEBITS	0.00		
	VOID CREDITS	0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 99 BANK: *	TOTALS:	3	0.00	0.00	0.00
BANK: *	TOTALS:	3	0.00	0.00	0.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0094	M&I BANK	D	1/22/2010			000000		53.86
6182	ALAN FELDHAUSEN	R	1/20/2010			161545		450.00
0094	M&I BANK	R	1/21/2010			161572		950.00
0095	CRAWFORD COUNTY TREASURER	R	1/21/2010			161573		263.20
0393	NPC INTERNATIONAL	R	1/21/2010			161574		140,000.00
0497	CRAWFORD COUNTY DISTRICT COURT	R	1/21/2010			161575		24.00
0497	CRAWFORD COUNTY DISTRICT COURT	R	1/21/2010			161576		24.00
0787	KANSAS NAHRO	R	1/21/2010			161577		182.00
1	MID-AMERICA PIPE SERVICES	R	1/21/2010			161578		768.97
1108	WESTAR ENERGY	R	1/21/2010			161579		28.58
4263	COX COMMUNICATIONS	R	1/21/2010			161580		1,598.94
5589	VERIZON WIRELESS	R	1/21/2010			161583		420.49
5854	ANTHONY A SNYDER	R	1/21/2010			161584		254.92
6135	MCNEARNEY & ASSOCIATES LLC	R	1/21/2010			161585		204.90
6136	US DEPARTMENT OF EDUCATION	R	1/21/2010			161586		273.73
6368	R & F FARM SUPPLY INC	R	1/21/2010			161587		6.42
6405	DAVID AND ANN GRUBBS	R	1/21/2010			161588		9,000.00
6419	LAURA CHAPPEL	R	1/21/2010			161589		4,000.00
6429	KANSAS RV PARKS & TRAVEL INC	R	1/21/2010			161590		127.50
5561	AT&T MOBILITY	R	1/22/2010			161591		1,005.65
6415	ING FINANCIAL ADVISORS	R	1/22/2010			161592		485.00
6434	WINDHAM PROFESSIONALS INC	R	1/22/2010			161593		36.57

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
6123	EASTON SOD FARMS	R	1/28/2010			161612		2,310.00
4215	JOSEPH GEBHARDT	R	1/29/2010			161613		338.57
2224	PITNEY BOWES	R	1/29/2010			161614		268.99
2916	US CELLULAR	R	1/29/2010			161615		1,568.66
5589	VERIZON WIRELESS	R	1/29/2010			161617		600.70
1108	WESTAR ENERGY	R	1/29/2010			161618		31.94
0827	AMERICAN PLANNING ASSOC	R	2/02/2010			161630		480.00
3084	ASCAP	R	2/02/2010			161631		305.00
6402	BEAN'S TOWING & AUTO BODY	R	2/02/2010			161632		25.00
0417	CBA LIGHTING & CONTROL, INC.	R	2/02/2010			161633		97.00
6261	COMFORT PRODUCTS DISTRIBUTING	R	2/02/2010			161634		2,030.00
6008	CONTINENTAL CARBONIC PRODUCTS	R	2/02/2010			161635		1,319.00
5857	CREATIVE PRODUCT SOURCING INC	R	2/02/2010			161636		101.54
1072	CUSIP GLOBAL SERVICES	R	2/02/2010			161637		329.00
3756	EASTERN KANSAS GFOA	R	2/02/2010			161638		50.00
6358	FIRE X INC	R	2/02/2010			161639		120.00
6384	FOLEY INDUSTRIES INC	R	2/02/2010			161640		4,672.80
1	GILMORE, LISA	R	2/02/2010			161641		283.58
0089	KANSAS ASSOCIATION CHIEFS OF P	R	2/02/2010			161642		25.00
6431	KANSAS COURT OF TAX APPEALS	R	2/02/2010			161643		16.83
0675	KANSAS STATE ASSOCIATION OF FI	R	2/02/2010			161644		20.00
3495	KANSAS STATE HISTORICAL SOCIET	R	2/02/2010			161645		189.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
6254	NORTHEAST HIGH SCHOOL	R	2/02/2010			161646		5.00
0188	SECRETARY OF STATE, RON THORNB	R	2/02/2010			161647		25.00
6244	SIEMENS WATER TECHNOLOGIES COR	R	2/02/2010			161648		1,061.00
5934	STOFFER COMMUNICATIONS	R	2/02/2010			161649		40.00
5904	TASC	R	2/02/2010			161650		659.91
6430	WATCH GUARD VIDEO	R	2/02/2010			161651		114.00
1108	WESTAR ENERGY	R	2/02/2010			161652		70.20
4263	COX COMMUNICATIONS	R	2/02/2010			161653		17.53
0011	AMERICAN ELECTRIC INC	E	1/27/2010			999999		1,671.71
0026	STANDARD INSURANCE COMPANY	E	2/02/2010			999999		1,377.32
0034	CRONISTER BROTHERS, INC	E	1/27/2010			999999		787.73
0039	BATTERY MART INC	E	1/27/2010			999999		123.65
0046	ETTINGERS OFFICE SUPPLY	E	1/27/2010			999999		864.20
0063	LOCKE WHOLESALE SUPPLY	E	1/27/2010			999999		294.08
0065	KONE INC.	E	1/27/2010			999999		2,355.00
0068	BROOKS PLUMBING LLC	E	1/27/2010			999999		65.00
0078	SUPERIOR LINEN SERVICE	E	1/27/2010			999999		106.46
0084	INTERSTATE EXTERMINATOR, INC.	E	1/27/2010			999999		285.00
0087	FORMS ONE	E	1/27/2010			999999		728.80
0088	D & H LEASING INC	E	1/27/2010			999999		130.44
0101	BUG-A-WAY INC	E	1/27/2010			999999		100.00
0105	PITTSBURG AUTOMOTIVE INC	E	1/27/2010			999999		1,108.84

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0107	BILLY L RINK	E	1/27/2010			999999		5.00
0112	MARRONES INC	E	1/27/2010			999999		218.70
0116	DANIEL E BRADEN	E	1/27/2010			999999		249.00
0117	THE MORNING SUN	E	1/27/2010			999999		73.96
0128	MT CARMEL MEDICAL CENTER	E	1/27/2010			999999		240.00
0133	JIM RADELL CONSTRUCTION INC	E	1/27/2010			999999		857.50
0135	PITTSBURG AREA CHAMBER OF COMM	E	1/27/2010			999999		27.00
0145	BROADWAY LUMBER COMPANY, INC.	E	1/27/2010			999999		51.91
0154	BLUE CROSS & BLUE SHIELD	D	1/21/2010			999999		8,016.02
0154	BLUE CROSS & BLUE SHIELD	D	1/25/2010			999999		26,768.75
0154	BLUE CROSS & BLUE SHIELD	D	1/29/2010			999999		9,118.55
0163	O'REILLY AUTOMOTIVE INC	E	1/27/2010			999999		235.80
0177	BOOK WHOLESALERS INC	E	1/27/2010			999999		50.13
0181	INGRAM	E	1/27/2010			999999		190.13
0191	XEROX CORP	E	1/27/2010			999999		385.65
0199	KIRKLAND WELDING SUPPLIES	E	1/27/2010			999999		14.91
0200	SHERWIN WILLIAMS COMPANY	E	1/27/2010			999999		976.94
0224	KDOR	D	1/25/2010			999999		1,058.17
0224	KDOR	D	1/26/2010			999999		1,669.35
0278	LAWSON PRODUCTS INC	E	1/27/2010			999999		76.02
0292	UNIFIRST CORPORATION	E	1/27/2010			999999		42.67
0317	KUNSHEK CHAT & COAL CO, INC.	E	1/27/2010			999999		30,140.63

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0329	O'MALLEY IMPLEMENT CO INC	E	1/27/2010			999999		469.11
0335	CUSTOM AWARDS PLUS INC	E	1/27/2010			999999		86.14
0339	GENERAL MACHINERY	E	1/27/2010			999999		301.51
0347	LYNN'S QUICK LUBE	E	1/27/2010			999999		34.95
0348	TYRELL'S SERVICE INC	E	1/27/2010			999999		478.39
0375	CONVENIENT WATER COMPANY	E	1/27/2010			999999		10.00
0400	QUILL CORPORATION	E	1/27/2010			999999		60.06
0409	WISEMAN'S DISCOUNT TIRE INC	E	1/27/2010			999999		28.08
0420	CONTINENTAL RESEARCH CORP	E	1/27/2010			999999		224.45
0478	VIETTI AUTO BODY INC	E	1/27/2010			999999		722.40
0486	MID-STATES ORGANIZED CRIME INF	E	1/27/2010			999999		200.00
0534	TYLER TECHNOLOGIES	E	1/27/2010			999999		39,366.25
0583	DICKINSON INDUSTRIES INC	E	1/27/2010			999999		50.00
0659	PAYNES INC	E	1/27/2010			999999		27.50
0709	BATES SALES COMPANY INC	E	1/27/2010			999999		109.04
0714	SHARE CORPORATION	E	1/27/2010			999999		167.65
0746	CDL ELECTRIC COMPANY	E	1/27/2010			999999		2,199.74
0812	PICHLER'S CHICKEN ANNIES	E	1/27/2010			999999		145.00
0852	JEFF BROOKS	E	1/27/2010			999999		2,160.00
0911	WRIGHT RADIATOR SERVICE	E	1/27/2010			999999		60.00
1050	KPERS	D	1/22/2010			999999		1,600.85
1076	MERLE KELLY FORD INC	E	1/27/2010			999999		461.88

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1188	SIMPSONS DATA SERVICES INC	E	1/27/2010			999999		236.80
1235	RHODES GROCERY INC	E	1/27/2010			999999		59.85
1321	SHARP'S AUTOBODY CLINIC	E	1/27/2010			999999		367.24
1478	KANSASLAND TIRE OF PITTSBURG	E	1/27/2010			999999		149.13
1490	ESTHERMAE TALENT	E	1/27/2010			999999		50.00
1500	GIRARD TARPS INC	E	1/27/2010			999999		60.00
1617	KANSAS EMPLOYMENT SECURITY FUN	D	1/28/2010			999999		6,096.48
1619	MIDWEST TAPE	E	1/27/2010			999999		183.88
1631	EVERYTHING SEW SEW	E	1/27/2010			999999		77.00
1693	EBSCO SUBSCRIPTION SERVICE	E	1/27/2010			999999		4,902.01
1731	HEART OF AMERICA GOLF COU	E	1/27/2010			999999		130.00
1923	AUTOZONE	E	1/27/2010			999999		120.94
1977	CDW GOVERNMENT, INC.	E	1/27/2010			999999		1,229.99
2025	SOUTHERN UNIFORM & EQUIPMENT L	E	1/27/2010			999999		166.00
2134	PENELOPE W. ARMSTRONG	E	1/27/2010			999999		37.50
2165	CP COMMUNICATIONS	E	1/27/2010			999999		159.95
2186	PRODUCERS COOPERATIVE ASSOCIAT	E	1/27/2010			999999		464.92
2433	THE MORNING SUN	E	1/27/2010			999999		826.66
2960	PACE ANALYTICAL SERVICES INC	E	1/27/2010			999999		305.00
3014	PUBLIC SAFETY CENTER, INC	E	1/27/2010			999999		224.90
3142	COMMUNITY MENTAL HEALTH CENTER	E	1/27/2010			999999		300.00
3239	KENT BELEW CUSTOM MACHINING	E	1/27/2010			999999		80.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
3248	AIRGAS MID-SOUTH, INC	E	1/27/2010			999999		19.11
3261	PITTSBURG AUTO & GLASS	E	1/27/2010			999999		165.00
3288	HOLIDAY TERRACE LLC	E	1/27/2010			999999		32.00
3802	BRENNTAG MID-SOUTH INC	E	1/27/2010			999999		1,948.00
3868	MUNICIPAL EMERGENCY SERVICES I	E	1/27/2010			999999		239.54
3964	CALLAWAY GOLF	E	1/27/2010			999999		396.45
3971	FASTENAL COMPANY	E	1/27/2010			999999		213.13
4133	T.H. ROGERS HOMECENTER	E	1/27/2010			999999		15.50
4307	HENRY KRAFT, INC.	E	1/27/2010			999999		158.42
4390	SPRINGFIELD JANITOR SUPPLY, IN	E	1/27/2010			999999		236.57
4702	GEORGE WARD	E	1/27/2010			999999		2,400.00
4711	RANDOM HOUSE, INC.	E	1/27/2010			999999		52.50
4766	ACCURATE ENVIRONMENTAL	E	1/27/2010			999999		3,010.34
5295	SPRINGFIELD BLUEPRINT	E	1/27/2010			999999		127.44
5340	COMMERCE BANK TRUST	E	1/29/2010			999999		168,810.44
5344	AFFORDABLE ALTERNATIVES INC	E	1/27/2010			999999		239.80
5474	THE UPS STORE	E	1/27/2010			999999		31.24
5599	PALMERTON & PARRISH INC	E	1/27/2010			999999		536.18
5617	AMERICAN PUBLIC WORKS ASSOCIAT	E	1/27/2010			999999		141.00
5668	COUNTRYSIDE ANIMAL HOSPITAL OF	E	1/27/2010			999999		157.80
5855	SHRED-IT USA INC	E	1/27/2010			999999		50.00
5873	T J BARNOW	E	1/27/2010			999999		820.18

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
5904	TASC	D	1/25/2010			999999		6,673.84
6118	CHOICE TECHNOLOGY LLC	E	1/27/2010			999999		1,710.00
6175	HENRY C MENGHINI	E	1/27/2010			999999		792.00
6191	MARADETH FREDERICK	E	1/27/2010			999999		600.00
6204	ROSEMARY RION	E	1/27/2010			999999		30.00
6253	DWAYNE O'BRIEN	E	1/27/2010			999999		3,830.29
6262	CLEAN THE UNIFORM COMPANY	E	1/27/2010			999999		373.56
6280	CORNETT PUBLISHING INC	E	1/27/2010			999999		5,400.00
6309	TAMMY FRYE	E	1/27/2010			999999		1,000.00

* * T O T A L S * *		NO	CHECK AMOUNT	DISCOUNTS	TOTAL APPLIED
REGULAR CHECKS:		51	177,280.12	0.00	177,280.12
HAND CHECKS:		0	0.00	0.00	0.00
DRAFTS:		9	61,055.87	0.00	61,055.87
EFT:		103	294,864.59	15.48	294,880.07
NON CHECKS:		0	0.00	0.00	0.00
VOID CHECKS:	0 VOID DEBITS		0.00		
	VOID CREDITS		0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 99	BANK: 80144	TOTALS:	163	533,200.58	15.48	533,185.10
BANK: 80144	TOTALS:	163	533,200.58	15.48	533,216.06	

VENDOR SET: 99 City of Pittsburg, KS
 BANK: EFT MANUAL EFTS
 DATE RANGE: 1/20/2010 THRU 2/02/2010

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0152	JOHN VAN GORDEN	E	2/01/2010			999999		222.00
0278	LAWSON PRODUCTS INC	E	1/25/2010			999999		186.03
0507	SEKRPC	E	1/25/2010			999999		50.00
0577	KANSAS GAS SERVICE	E	1/25/2010			999999		1,475.50
0831	WATER ENVIRONMENT FEDERATION	E	1/25/2010			999999		55.00
0866	AVFUEL CORPORATION	E	1/25/2010			999999		21,686.80
1767	KIM VOGEL	E	2/01/2010			999999		190.30
2934	BILL RUSHTON	E	2/01/2010			999999		185.00
2971	KERIT	E	2/01/2010			999999		82,166.00
4957	BOB GILMORE	E	2/01/2010			999999		286.00
5609	RON WHITE	E	1/25/2010			999999		262.50

* * T O T A L S * *		NO	CHECK AMOUNT	DISCOUNTS	TOTAL APPLIED
REGULAR CHECKS:		0	0.00	0.00	0.00
HAND CHECKS:		0	0.00	0.00	0.00
DRAFTS:		0	0.00	0.00	0.00
EFT:		11	106,765.13	1.51	106,766.64
NON CHECKS:		0	0.00	0.00	0.00
VOID CHECKS:	0 VOID DEBITS		0.00		
	VOID CREDITS		0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 99	BANK: EFT	TOTALS:	11	106,765.13	1.51	106,763.62
BANK: EFT	TOTALS:		11	106,765.13	1.51	106,766.64

VENDOR SET: 99 City of Pittsburg, KS
 BANK: HAP M&I Bank - HAP
 DATE RANGE: 1/20/2010 THRU 2/02/2010

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
6266	KENNETH JOSEPH BRADY	R	2/01/2010			161619		269.00
6182	ALAN FELDHAUSEN	R	2/01/2010			161620		405.00
6155	HOUSING AUTHORITY OF DEKALB CO	R	2/01/2010			161621		2,202.40
6337	JASPER COUNTY PHA	R	2/01/2010			161622		1,279.02
0266	JOHN S KUTZ	R	2/01/2010			161623		717.00
1601	GRAIG MOORE	R	2/01/2010			161624		293.00
5699	JON PRIDEAUX	R	2/01/2010			161625		400.00
3406	JON SCHWENKER	R	2/01/2010			161626		234.00
6265	THERENCE STEELE	R	2/01/2010			161627		236.00
4636	WESTAR ENERGY, INC. (HAP)	R	2/01/2010			161628		912.00
0140	A&M RENTALS	E	2/02/2010			999999		1,781.00
0372	CONNER REALTY	E	2/02/2010			999999		1,532.00
0855	CHARLES HOSMAN	E	2/02/2010			999999		513.00
0969	SEK-CAP INC	E	2/02/2010			999999		2,688.72
1008	BENJAMIN M BEASLEY	E	2/02/2010			999999		1,074.00
1231	JOHN LOVELL	E	2/02/2010			999999		809.00
1421	SMITH RENTALS	E	2/02/2010			999999		501.00
1454	BETTY J WILSON	E	2/02/2010			999999		234.00
1542	LARRY SHANKS	E	2/02/2010			999999		550.00
1603	GARY SAKER	E	2/02/2010			999999		550.00
1609	PHILLIP H O'MALLEY	E	2/02/2010			999999		2,902.00
1638	VERNON W PEARSON	E	2/02/2010			999999		1,250.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1649	HAROLD O'MALLEY	E	2/02/2010			999999		344.00
1688	DORA WARE	E	2/02/2010			999999		307.00
1961	DUSTIN D MAJOR	E	2/02/2010			999999		310.00
1982	KENNETH STOTTS	E	2/02/2010			999999		4,042.00
1985	RICK A MOORE	E	2/02/2010			999999		242.00
2050	ACTON DEVELOPMENT	E	2/02/2010			999999		348.00
2256	TODD MERANDO	E	2/02/2010			999999		321.00
2304	DENNIS HELMS	E	2/02/2010			999999		443.00
2339	CHRIS WINDSOR	E	2/02/2010			999999		162.00
2348	MARY D VANLEEUWEN	E	2/02/2010			999999		307.00
2398	WILLIAM E SAMSON	E	2/02/2010			999999		825.00
2542	CHARLES YOST	E	2/02/2010			999999		1,140.00
2624	JAMES ZIMMERMAN	E	2/02/2010			999999		2,293.00
2718	KENNETH B DUTTON	E	2/02/2010			999999		516.00
2771	MICHELLE PRYOR	E	2/02/2010			999999		132.00
2850	VENITA STOTTS	E	2/02/2010			999999		454.00
2913	KENNETH N STOTTS JR	E	2/02/2010			999999		780.00
3067	STEVE BITNER	E	2/02/2010			999999		3,655.00
3082	JOHN R JONES	E	2/02/2010			999999		862.00
3114	PATRICIA BURLESON	E	2/02/2010			999999		961.00
3142	COMMUNITY MENTAL HEALTH CENTER	E	2/02/2010			999999		1,018.00
3158	BETTY L. FARRIS	E	2/02/2010			999999		311.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
3162	THOMAS A YOAKAM	E	2/02/2010			999999		645.00
3187	DEAN POWELL	E	2/02/2010			999999		324.00
3193	WILLIAM CROZIER	E	2/02/2010			999999		152.00
3215	REA RAE DONNA RHODES	E	2/02/2010			999999		88.00
3218	CHERYL L BROOKS	E	2/02/2010			999999		927.00
3241	CHARLES F SIMPSON	E	2/02/2010			999999		640.00
3252	LINDA S LLOYD	E	2/02/2010			999999		204.00
3272	DUNCAN HOUSING LLC	E	2/02/2010			999999		1,954.00
3273	RICHARD F THENIKL	E	2/02/2010			999999		933.00
3317	PHIL MARTIN	E	2/02/2010			999999		371.00
3520	DON T. BUCHE	E	2/02/2010			999999		400.00
3593	REMINGTON SQUARE	E	2/02/2010			999999		7,254.00
3668	MID AMERICA PROPERTIES OF PITT	E	2/02/2010			999999		4,199.00
3708	GILMORE BROTHERS RENTALS	E	2/02/2010			999999		109.00
3724	YVONNE L. ZORNES	E	2/02/2010			999999		696.00
3746	JAROLD BONBRAKE	E	2/02/2010			999999		450.00
3929	MDI LIMITED PARTNERSHIP #49	E	2/02/2010			999999		5,650.00
3945	KEITH E. HARRIS	E	2/02/2010			999999		196.00
3978	TBSW HOLDINGS, LLC	E	2/02/2010			999999		198.00
4154	JOSEPH L. BOURNONVILLE	E	2/02/2010			999999		412.00
4218	MEADOWLARK TOWNHOUSES	E	2/02/2010			999999		2,361.00
4308	KENNETH BATEMAN	E	2/02/2010			999999		596.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
4388	RICHARD L PERRY	E	2/02/2010			999999		213.00
4492	PITTSBURG APARTMENTS	E	2/02/2010			999999		4,287.00
4546	C & M PROPERTIES LLC	E	2/02/2010			999999		34.00
4550	JIM RUSSELL	E	2/02/2010			999999		466.00
4564	TERRY L SIMPSON	E	2/02/2010			999999		266.00
4612	LORNA GRIFFIN	E	2/02/2010			999999		385.00
4637	OPAL M WALKER	E	2/02/2010			999999		381.00
4752	S & N MANAGEMENT, LLC	E	2/02/2010			999999		892.00
4928	PITTSBURG STATE UNIVERSITY	E	2/02/2010			999999		860.00
5000	RAY COSTANTINI	E	2/02/2010			999999		215.00
5035	ZACK QUIER	E	2/02/2010			999999		469.00
5036	TRACY STAHL	E	2/02/2010			999999		525.00
5356	MICHAEL SIMMONS	E	2/02/2010			999999		524.00
5393	CARLOS ANGELES	E	2/02/2010			999999		1,429.00
5411	HERMAN A KUPLEN	E	2/02/2010			999999		383.00
5549	DELBERT BAIR	E	2/02/2010			999999		290.00
5583	ROBERT L NANKIVELL SR	E	2/02/2010			999999		85.00
5614	JAMES DAVID VAUGHN	E	2/02/2010			999999		550.00
5653	PEGGY HUNT	E	2/02/2010			999999		159.00
5656	EARL HARTMAN	E	2/02/2010			999999		1,113.00
5660	HERBERT WARING	E	2/02/2010			999999		421.00
5676	BARBARA TODD	E	2/02/2010			999999		254.00

VENDOR SET: 99 City of Pittsburg, KS
BANK: HAP M&I Bank - HAP
DATE RANGE: 1/20/2010 THRU 2/02/2010

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
5748	COZY LIVING PROPERTIES INC	E	2/02/2010			999999		181.00
5806	GARY M WILKINSON	E	2/02/2010			999999		231.00
5817	JAMA ENTERPRISES LLP	E	2/02/2010			999999		288.00
5825	DEAN DAVIED	E	2/02/2010			999999		225.00
5829	LORN BURDICK	E	2/02/2010			999999		491.00
5831	DOUGLAS R BARTO	E	2/02/2010			999999		71.00
5833	GERRY DENNETT	E	2/02/2010			999999		490.00
5854	ANTHONY A SNYDER	E	2/02/2010			999999		289.00
5870	ANTHONY E SIMONCIC	E	2/02/2010			999999		372.00
5875	BRIAN WARE	E	2/02/2010			999999		309.00
5885	CHARLES T GRAVER	E	2/02/2010			999999		382.00
5896	HORIZON INVESTMENTS GROUP INC	E	2/02/2010			999999		429.00
5897	NIESE WOODY-FAIR	E	2/02/2010			999999		1,989.00
5906	JOHN HINRICHS	E	2/02/2010			999999		197.00
5939	EDNA R TRENT	E	2/02/2010			999999		444.00
5957	PASTEUR PROPERTIES LLC	E	2/02/2010			999999		1,401.00
5961	LARRY VANBECELAERE	E	2/02/2010			999999		160.00
5975	RAY PEAK	E	2/02/2010			999999		62.00
6002	SALLY THRELFALL	E	2/02/2010			999999		252.00
6032	TIM J. RIDGWAY	E	2/02/2010			999999		1,490.00
6043	BRENDA CAVIN	E	2/02/2010			999999		520.00
6062	MARC D SCHROEDER	E	2/02/2010			999999		354.00

VENDOR SET: 99 City of Pittsburg, KS
 BANK: HAP M&I Bank - HAP
 DATE RANGE: 1/20/2010 THRU 2/02/2010

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
6068	MICHAEL CREEL	E	2/02/2010			999999		242.00
6073	REBECCA FOSTER	E	2/02/2010			999999		709.00
6090	RANDAL BENNEFELD	E	2/02/2010			999999		530.00
6092	MINGORI LLC	E	2/02/2010			999999		172.00
6101	KENNETH D GIEFER	E	2/02/2010			999999		255.00
6108	TILDEN BURNS	E	2/02/2010			999999		223.00
6130	T & K RENTALS LLC	E	2/02/2010			999999		274.00
6150	JAMES L COX	E	2/02/2010			999999		391.00
6161	SJM INTERESTS INC	E	2/02/2010			999999		423.00
6172	ANDREW A WACHTER	E	2/02/2010			999999		827.00
6186	TROY ROSENSTIEL	E	2/02/2010			999999		514.00
6227	ANGELA BOLLINGER	E	2/02/2010			999999		357.00
6284	FRED TWEET	E	2/02/2010			999999		287.00
6294	RONALD E WUERDEMAN	E	2/02/2010			999999		308.00
6298	KEVAN L SCHUPBACH	E	2/02/2010			999999		3,738.00
6300	MARTY STAHL	E	2/02/2010			999999		223.00
6306	BALKANS DEVELOPMENT LLC	E	2/02/2010			999999		97.00
6314	PARKVIEW HOUSING INC	E	2/02/2010			999999		281.00
6317	RONALD L EMERSON	E	2/02/2010			999999		177.00
6333	JANA DALRYMPLE	E	2/02/2010			999999		425.00
6380	WAYNE E THOMPSON	E	2/02/2010			999999		555.00
6394	KEVIN HALL	E	2/02/2010			999999		550.00

VENDOR SET: 99 City of Pittsburg, KS
BANK: HAP M&I Bank - HAP
DATE RANGE: 1/20/2010 THRU 2/02/2010

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
6440	KATHLEEN E MARTINEZ	E	2/02/2010			999999		792.00

* * T O T A L S * *		NO	CHECK AMOUNT	DISCOUNTS	TOTAL APPLIED
REGULAR CHECKS:		10	6,947.42	0.00	6,947.42
HAND CHECKS:		0	0.00	0.00	0.00
DRAFTS:		0	0.00	0.00	0.00
EFT:		123	100,094.72	0.00	100,094.72
NON CHECKS:		0	0.00	0.00	0.00
VOID CHECKS:	0 VOID DEBITS		0.00		
	VOID CREDITS		0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 99	BANK: HAP	TOTALS:	133	107,042.14	0.00	107,042.14
BANK: HAP	TOTALS:		133	107,042.14	0.00	107,042.14

VENDOR SET: 99 City of Pittsburg, KS
 BANK: PY PAYROLL PAYABLES
 DATE RANGE: 1/20/2010 THRU 2/02/2010

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0094	M&I BANK	D	1/22/2010			000000		70,577.60
0321	KP&F	D	1/22/2010			000000		26,112.16
0728	ICMA	D	1/22/2010			000000		5,716.47
1050	KPERS	D	1/22/2010			000000		22,879.23
6415	ING FINANCIAL ADVISORS	D	1/22/2010			000000		485.00
0349	UNITED WAY OF CRAWFORD COUNTY	R	1/22/2010			161568		35.00
1503	FAMILY SUPPORT PAYMENT CENTER	R	1/22/2010			161569		347.74
2228	KANSAS PAYMENT CENTER	R	1/22/2010			161570		1,083.28
2577	OK CENTRALIZED SUPPORT RE	R	1/22/2010			161571		130.97
0028	PAYROLL CLEARING	E	1/22/2010			999999		77,663.98

* * T O T A L S * *		NO	CHECK AMOUNT	DISCOUNTS	TOTAL APPLIED
REGULAR CHECKS:		4	1,596.99	0.00	1,596.99
HAND CHECKS:		0	0.00	0.00	0.00
DRAFTS:		5	125,770.46	0.00	125,770.46
EFT:		1	77,663.98	0.00	77,663.98
NON CHECKS:		0	0.00	0.00	0.00
VOID CHECKS:	0 VOID DEBITS		0.00		
	VOID CREDITS		0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 99	BANK: PY	TOTALS:	10	205,031.43	0.00	205,031.43
BANK: PY	TOTALS:		10	205,031.43	0.00	205,031.43
REPORT TOTALS:			320	952,039.28	16.99	952,022.29

Passed and approved this 9th day of February, 2010.

Rudy Draper, Mayor

ATTEST:

Tammy Nagel, City Clerk



Interoffice Memorandum

TO: JOHN D. VANGORDEN
Interim City Manager

FROM: TODD KENNEMER
Assistant Director of Public Works

DATE: February 2, 2010

SUBJECT: Agenda Item – February 9, 2010
PUBLIC HEARING
Request to Vacate the 600 Block of East Monroe

The Planning and Zoning Commission, in its meeting of January 25, 2010, considered a request submitted by Miller's Professional Imaging (MPI) to vacate the 600 Block of East Monroe from the east right-of-way line of Homer Street to the west right-of-way line of Stilwell Street (see attached map). Issues discussed by the Planning and Zoning Commission were traffic flow and access to utilities.

TRAFFIC FLOW: MPI owns all the property on both sides of the 600 Block of East Monroe. The street basically runs through the company's parking lot area and dead ends at railroad tracks one block to the east. The majority of the traffic (auto and pedestrian) is MPI employees. The western 80% of the street will remain as is to provide access to the parking lots. The remaining eastern portion of the street will be removed and an addition to the building will take its place. The eastern portion will be rebuilt to the south of the new warehouse addition and will continue providing access to the parking lot from Stilwell Street.

Improvements such as greater width and curbs are to be made at the remaining "T" intersection of Stilwell and Monroe to accommodate truck traffic and protect other utilities at this intersection.

MEMO TO: JOHN D. VANGORDEN
FEBRUARY 2, 2010
PAGE TWO

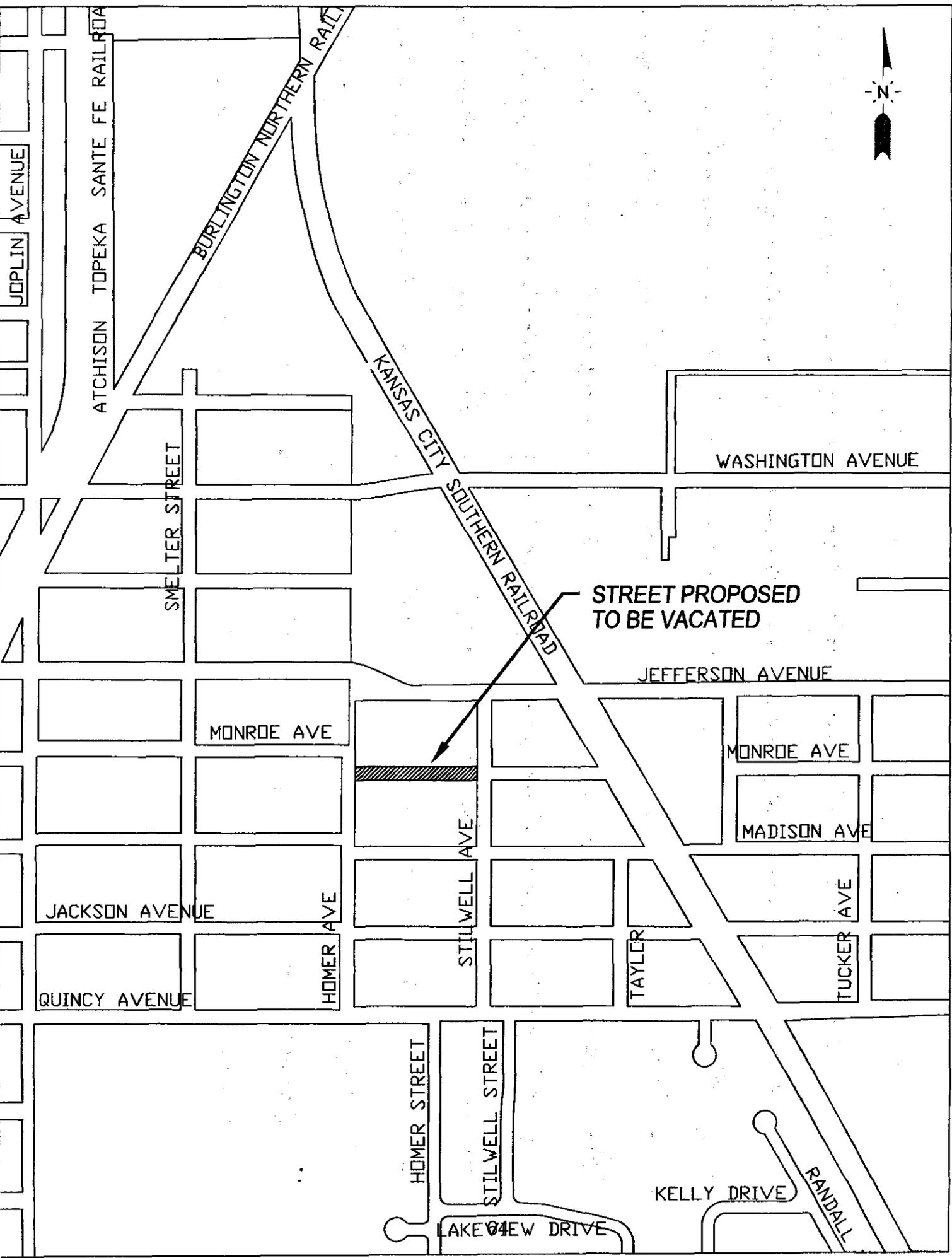
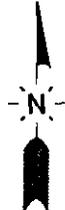
UTILITIES and ACCESS: There is a City water line in this right-of-way that can and will be vacated and removed. Arrangements to relocate the other utilities in the right-of-way (at MPI's own expense) are being made with these utility companies.

After reviewing all the evidence presented, the Planning and Zoning Commission voted unanimously to recommend to the Governing Body **approval** to vacate the 600 block of East Monroe with no retention of a utility easement. This recommendation will be presented to the Governing Body for their consideration during a **PUBLIC HEARING** scheduled for Tuesday, February 9, 2010. Action being requested is to review this request and, if approved, direct the City Attorney to prepare the necessary Order.

If you have any questions concerning this matter, please do not hesitate to contact me.

Attachment: Map

cc: Tammy Nagel, City Clerk
Planning and Zoning Commission File
Memo File



JOPLIN AVENUE

ATCHISON TOPEKA SANTE FE RAILROAD

BURLINGTON NORTHERN RAILROAD

KANSAS CITY SOUTHERN RAILROAD

WASHINGTON AVENUE

SMELTER STREET

STREET PROPOSED TO BE VACATED

JEFFERSON AVENUE

MONROE AVE

MONROE AVE

MADISON AVE

JACKSON AVENUE

HOMER AVE

STILWELL AVE

TAYLOR

TUCKER AVE

QUINCY AVENUE

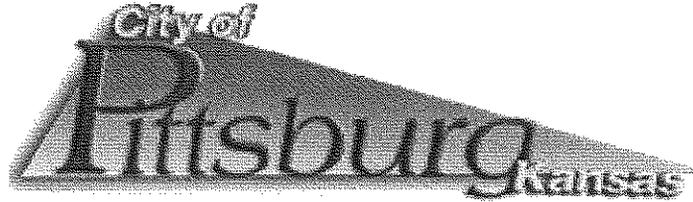
HOMER STREET

STILWELL STREET

KELLY DRIVE

RANDALL

LAKEVIEW DRIVE



Interoffice Memorandum

TO: John D. VanGorden
Interim City Manager

FROM: Jeff Wilbert
Interim Parks and Recreation Director

DATE: February 1st, 2010

SUBJECT: Agenda Item – February 9th, 2010
Charitable Contribution of Property

Staff is recommending Governing Body approval of a charitable gift of property located east of Schlanger Park. The property location is lots numbered thirteen (13) and Fourteen (14) in block Number Six (6) in Playter's 3rd Addition to the City of Pittsburgh. We currently maintain land adjacent to this property which will make it easy in maintaining this additional property.

Graig A. Moore and Mary Kelli Moore are wishing to make this charitable contribution to the City of Pittsburgh. The Parks & Recreation Department wishes to publicly thank Graig & Kelli Moore for their generous gift.

Please place this item on the agenda for the February 9th, 2010, City Commission Meeting. Action needed is approving the Kansas Warranty Deed prepared by the City Attorney to accept this property.

If you have any questions, please give me a call.



Interoffice Memorandum

TO: JOHN D. VANGORDEN
Interim City Manager

FROM: TODD KENNEMER
Assistant Director of Public Works

DATE: February 2, 2010

SUBJECT: Agenda Item – February 9, 2010
Recommendation of the Planning and Zoning Commission
Amendments to Zoning Ordinance

The Planning and Zoning Commission, in its meeting of January 25, 2010, considered and recommended approval of the attached Ordinance which amends the City of Pittsburg Zoning Ordinance (Ordinance No. G-663). This Ordinance shows additions in gray highlight and deletions in strikethrough text. A brief summary of the sections of the Ordinance are stated below.

- a. **Section 1.** Changes **Group Residence** to **Group Home** to be consistent with the State Statute (a dorm is a group residence for example). The existing definition is left intact but now includes the term "Home Plus" and specifically excludes placement of violent sexual predators in a Group Home.
- b. **Sections 2, 4 and 6.** Adds Group Homes as a use-by-right in all single family residential districts (per KSA 12-736).
- c. **Sections 3, 5 and 7.** Adds maximum lot coverage allowances and accessory structure requirements to the height-area-bulk regulations of all single family residential districts.
- d. **Section 8.** Adds the term "**Accessory Dwelling Unit**". Specifies that R-2 Two-Family Residential Districts allow 2 family dwellings (duplexes) and/or a single family dwelling with an accessory dwelling unit (garage apartment for example).

MEMO TO: JOHN D. VANGORDEN
FEBRUARY 2, 2010
PAGE TWO

- e. **Sections 9, 11 and 14.** Adds Group Homes as a use-by-right in all multi-family residential districts (per KSA 12-736).
- f. **Sections 10, 13 and 16.** Re-states existing maximum lot coverage allowances in multi-family districts; adds accessory structure requirements to the height-area-bulk regulations of all multi-family residential districts; and adds additional setback requirements to taller multi-family structures adjoining residential districts.
- g. **Sections 12 and 15.** Adds “No building permits issued...until site plan is approved by Planning and Zoning Commission”.
- h. **Sections 17, 18 and 19.** The total floor area of 900 square feet for accessory structures is eliminated.

After reviewing these modifications, the Planning and Zoning Commission voted unanimously to recommend to the Governing Body **approval** of this Ordinance. In this regard, would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, February 9, 2010. Action necessary is approval or disapproval of the proposed Ordinance and, if approved, direct staff to place it on the February 23rd City Commission Meeting for FIRST READING.

If you have any questions concerning this matter, please do not hesitate to contact me.

Attachment: Ordinance

cc: Tammy Nagel, City Clerk
Planning and Zoning Commission File
Memo File

(Published in the Morning Sun on _____, 2010)

ORDINANCE NO. G-_____

AN ORDINANCE, defining group homes and group residences; adding group homes to the list of allowed uses in all residential districts; eliminating the maximum square footage allowance for accessory buildings in all residential districts; and establishing a maximum lot coverage allowance in all residential districts by amending and supplementing Zoning Ordinance No. G-663.

WHEREAS, the Planning and Zoning Commission of the City of Pittsburg, Kansas, has filed their report with the Board of Commissioners of the City of Pittsburg, Kansas, recommending amendment of Ordinance No. G-663.

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

Section 1: Section 1-103.93 of Zoning Ordinance No. G-663 is hereby amended and shall read as follows:

1-103 Definitions:

For the purpose of this Ordinance, certain terms and words are hereby defined. Words used in the present tense shall include the future; words in the singular number shall include the plural and words in the plural number shall include the singular; the word "building" shall include the word "structure"; the word "dwelling" shall include the word "residence"; the word "lot" shall include the word "plot"; the word "shall" is mandatory and not directory.

93. GROUP RESIDENCE HOME: Any dwelling as defined in KSA 12-736 occupied by not more than 10 persons, including eight or fewer persons with a disability, as defined within this Ordinance, who need not be related by blood or marriage and not to exceed two staff residents who need not be related by blood or marriage to each other or to the residents of the home, which dwelling is licensed by a regulatory agency of the State of Kansas. A Group Home also includes state licensed "Home Plus" adult residences. This definition shall not include sexually violent predators as defined in KSA 59-29a01 and 59-29a02. (Sec 1, Ord G-686, 5/29/92).

Section 2: Section 4-102 of Zoning Ordinance No. G-663 is hereby supplemented and shall read as follows:

4-102 Use Regulations:

In District "R-1A," no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

1. Single-family dwellings.
2. Residential-design manufactured homes. (Sec 1, Ord G-686, 5/29/92)
3. Group Homes (as defined in KSA 12-736)
4. Railroad right-of-ways, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classifications yards, repair shops, roundhouses, powerhouses, interlocking towers, and fueling, sanding, and watering stations.
5. Temporary buildings, the uses of which are incidental to construction operations or sale of lots during development being conducted on the same or adjoining tract or subdivision, but not for use as a residence; and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of one year from the time of erection of such temporary buildings, whichever is sooner.

Section 3: Section 4-106 of Zoning Ordinance No. G-663 is hereby supplemented and shall read as follows:

4-106 Height, Area, and Bulk Regulations:

In the "R-1A" Single-Family Residential District, the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as follows:

1. **Height:** Buildings or structures shall not exceed 35 feet and/or 2-1/2 stories in height.
2. **Front Yard:** The depth of the front yard shall be at least 30 feet.

3. **Side Yard:** There shall be a side yard on each side of a dwelling. No side yard shall be less than 10 feet.
4. **Rear Yard:** The depth of the rear yard shall be at least 20 feet.
5. **Lot Dimensions:** The minimum width of a lot shall be 75 feet. The minimum depth of a lot shall be 100 feet.
6. **Lot Area Per Family:** Every dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum lot area of 10,000 square feet per family.
7. **Minimum Floor Area of Dwelling:** Every dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum floor area of 1,500 square feet.
8. **Maximum Lot Coverage:** Maximum lot coverage in the "R-1A" Single-Family Residential District shall be 50% of the square footage of the lot. This includes the main structure, accessory structures, swimming pools, driveways, parking areas, pavement, and any other impervious surface.
9. **Accessory Structures:** Accessory structures may be located in a required side or rear yard setback; however, no accessory building may be located closer than 5 feet from the rear lot line and no closer than 10 feet from a side lot line.
No accessory structure or use (except flag poles and fences as permitted) shall occupy a required front yard.
No alley may be used in meeting this requirement.
No accessory structure is to be located inside an easement.
No accessory building shall be larger than the main structure. Some accessory structures such as radio tower or flagpole may be taller than the main structure.

The Height, Area and Bulk Regulations are also set forth in the chart of Article 28. Said chart, and all notations and requirements shown therein, shall have the same force and effect as if all the notations and requirements were fully set forth or described herein.

Section 4: Section 5-102 of Zoning Ordinance No. G-663 is hereby amended

and shall read as follows:

5-102 Use Regulations:

In District "R-1B," no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

1. Single-family dwellings.
2. Residential-design manufactured homes. (Sec 1, Ord G-686, 5/29/92)
3. Group Homes (as defined in KSA 12-736)
4. Railroad right-of-ways, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classifications yards, repair shops, roundhouses, powerhouses, interlocking towers, and fueling, sanding, and watering stations.
5. Temporary buildings, the uses of which are incidental to construction operations or sale of lots during development being conducted on the same or adjoining tract or subdivision, but not for use as a residence; and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of one year from the time of erection of such temporary buildings, whichever is sooner.

Section 5: Section 5-106 of Zoning Ordinance No. G-663 is hereby

supplemented and shall read as follows:

In the "R-1B" Single-Family Residential District, the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as follows:

1. **Height:** Buildings or structures shall not exceed 35 feet and/or 2-1/2 stories in height.
2. **Front Yard:** The depth of the front yard shall be at least 30 feet.
3. **Side Yard:** There shall be a side yard on each side of a dwelling. No side yard shall be less than 5 feet.
4. **Rear Yard:** The depth of the rear yard shall be at least 20 feet.

5. **Lot Dimensions:** The minimum width of a lot shall be 65 feet. The minimum depth of a lot shall be 100 feet.
6. **Lot Area Per Family:** Every dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum lot area of 7,000 square feet per family.
7. **Minimum Floor Area of Dwelling:** Every dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum floor area of 1,200 square feet.
8. **Maximum Lot Coverage:** Maximum lot coverage in the "R-1B" Single-Family Residential District shall be 55% of the square footage of the lot. This includes the main structure, accessory structures, swimming pools, driveways, parking areas, pavement, and any other impervious surface.
9. **Accessory Structures:** Accessory structures may be located in a required side or rear yard setback; however, no accessory building may be located closer than 5 feet from the rear lot line and no closer than 3 feet from a side lot line.
 No accessory structure or use (except flag poles and fences as permitted) shall occupy a required front yard.
 No alley may be used in meeting this requirement.
 No accessory structure is to be located inside an easement.
 No accessory building shall be larger than the main structure. Some accessory structures such as radio tower or flagpole may be taller than the main structure.

The Height, Area and Bulk Regulations are also set forth in the chart of Article 28. Said chart, and all notations and requirements shown therein, shall have the same force and effect as if all the notations and requirements were fully set forth or described herein.

Section 6: Section 6-102 of Zoning Ordinance No. G-663 is hereby supplemented and shall read as follows:

6-102 Use Regulations:

In District "R-1C," no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

1. Single-family dwellings.

2. Residential-design manufactured homes. (Sec 1, Ord G-686, 5/29/92)
3. Group Homes (as defined in KSA 12-736).
4. Railroad right-of-ways, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classifications yards, repair shops, roundhouses, powerhouses, interlocking towers, and fueling, sanding, and watering stations.

Section 7: Section 6-106 of Zoning Ordinance No. G-663 is hereby supplemented with the following:

In the "R-1C" Single-Family Residential District, the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as follows:

1. **Height:** Buildings or structures shall not exceed 35 feet and/or 2-1/2 stories in height.
2. **Front Yard:** The depth of the front yard shall be at least 30 feet.
3. **Side Yard:** There shall be a side yard on each side of a dwelling. No side yard shall be less than 5 feet.
4. **Rear Yard:** The depth of the rear yard shall be at least 20 feet.
5. **Lot Dimensions:** The minimum width of a lot shall be 40 feet. The minimum depth of a lot shall be 100 feet.
6. **Lot Area Per Family:** Every dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum lot area of 5,600 square feet per family.
7. **Minimum Floor Area of Dwelling:** Every dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum floor area of 800 square feet.
8. **Maximum Lot Coverage:** Maximum lot coverage in the "R-1C" Single-Family Residential District shall be 55% of the square footage of the lot. This includes the main structure, accessory structures, swimming pools, driveways, parking areas, pavement, and any other impervious surface.

9. **Accessory Structures:** Accessory structures may be located in a required side or rear yard setback; however, no accessory building may be located closer than 5 feet from the rear lot line and no closer than 3 feet from a side lot line.
- No accessory structure or use (except flag poles and fences as permitted) shall occupy a required front yard.
- No alley may be used in meeting this requirement.
- No accessory structure is to be located inside an easement.
- No accessory building shall be larger than the main structure. Some accessory structures such as radio tower or flagpole may be taller than the main structure.

Section 8: Section 7-101 of Zoning Ordinance No. G-663 is hereby amended and shall read as follows:

7-101 Application:

The regulations set forth in this Article, or set forth elsewhere in this Ordinance when referred to in this Article, are the regulations in the "R-2" Two-Family Residential District. The purpose of this District is to maintain a generally spacious residential environment of existing single-family neighborhoods, and at the same time permit two-family dwellings and accessory dwelling units within those neighborhoods as in-fill development. Also, it is intended to accommodate new developments of two-family dwellings and accessory dwelling units adjacent to, or near areas within the community planned for higher density development.

Section 9: Section 7-102 of Zoning Ordinance No. G-663 is hereby supplemented and shall read as follows:

7-102 Use Regulations:

In District "R-2," no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

1. Any use permitted in the "R-1B" Single-Family Residential District.
2. Two-family dwellings / Accessory Dwelling Units
3. Group Homes (as defined in KSA 12-736).

Section 10: Section 7-106 of Zoning Ordinance No. G-663 is hereby amended

and shall read as follows:

In the "R-2" Two-Family Residential District, the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as follows:

1. **Height:** Buildings or structures shall not exceed 35 feet and/or 2-1/2 stories in height.
2. **Front Yard:** The depth of the front yard shall be at least 30 feet.
3. **Side Yard:** There shall be a side yard on each side of a dwelling. No side yard shall be less than 5 feet.
4. **Rear Yard:** The depth of the rear yard shall be at least 20 feet.
5. **Lot Dimensions:** The minimum width of a lot shall be 40 feet. The minimum depth of a lot shall be 100 feet.
6. **Lot Area Per Family:** Every single-family dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum lot area of 7,000 square feet per family. Every two-family dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum lot area of 3,500 square feet per family or 7,000 square feet per building.
7. **Minimum Floor Area of Dwelling:** Every single-family, detached dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum floor area of 800 square feet. Every two-family dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum floor area of 600 square feet per family when constructed as attached dwelling units.

When constructed as two separate structures (such as a house and detached "garage apartment"), the main house shall provide a minimum floor area of 800 square feet, and the accessory dwelling unit shall meet or exceed the minimum requirements of an efficiency unit as defined in Section 1-103 of this Ordinance.

8. **Maximum Lot Coverage:** Maximum lot coverage in the "R-2" Two-Family Residential District shall be 55% of the square footage of the lot when the lot is occupied by a single family dwelling unit only. This includes the main structure, accessory structures, swimming pools, driveways, parking areas, pavement, and any other impervious surface.

Maximum lot coverage for every single-family dwelling unit with an accessory dwelling unit in the "R-2" Two-Family Residential District shall be 58% of the square footage of the lot. This includes the main structure, accessory structures, swimming pools, driveways, parking areas, pavement, and any other impervious surface.

Maximum lot coverage for every two-family dwelling unit (duplex) in the "R-2" Two-Family Residential District shall be 58% of the square footage of the lot. This includes the main structure, accessory structures, swimming pools, driveways, parking areas, pavement, and any other impervious surface.

9. **Accessory Structures:** Accessory structures may be located in a required side or rear yard setback; however, no accessory building may be located closer than 5 feet from the rear lot line and no closer than 3 feet from a side lot line.

No accessory structure or use (except flag poles and fences as permitted) shall occupy a required front yard.

No alley may be used in meeting this requirement.

No accessory structure is to be located inside an easement.

No accessory building shall be larger than the main structure. Some accessory structures such as radio tower or flagpole may be taller than the main structure.

Section 11: Section 8-102 of Zoning Ordinance No. G-663 is hereby supplemented and shall read as follows:

8-102 Use Regulations:

In District "RP-3," no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

1. Any use permitted in the "R-2" Two-Family Residential District.
2. Condominiums.
3. Low Rise Apartment Buildings.
4. Townhouses.
5. Group Homes (as defined in KSA 12-736).

Section 12: Section 8-103 of Zoning Ordinance No. G-663 is hereby amended

and shall read as follows:

8-103 Plan Approval Guidelines:

No building permits shall be issued and no construction shall begin until the site plan has been reviewed and approved by the Planning and Zoning Commission. The Plan Approval Guidelines, including site plan submission and content requirements, are contained in Article 29 of this Ordinance.

Section 13: Section 8-108 of Zoning Ordinance No. G-663 is hereby amended

and shall read as follows:

In the "RP-3" Planned Medium Density Residential District, the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family on any lot shall be as follows:

1. **Height:** Buildings or structures shall not exceed 45 feet and/or 3 stories in height. In addition to these setback requirements, on lots adjoining any R-1 or R-2 residential district, structures shall be setback an additional 2 feet for every one (1) foot in height that the structure exceeds 35 feet.
2. **Front Yard:** The depth of the front yard shall be at least 30 feet.
3. **Side Yard:** There shall be a side yard on each side of a dwelling. No side yard shall be less than 10 feet.
4. **Rear Yard:** The depth of the rear yard shall be at least 20 feet.
5. **Lot Dimensions:** The minimum width of a lot shall be 65 feet. The minimum depth of a lot shall be 100 feet.
6. **Lot Area Per Family:** Every residential building hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum lot area of 3,500 square feet per family for the first two dwelling units, and 2,000 square feet per family for each additional dwelling unit over two.
7. **Minimum Floor Area of Dwelling:** Every single-family, detached dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum floor area of 800 square feet. Every two-family dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum floor area of 600 square feet per family when constructed as attached dwelling units.

When constructed as two separate structures (such as a house and detached "garage apartment"), the main house shall provide a minimum floor area of 800 square feet, and the accessory dwelling unit shall meet or exceed the minimum requirements of an efficiency unit as defined in Section 1-103 of this Ordinance.

Multi-family dwellings shall comply with the provisions of the ~~Uniform~~ International Building Code.

8. **Maximum Lot Coverage:** Maximum lot coverage in the "RP-3" Planned Medium Density Residential District shall be 60% of the square footage of the lot when the lot. This includes the main structure, accessory structures, swimming pools, driveways, parking areas, pavement, and any other impervious surface.
9. **Accessory Structures:** Accessory structures may be located in a required side or rear yard setback; however, no accessory building may be located closer than 5 feet from the rear lot line and no closer than 10 feet from a side lot line.
No accessory structure or use (except flag poles and fences as permitted) shall occupy a required front yard.
No alley may be used in meeting this requirement.
No accessory structure is to be located inside an easement.
No accessory building shall be larger than the main structure. Some accessory structures such as radio tower or flagpole may be taller than the main structure.
10. **Screening:** For developments containing more than four (4) dwelling units, screening shall be erected along any property line adjacent to or adjoining any single-family or two-family residence to eliminate the passage of light from vehicles.

Section 14: Section 9-102 of Zoning Ordinance No. G-663 is hereby supplemented and shall read as follows:

9-102 Use Regulations:

In District "RP-4," no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

1. Any use permitted in the "RP-3" Planned Medium Density Residential District, except single-family dwellings.
2. Apartment houses or complexes.

3. Multi-family dwellings.
4. Group Homes (as defined in KSA 12-736).

Section 15: Section 9-103 of Zoning Ordinance No. G-663 is hereby amended and shall read as follows:

9-103 Plan Approval Guidelines:

No building permits shall be issued and no construction shall begin until the site plan has been reviewed and approved by the Planning and Zoning Commission. The Plan Approval Guidelines, including site plan submission and content requirements, are contained in Article 29 of this Ordinance.

Section 16: Section 9-108 of Zoning Ordinance No. G-663 is hereby amended and shall read as follows:

In the "RP-4" Planned Apartment House District, the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family on any lot shall be as follows:

1. **Height:** Buildings or structures shall not exceed 45 feet and/or 3 stories in height. In addition to these setback requirements, on lots adjoining any R-1 or R-2 residential district, structures shall be setback an additional 2 feet for every one (1) foot in height that the structure exceeds 35 feet.
2. **Front Yard:** The depth of the front yard shall be at least 30 feet.
3. **Side Yard:** There shall be a side yard on each side of a dwelling. No side yard shall be less than 10 feet.
4. **Rear Yard:** The depth of the rear yard shall be at least 20 feet.
5. **Lot Dimensions:** The minimum width of a lot shall be 65 feet. The minimum depth of a lot shall be 100 feet.
6. **Lot Area Per Family:** Every residential building hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum lot area of 3,500 square feet per family for the first two dwelling units, and 1,000 square feet per family for each additional dwelling unit over two.

7. **Minimum Floor Area of Dwelling:** Every two-family dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum floor area of 600 square feet per family. Multi-family dwellings shall comply with the provisions of the ~~Uniform~~ International Building Code.
8. **Maximum Lot Coverage:** Maximum lot coverage in the "RP-4" Planned Apartment House District shall be 69% of the square footage of the lot when the lot. This includes the main structure, accessory structures, swimming pools, driveways, parking areas, pavement, and any other impervious surface.
9. **Accessory Structures:** Accessory structures may be located in a required side or rear yard setback; however, no accessory building may be located closer than 5 feet from the rear lot line and no closer than 10 feet from a side lot line.
 No accessory structure or use (except flag poles and fences as permitted) shall occupy a required front yard.
 No alley may be used in meeting this requirement.
 No accessory structure is to be located inside an easement.
 No accessory building shall be larger than the main structure. Some accessory structures such as radio tower or flagpole may be taller than the main structure.
10. **Screening:** For developments containing more than four (4) dwelling units, screening shall be erected along any property line adjacent to or adjoining any single-family or two-family residence to eliminate the passage of light from vehicles.

Section 17: Section 30-108.1(a) of Zoning Ordinance No. G-663 is hereby amended and shall read as follows:

30-108 Accessory Uses Allowed:

Accessory uses shall be allowed' provided, said accessory uses shall be limited to those specified herein for the various zoning classifications:

1. In District "R-1A" Single-Family Residential, "R-1B" Single-Family Residential, "R-1C" Single-Family Residential, and "R-2" Two-Family Residential District, only the following accessory uses are allowed:
 - a. Accessory buildings and uses commonly associated with residential activity including, but not limited to, the following:
 - Accessory off-street parking and loading spaces
 - Fences or walls
 - Flag poles

Gates or guard houses for subdivisions
Guest houses
Home barbecue grills
Parabolic and satellite dish-type antennas one (1) meter or less in diameter
(Sec 10, Ord G-811, 7/31/98).
Play equipment
Private garages and carports
Servant's quarters
Small storage sheds
Solar collectors
Swimming pools
Television and radio receiving antennas less than 50 feet in height

~~No accessory building or use shall occupy a required front yard (except basketball goals, flag poles and fences as permitted.) The total floor area of all accessory buildings shall not exceed 900 square feet.~~

Section 18: Section 30-108.2(a) of Zoning Ordinance No. G-663 is hereby amended and shall read as follows:

30-108 Accessory Uses Allowed:

2. In District "RP-3" Planned Medium Density Residential, and "RP-4" Planned Apartment House, only the following accessory uses are allowed:
 - a. Accessory buildings and uses commonly associated with multi-family residential activity including, but not limited to, the following:
 - Accessory off-street parking and loading spaces
 - Fences or walls
 - Flag poles
 - Gates or guard houses for subdivisions
 - Maintenance buildings for the complex
 - Parabolic and satellite dish-type antennas one (1) meter or less in diameter
(Sec 10, Ord G-811, 7/31/98).
 - Play equipment
 - Power generators
 - Recreation areas and buildings, clubhouses
 - Swimming pools
 - Television and radio receiving antennas less than 50 feet in height
 - Trash collection centers
 - Vending machines, mail rooms and laundry facilities in common areas

~~No accessory building or use shall occupy a required front yard (except basketball goals, flag poles and fences as permitted.) The total floor area of all accessory buildings shall not exceed 900 square feet.~~

Section 19: Section 34-104 of Zoning Ordinance No. G-663 is hereby amended

and shall read as follows:

In order to provide for adjustment in the relative locations of uses and buildings of the same or different classifications, to promote the usefulness of this Ordinance as an instrument for fact finding, interpretation, application, and adjustment, and to supply the necessary elasticity to its efficient operation, special exceptions are hereby permitted by the terms of this Article. The following buildings and uses may be allowed as special exceptions if the Board of Zoning Appeals finds that in its opinion, as a matter of fact, such exceptions will not have an adverse affect on adjacent and neighboring property permitted by this Ordinance: (Sec 11, Ord G-811, 7/31/98)

1. A nonconforming commercial use to extend to the entire lot or a larger portion of the lot where there is now a commercial use on a portion of the lot.
2. A nonconforming commercial use on a lot between two lots which are used for commercial.
3. A nonconforming use now existing in any part of a building to be extended vertically or laterally to other portions of the building. In a building now occupied by a nonconforming commercial or industrial use, an additional use of the same classification in the remainder of the building.
4. The extension of an existing nonconforming building and the existing use thereof, upon the lot occupied by such building at the time of the passage of this Ordinance; or the erection of an additional building upon the lot owned at the time of the passage of this Ordinance by a nonconforming commercial or industrial establishment and which additional building is a part of such establishment.
5. Where a use district boundary line crosses a lot, a use of either classification on the whole lot within 100 feet of said district boundary line.
6. In any commercial district, residential use where it is accessory to the commercial use and within the same building. (Sec 11, Ord G-811, 7/31/98)
7. Off-street parking areas, adjacent to or at a reasonable distance from the premises on which parking areas are required by the parking regulations of this Ordinance where practical difficulties, including the acquisition of property, or undue hardships are encountered in locating such parking areas on the premises and where the purpose of this Ordinance to relieve congestion in the streets would be best served by permitting such parking off the premises.

Section 20: This Ordinance shall take effect and be in force from and after its passage and publication in the official City paper.

APPROVED AND APPROVED this _____ day of _____, 2010.

Mayor – Rudy Draper

ATTEST:

City Clerk – Tammy Nagel

(SEAL)



Interoffice Memorandum

TO: JOHN D. VANGORDEN
Interim City Manager

FROM: TODD KENNEMER
Assistant Director of Public Works

DATE: February 2, 2010

SUBJECT: Agenda Item – February 9, 2010
Recommendation of the Planning and Zoning Commission
Request for Conditional Use to Allow a Daycare Home to Care for
Up to 10 Children at 211 West 19th Street

The Planning and Zoning Commission, in its meeting of January 25, 2010, considered a request submitted by Michele Walrod for a Conditional Use to operate a Daycare Home at 211 West 19th Street, under the provisions of Article 30 of the Pittsburg Zoning Ordinance. By definition (City and State), a Daycare Home is limited to a maximum of 10 children.

In March 2005, Ms. Walrod was unanimously approved to operate a Daycare Home at 113 West 24th Street. She has been operating her Daycare Home at this location for the past five (5) years. The Public Works office has not received any complaints about her operation during this time span.

The following criteria are considered when a change of zoning case is heard. Although these criteria are not required when considering a Conditional Use, it is used as a guide.

1. Character of the neighborhood. Residential
2. Zoning and uses of nearby properties. All surrounding properties are zoned R1-C "Single Family Residential" and are used as such. One block to the east is zoned CP-2 "Planned General Commercial", and one block to the south is zoned CP-2 "Planned General Commercial".

MEMO TO: JOHN D. VANGORDEN
FEBRUARY 2, 2010
PAGE TWO

3. Suitability of the subject property for the uses to which it is being considered. The State of Kansas strongly encourages these small daycare facilities to be located in a residential – home setting. It is a large lot measuring just over ½ acre in size with fenced in play areas.
4. If approved, what are detrimental effects on nearby property. Daycare homes located in residential districts do not have detrimental effects on the other properties in the area.
5. Relative gain to public health, safety, and welfare. HS&W of the public will not be affected if approved or denied.
6. Recommendation of professional staff. APPROVE

Since there are no other persons employed to run the daycare, additional parking spaces are not required. There are two driveways to serve as drop-off/pick-up areas. The driveway on Walnut Street is approximately 20' in width; the driveway on 19th Street is approximately 12' in width. Outside play areas are fenced with a separate fenced-off area for dogs.

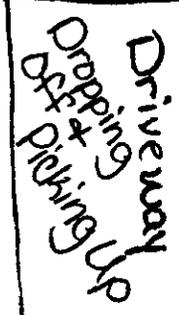
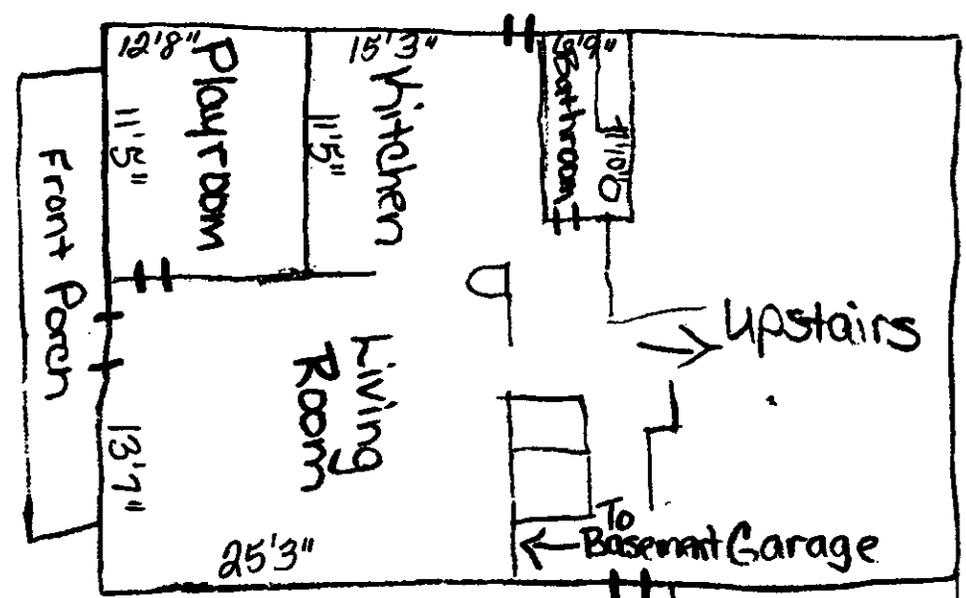
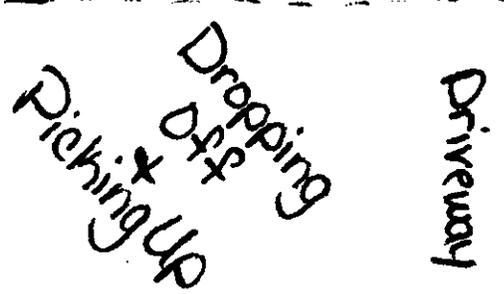
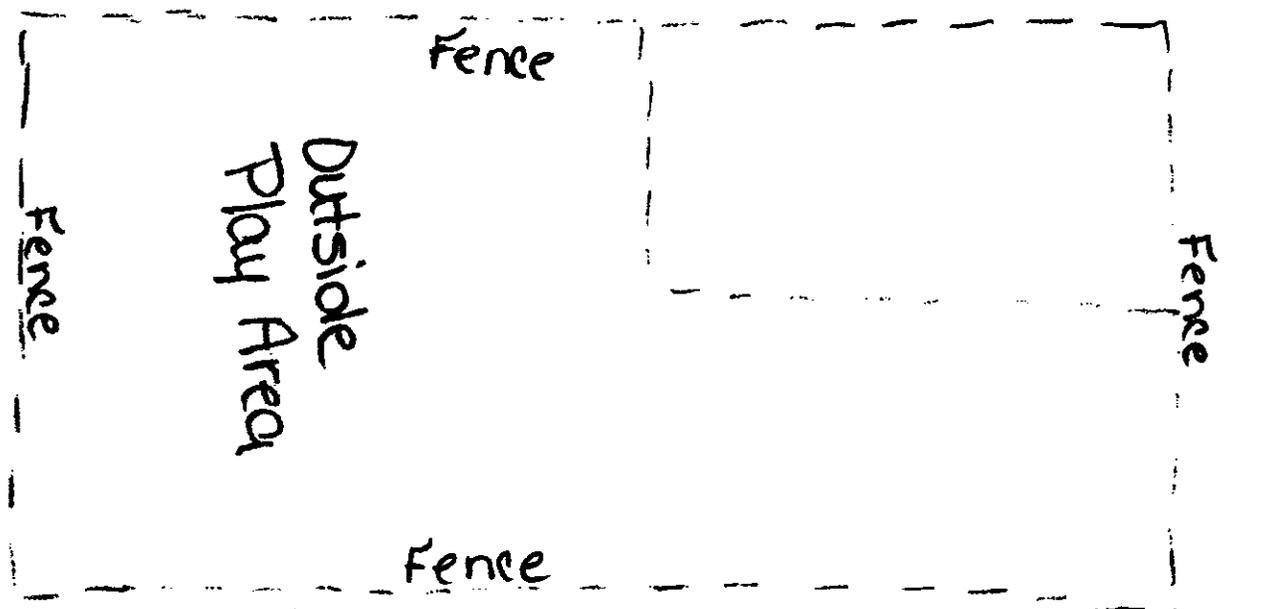
There was one letter submitted and two persons at the Planning and Zoning Commission meeting in opposition to this request. They believe this will be a noise nuisance, will increased traffic and decrease property values.

After reviewing all the evidence presented, the Planning and Zoning Commission voted unanimously to recommend to the Governing Body **approval of this request with the condition that the drop-off/pick-up area be widened or driveways connected within 60 days to help alleviate traffic concerns.** In this regard, would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, February 9, 2010. Action necessary will be to approve or deny the recommendation of the Planning and Zoning Commission.

If you have any questions concerning this matter, please do not hesitate to contact me.

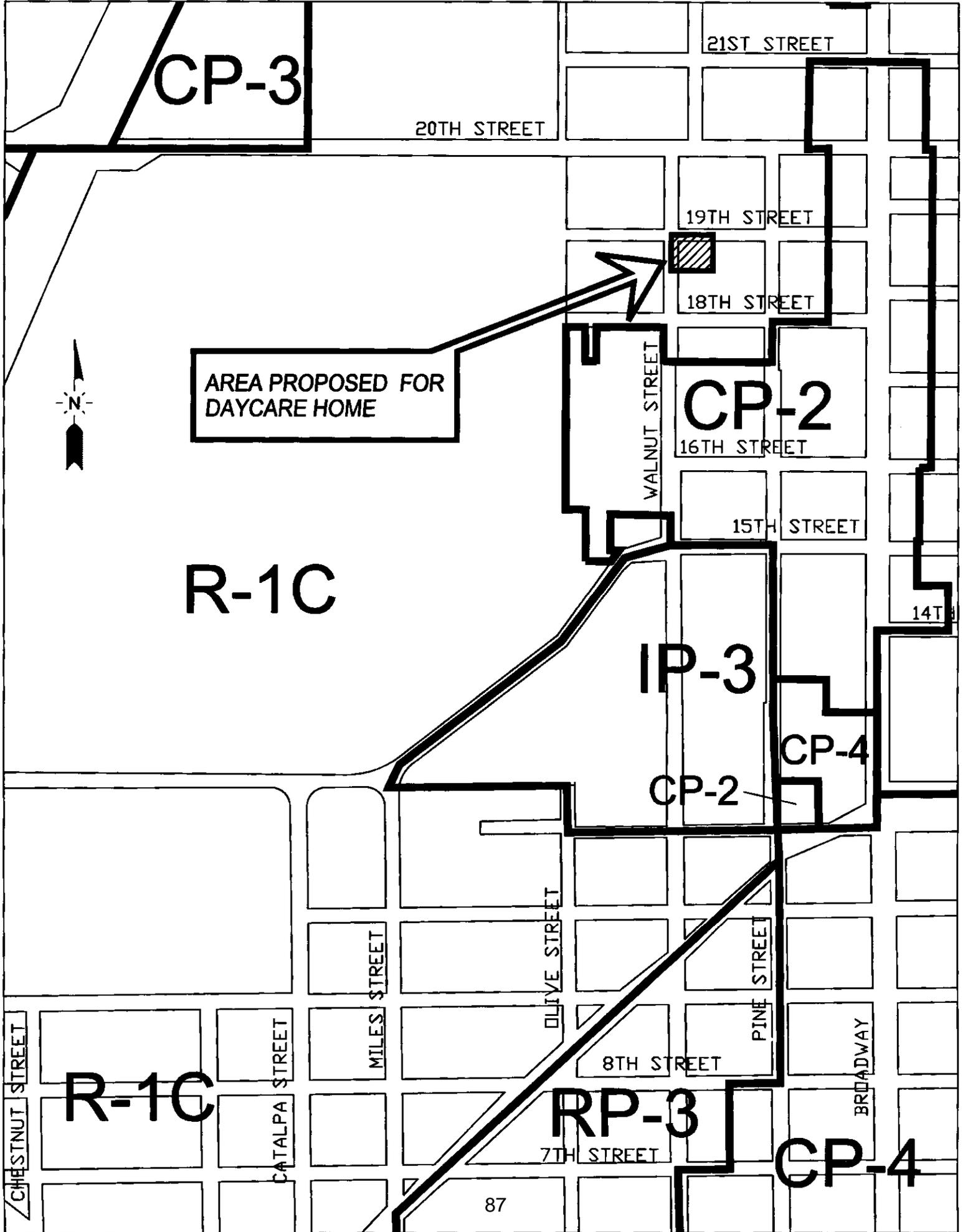
Attachment: Maps

cc: Tammy Nagel, City Clerk
Planning and Zoning Commission File
Memo File



19th St.

Walnut St.



CP-3

21ST STREET

20TH STREET

19TH STREET

18TH STREET

AREA PROPOSED FOR
DAYCARE HOME

CP-2

16TH STREET

15TH STREET

R-1C

14TH STREET

IP-3

CP-4

CP-2

WALNUT STREET

OLIVE STREET

PINE STREET

BROADWAY

CHESTNUT STREET

CATALPA STREET

MILES STREET

8TH STREET

RP-3

7TH STREET

R-1C

CP-4

City of Pittsburg, Kansas

Recapitulation of Bids

**Collection System I/I Location and Repair Equipment
KWPCRF Project No. C20 1818 01A**

Thursday, January 28, 2010 – 2:00 PM

BIDDERS			
	Sellers Equipment 1645 South West St. Wichita, KS 67213	Midway Ford 7601 N.E. 38 th Street Kansas City, MO 64161	Diamond Int. of Joplin 2800 Davis Blvd Joplin, MO 64804
Cab and Chassis w/12 CY Dump Bed and 14 CY Ends			\$111,473.00
Industrial 4-Wheel Drive Loader/Backhoe	\$97,814.00		
Combination Vacuum and High Pressure Pipe Cleaner w/Hydro-Excavating and Root	\$318,678.00		
Remote Sewer Televising Equipment			
Compact Track Loader w/Attachments and Trailer			
1½-Ton 4X4 Truck w/Utility Bed and Crane		\$49,457.00 \$54,666.00 \$54,931.00 \$55,276.00	
Utility Vehicle (ATV 6X6 Vehicle)			
Confined Space Ventilator			
Smoke Generator with Liquid Smoke			
Mini-Push 20/20 Camera System			
Flow Monitors and Rain Gauge			
Flow Monitors	\$ _____		/Each
Rain Gauge	\$ _____		/Each

City of Pittsburg, Kansas
Recapitulation of Bids
Collection System I/I Location and Repair Equipment
KWPCRF Project No. C20 1818 01A

Thursday, January 28, 2010 – 2:00 PM

BIDDERS			
	The G.W. VanKeppel Co. 1801 North 9 th Street P.O. Box 2923 Kansas City, KS 66110	Mayer Equipment 831 Industrial P.O. Box 469 Goddard, KS 67052	Midway Freightliner, Inc. P.O. Box 546 Palmyra, MO 63461
Cab and Chassis w/12 CY Dump Bed and 14 CY Ends			\$108,326.00
Industrial 4-Wheel Drive Loader/Backhoe			
Combination Vacuum and High Pressure Pipe Cleaner w/Hydro-Excavating and Root		\$293,555.00	
Remote Sewer Televising Equipment		\$65,550.00	
Compact Track Loader w/Attachments and Trailer	\$102,423.00 \$104,295.00		
1½-Ton 4X4 Truck w/Utility Bed and Crane			
Utility Vehicle (ATV 6X6 Vehicle)			
Confined Space Ventilator		\$2,200.00	
Smoke Generator with Liquid Smoke		\$3,078.00	
Mini-Push 20/20 Camera System		\$9,298.00	
Flow Monitors and Rain Gauge			
Flow Monitors \$ _____/Each			
Rain Gauge \$ _____/Each			

City of Pittsburg, Kansas

Recapitulation of Bids

Collection System I/I Location and Repair Equipment
KWPCRF Project No. C20 1818 01A

Thursday, January 28, 2010 – 2:00 PM

BIDDERS			
Cab and Chassis w/12 CY Dump Bed and 14 CY Ends	Kansas Truck Center 4006 W. 29 th Street South P.O. Box 13298 Wichita, KS 67213-0298 \$94,862.00	Kingscote Chemicals 3334 S. Tech Blvd. Miamisburg, OH 45342	Foley Equipment Co. 501 West 35 th Street Chanute, KS 66720
Industrial 4-Wheel Drive Loader/Backhoe			\$96,425.77
Combination Vacuum and High Pressure Pipe Cleaner w/Hydro-Excavating and Root			
Remote Sewer Televising Equipment			
Compact Track Loader w/Attachments and Trailer			
1½-Ton 4X4 Truck w/Utility Bed and Crane			
Utility Vehicle (ATV 6X6 Vehicle)			
Confined Space Ventilator			
Smoke Generator with Liquid Smoke		\$5,123.00	
Mini-Push 20/20 Camera System			
Flow Monitors and Rain Gauge			
Flow Monitors \$ _____/Each			
Rain Gauge \$ _____/Each			

City of Pittsburg, Kansas

Recapitulation of Bids

**Collection System I/I Location and Repair Equipment
KWPCRF Project No. C20 1818 01A**

Thursday, January 28, 2010 – 2:00 PM

BIDDERS			
	CUES 3600 Rio Vista Avenue Orlando, FL 32805	White Star 3223 N. Hydraulic P.O. Box 1180 Wichita, KS 67201	The Victor L. Phillips Co. 5430 Highway 43 South Joplin, MO 64804
Cab and Chassis w/12 CY Dump Bed and 14 CY Ends			\$106,950
Industrial 4-Wheel Drive Loader/Backhoe			
Combination Vacuum and High Pressure Pipe Cleaner w/Hydro-Excavating and Root			
Remote Sewer Televising Equipment	\$126,000.00		
Compact Track Loader w/Attachments and Trailer		\$99,334.51	
1½-Ton 4X4 Truck w/Utility Bed and Crane			
Utility Vehicle (ATV 6X6 Vehicle)			
Confined Space Ventilator			
Smoke Generator with Liquid Smoke	\$8,450.00		
Mini-Push 20/20 Camera System			
Flow Monitors and Rain Gauge			
Flow Monitors	\$ _____		/Each
Rain Gauge	\$ _____		/Each

City of Pittsburg, Kansas
 Recapitulation of Bids
 Collection System I/I Location and Repair Equipment
 KWPCRF Project No. C20 1818 01A

Thursday, January 28, 2010 – 2:00 PM

BIDDERS			
Cab and Chassis w/12 CY Dump Bed and 14 CY Ends	Joplin Freightliner Sales 3201 East 32 nd Joplin, MO 64801 \$95,098.00	Summit Truck Equipment 1251-N. Century Avenue Kansas City, MO 64120	
Industrial 4-Wheel Drive Loader/Backhoe			
Combination Vacuum and High Pressure Pipe Cleaner w/Hydro-Excavating and Root			
Remote Sewer Televising Equipment			
Compact Track Loader w/Attachments and Trailer			
1½-Ton 4X4 Truck w/Utility Bed and Crane	\$61,278.00	\$66,869.00	
Utility Vehicle (ATV 6X6 Vehicle)			
Confined Space Ventilator			
Smoke Generator with Liquid Smoke			
Mini-Push 20/20 Camera System			
Flow Monitors and Rain Gauge			
Flow Monitors \$ _____/Each			
Rain Gauge \$ _____/Each			