

CITY OF PITTSBURG, KANSAS
COMMISSION AGENDA
Tuesday, January 13, 2009
7:00 PM

CALL TO ORDER BY THE MAYOR:

- a. Invocation provided by Dan Muter, Countryside Christian Church
- b. Flag Salute Led by the Mayor
- c. Public Input

CONSENT AGENDA:

- a. Approval of the December 23rd, 2008, Special City Commission meeting minutes.
- b. Approval of Ordinance No. G-1057, providing for the change of a certain area from Planned Heavy Industrial (IP-3) to Planned General Commercial (CP-2) and amending and supplementing the Zoning District Boundary Map and Zoning Ordinance No. G-663, as amended, of the City of Pittsburg (Larry Fields - 3201 North Rouse). **Second Reading - ROLL CALL VOTE.**
- c. Approval of Ordinance No. G-1058, an Ordinance amending Section 78-116 of the Pittsburg City Code to prohibit parking on the north side of 3rd Street between Georgia Street and Warren Street. **First Reading, if the Governing Body concurs.**
- d. Approval of staff recommendation to award the bid for the purchase of four (4) 2009 police package vehicles to Pittsburg Ford, Pittsburg, Kansas based on their low bid meeting specifications of \$90,596 and direction for staff to issue the necessary purchase order.
- e. Approval of staff recommendation to award the bid for the purchase of one (1) 2009 half-ton, four-wheel drive pickup truck to Pittsburg Ford, Pittsburg, Kansas, based on their low bid meeting specifications of \$24,793, and direction for staff to issue the necessary purchase order.
- f. Approval of staff recommendation to award the bid for the purchase of fuel to Dobrauc Oil Co., of Frontenac, Kansas, in the amount of \$.03 per gallon above the distributor's cost for unleaded and diesel and \$.10 per gallon above the distributor's cost for the small tanks located at various City facilities.

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COMMISSION AGENDA
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- g. Approval of Change Order No. 20 reflecting an increase of \$2,794.02 making a new contract construction amount of \$6,753,208.01 for the Police/Courts Facility.
- h. Approval of the installation of four 70-watt high pressure sodium street lights along the newly constructed Pedestrian/Bicycle Path on Centennial (Meadowbrook Mall to Knollview) and Joplin (Ford to Centennial) at a cost of \$6.13 per light per month (or \$24.52 per month for a total of \$294.24 per year).
- i. Approval of staff recommendation to enter into an agreement with Williams Spurgeon Kuhl & Freshnock to investigate the damage at the Mt. Olive Cemetery Mausoleum and provide a plan to correct the damage for a maximum amount of \$7,500. Staff is further recommending that the Governing Body direct the City Attorney to prepare the necessary authorizing resolution to provide funds for the repair of the damage at the mausoleum.
- j. Approval of application for water service outside the City limits submitted by Rolla Schurr to property located at 1401 Main Street Lane.
- k. Adoption of the newly revised Employee Handbook, with the policies to take effect on January 18th, 2009.
- l. Approval of the Appropriation Ordinance for the period ending January 14, 2009, subject to the release of HUD expenditures when funds are received.
ROLL CALL VOTE.

PUBLIC HEARINGS:

- a. REQUEST TO VACATE - The City of Pittsburg advertised for Public Hearing, Tuesday, January 13th, 2009, at the City Commission Meeting commencing at 7:00 p.m. for the purpose of vacating a portion of Lindburg Street from the east right-of-way line of Locust Street to the west right-of-way line of Elm Street. (Request of Pittsburg State University.) **Following Public Hearing, consider request and, if approved, direct preparation of the necessary Order.**

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COMMISSION AGENDA
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- b. REQUEST TO VACATE - The City of Pittsburg advertised for Public Hearing, Tuesday, January 13th, 2009, at the City Commission Meeting commencing at 7:00 p.m. for the purpose of vacating a portion of the east-west alley beginning at the east right-of-way line of Broadway Avenue and extending east approximately 158 feet located adjacent to Lots 1 thru 12 and Lot 26, Block 1, College Park Addition to the City of Pittsburg, Crawford County, Kansas. (Request of Pittsburg State University.) **Following Public Hearing, consider request and, if approved, direct preparation of the necessary Order.**

CONSIDER THE FOLLOWING:

- a. PROPERTY ACQUISITION - Staff is requesting authorization to proceed with the purchase of the property located at 906 West 3rd Street in the amount of \$22,000.00. **Approve or disapprove staff request.**
- b. BROADWAY AVENUE STREETScape IMPROVEMENTS PHASE II (8TH STREET TO 11TH STREET) - Approval of Change Order No. 1 reflecting an increase of \$36,960.00 for the Broadway Avenue Streetscape Improvements Phase II Project (8th Street to 11th Street) making a new contract construction amount of \$772,726.80. **Approve or disapprove change order.**
- c. MANHOLE REHABILITATION (YEAR 5) - Approval of Change Order No. 1 reflecting an increase of \$54,985.00 for the Manhole Rehabilitation (Year 5) Project making a new contract construction amount of \$334,714.80. **Approve or disapprove change order.**
- d. DISPOSITION OF BIDS - FORD AND ROUSE TRAFFIC SIGNAL INSTALLATION - Staff is recommending approval of the low bid submitted by CDL Electric Co., Inc., of Pittsburg, Kansas, based on their bid of \$88,295 for the Ford and Rouse Traffic Signal Installation Project. **Approve or disapprove low bid and, if approved, authorize the Mayor to execute the contract documents when prepared.**

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NON-AGENDA REPORTS & REQUESTS:

ADJOURNMENT

OFFICIAL MINUTES
OF THE
GOVERNING BODY
OF THE
CITY OF PITTSBURG, KANSAS
December 23rd, 2008

A Special Session of the Board of Commissioners was held at 5:00 p.m., Tuesday, December 23rd, 2008, in the City Commission Room, City Hall, with Mayor Pamela Henderson presiding and the following members present: Marty Beezley, Rudy Draper, and Patrick O'Bryan. Commissioner William H. Rushton was absent.

APPROVAL OF MINUTES – On motion of Draper, seconded by O'Bryan, the Governing Body approved the minutes of the December 9th, 2008, City Commission Meeting as submitted. Motion carried. Absent: Rushton.

ORDINANCE NO. G-1052 – On motion of Draper, seconded by O'Bryan, the Governing Body approved Ordinance No. G-1052, amending Section 42-33 and Section 42-40 of the Pittsburg City Code concerning the issuance and revocation of city business licenses, on second reading with the following roll call vote: Yea: Beezley, Draper, Henderson, and O'Bryan. Motion carried. Absent: Rushton.

ORDINANCE NO. G-1053 – On motion of Draper, seconded by O'Bryan, the Governing Body approved Ordinance No. G-1053, amending Section 82-111 of the Pittsburg City Code fixing rates and minimum charges for water, on second reading with the following roll call vote: Yea: Beezley, Draper, Henderson, and O'Bryan. Motion carried. Absent: Rushton.

ORDINANCE NO. G-1054 – On motion of Draper, seconded by O'Bryan, the Governing Body approved Ordinance No. G-1054, amending Section 82-141 of the Pittsburg City Code fixing rates and minimum charges for sewer service, on second reading with the following roll call vote: Yea: Beezley, Draper, Henderson, and O'Bryan. Motion carried. Absent: Rushton.

ORDINANCE NO. G-1055 – On motion of Draper, seconded by O'Bryan, the Governing Body approved Ordinance No. G-1055, an Ordinance amending Section 78-116 of the Pittsburg City Code to prohibit parking on certain enumerated portions of Quincy Avenue (100 Block of West Quincy and the 100 and 200 Blocks of East Quincy) on second reading with the following roll call vote: Yea: Beezley, Draper, Henderson, and O'Bryan. Motion carried. Absent: Rushton.

ORDINANCE NO. G-1056 – On motion of Draper, seconded by O'Bryan, the Governing Body approved Ordinance No. G-1056, an Ordinance amending Section 78-117 of the Pittsburg City Code to prohibit parking on certain mornings, in an area bordered on the South by Euclid Street and the North by 11th Street and on the West by Pine Street and the East by Locust Street, on second reading with the following roll call vote: Yea: Beezley, Draper, Henderson, and O'Bryan. Motion carried. Absent: Rushton.

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ORDINANCE NO. G-1057 – On motion of Draper, seconded by O'Bryan, the Governing Body approved Ordinance No. G-1057, providing for the change of a certain area from Planned Heavy Industrial (IP-3) to Planned General Commercial (CP-2) and amending and supplementing the Zoning District Boundary Map and Zoning Ordinance No. G-663, as amended, of the City of Pittsburg (Larry Fields - 3201 North Rouse), on first reading. Motion carried. Absent: Rushton.

ORDINANCE NO. S-973 – On motion of Draper, seconded by O'Bryan, the Governing Body approved Ordinance No. S-973, amending Ordinance S-957 and revoking Ordinance S-958 fixing the salary and compensation of the officers and employees of the City of Pittsburg, Kansas, on second reading with the following roll call vote: Yea: Beezley, Draper, Henderson, and O'Bryan. Motion carried. Absent: Rushton.

CHANGE ORDER NO. 1 – KLINK PROJECT – On motion of Draper, seconded by O'Bryan, the Governing Body approved Change Order No. 1 reflecting a deduct of \$30,681.27, making a new contract construction amount of \$387,351.26, and final payment to Heckert Construction Co., Inc., of Pittsburg, Kansas, in the amount of \$66,196.85 for the KLINK Resurfacing Project, North Broadway (US69 Bus.), 2nd Street to 8th Street, KDOT Project No. (US)69B-19 U-2021-01. Motion carried. Absent: Rushton.

CHANGE ORDER NO. 17 – FIRE STATION #1 – On motion of Draper, seconded by O'Bryan, the Governing Body approved Change Order No. 17 reflecting an increase of \$18,387.60 making a new contract construction amount of \$4,421,736.95 for Fire Station #1 and to request a 6-day contract extension due to inclement weather making the date of Substantial Completion January 8, 2009. Motion carried. Absent: Rushton.

CHANGE ORDER NO. 18 – FIRE STATION #1 – On motion of Draper, seconded by O'Bryan, the Governing Body approved Change Order No. 18 reflecting an increase of \$5,180.85 making a new contract construction amount of \$4,426,917.80 for Fire Station #1. Motion carried. Absent: Rushton.

CHANGE ORDER NO. 18 – POLICE/COURTS FACILITY – On motion of Draper, seconded by O'Bryan, the Governing Body approved Change Order No. 18 reflecting an increase of \$9,095.68 making a new contract construction amount of \$6,746,206.40 for the Police/Courts Facility and to request a 6-day contract extension due to inclement weather making the date of Substantial Completion January 23, 2009. Motion carried. Absent: Rushton.

CHANGE ORDER NO. 19 – POLICE/COURTS FACILITY – On motion of Draper, seconded by O'Bryan, the Governing Body approved Change Order No. 19 reflecting an increase of \$4,207.59 making a new contract construction amount of \$6,750,413.99 for the Police/Courts Facility. Motion carried. Absent: Rushton.

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CHANGE ORDER NO. 19 – FIRE STATION #1 – On motion of Draper, seconded by O'Bryan, the Governing Body approved Change Order No. 19 reflecting a deduct of \$6,000.00 making a new contract construction amount of \$4,420,917.80 for Fire Station #1. Motion carried. Absent: Rushton.

LIVERPOOL LEGENDS CONTRACT - On motion of Draper, seconded by O'Bryan, the Governing Body approved the contract between the City of Pittsburg and Liverpool Legends for a performance on February 14th, 2009, at Memorial Auditorium. Motion carried. Absent: Rushton.

APPOINTMENT/REAPPOINTMENTS TO MEMORIAL AUDITORIUM ADVISORY BOARD – On motion of Draper, seconded by O'Bryan, the Governing Body reappointed Rob Poole, Magda Tawil and Ryan Moore to second four-year terms and appointed April Wilkes to a first four-year term as members of the Memorial Auditorium Advisory Board effective January 1, 2009, and to expire December 31, 2012. Motion carried. Absent: Rushton.

FINAL PAYMENT – SPROULS CONSTRUCTION – STREETSCAPE IMPROVEMENTS – On motion of Draper, seconded by O'Bryan, the Governing Body approved final payment to Sprouls Construction, Inc., of Lamar, Missouri, in the amount of \$21,452.16 for the Broadway Streetscape Improvements, 2nd Street to 8th Street, KDOT Project No. 69B-19 TE 0281-01. Motion carried. Absent: Rushton.

CEREAL MALT BEVERAGE LICENSE RENEWALS – On motion of Draper, seconded by O'Bryan, the Governing Body approved the applications for renewal of licenses to retail cereal malt beverages for the year 2009 for the following (applicants have paid the appropriate fees) and directed the City Clerk to issue the licenses: Snak Atak #5, 1101 East 4th Street; Pizza Hut, 102 East Quincy; and Wheat State Pizza, 1618 South Broadway. Motion carried. Absent: Rushton.

LEAGUE OF KANSAS MUNICIPALITIES ANNUAL DUES – On motion of Draper, seconded by O'Bryan, the Governing Body approved the annual membership dues and fees to the League of Kansas Municipalities in the amount of \$9,105.25, for the year 2009. Motion carried. Absent: Rushton.

ACCEPTANCE OF LETTER WITHDRAWING REQUEST TO VACATE JOPLIN STREET – On motion of Draper, seconded by O'Bryan, the Governing Body accepted the letter dated December 11th, 2008, from Tom Bryant, President of Pittsburg State University, to Interim City Manager John Van Gorden withdrawing the request submitted by PSU to vacate Joplin Street between Cleveland and Lindburg Streets. Motion carried. Absent: Rushton.

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APPROPRIATION ORDINANCE – On motion of Draper, seconded by O’Bryan, the Governing Body approved the Appropriation Ordinance for the period ending December 24th, 2008, subject to the release of HUD expenditures when funds are received, with the following roll call vote: Yea: Beezley, Draper, Henderson, and O’Bryan. Motion carried. Absent: Rushton.

PUBLIC HEARING - 2008 BUDGET AMENDMENT – Following Public Hearing, on motion of O’Bryan, seconded by Draper, the Governing Body approved the amended use of funds in the 2008 budget. Motion carried. Absent: Rushton.

ADJOURNMENT: On motion of O’Bryan, seconded by Draper, the Governing Body adjourned the meeting at 5:05 p.m. Motion carried. Absent: Rushton.

Pamela Henderson, Mayor

ATTEST:

Tammy Nagel, City Clerk



Interoffice Memorandum

TO: JOHN D. VANGORDEN
Interim City Manager

FROM: WILLIAM A. BEASLEY
Director of Public Works

DATE: January 6, 2009

SUBJECT: Agenda Item – January 13, 2009
No Parking Ordinance

Attached you will find an Ordinance amending Section 78-116 of the Pittsburg City Code to limit and prohibit parking on the north side of 3rd Street between Georgia Street and Warren Street. The removal of this parking is in conjunction with the construction of the new fire station at 915 West 4th Street to allow for a wider turning radius for the fire trucks. Fire trucks will have a difficult time turning onto 3rd Street if vehicles were allowed to park along both sides of this street.

The Traffic Advisory Board has reviewed this request and recommends approval. The only two dwellings affected by this request have adequate off-street parking.

Would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, January 13, 2009. Action being requested is approval of the no parking and, if approved, pass and approve Ordinance No. G-1058 on **FIRST READING**.

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

Attachment: Ordinance No. G-1058

cc: Tammy Nagel, City Clerk
Troy Graham, Traffic and Communications Supervisor
Traffic Control Devices File
Memo File

(Published in The Morning Sun _____, 2009)

ORDINANCE NO. G-1058

AN ORDINANCE amending Section 78-116 of the Pittsburg City Code to prohibit parking on the north side of 3rd Street between Georgia Street and Warren Street.

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

Section 1. Section 78-116 of the Pittsburg City Code is amended to read as follows:

Sec. 78-116. No parking zone.

Except when necessary to momentarily avoid conflict with other traffic or in compliance with the direction of a police officer, it shall be unlawful for the driver of a vehicle to stop, stand or park any vehicle on:

Alleys

West side of alley lying between North Broadway Street and North Pine Street from 14th to 15th.

Abby Lane

The west and south side of Abby Lane, an "L" shaped street, from Amber Drive to the west line of lot 20, Amber Meadows subdivision.

Amber Drive

The north side of Amber Drive from Rouse Avenue west to the west line of lot 9, Amber Meadows subdivision.

Broadway

Both sides of South Broadway from Kansas Avenue to Centennial Drive.
Both sides of North Broadway Street from 20th Street to the north city limits.

Cedar Crest Circle

The west side of Cedar Crest Circle from Cedar Crest Drive south, including the west half of the cul-de-sac, Cedar Crest Estates.

Cedar Crest Drive

The southern and west side of Cedar Crest Drive from Rouse Avenue east and south to the south line of lot 17, Cedar Crest Estates.

Cedar Lane

South side of Cedar Lane from 144 feet west of the intersection of Cedar Lane and Woodgate Terrace to 156 feet east of the intersection of Cedar Lane and Woodgate Terrace.

Centennial Drive

Both sides of Centennial Drive from South Broadway to Rouse.

College Avenue

On the west side of South College Avenue between Forest Avenue and Martin Avenue.

College Street

The west side of College Street from its intersection with Jefferson Street to its intersection with Adams Street, during school days from 7:30 a.m. to 4:30 p.m.

East Park Street

On the south side of East Park Street from its intersection with the east edge of South Smelter Street east to the end of East Park Street.

Elm Street

West side of Elm Street between Lindburg and Ford.

West side of Elm Street from 14th to 15th.

East side of South Elm between East Washington and East Park.

East side of Elm Street between 13th Street and 14th Street.

English Street

East side of English Street from its intersection with Ford Avenue south to its intersection with Union Street.

Fairview Street

East side of North Fairview Street between 9th and 10th Streets.

Ford Circle

Both sides of Ford Circle.

Ford Avenue

On both sides of Ford Avenue from Rouse to Broadway.

Forest Street

South side of Forest Street from Broadway to Walnut.

Grand Oaks Court

Both sides of Grand Oaks Court from Grand Oaks Drive north, including the cul-de-sac, Grand Oaks Estates 2nd Addition.

Grand Oaks Drive

Both sides of Grand Oaks Drive from Rouse Avenue west and north, including the cul-de-sac, Grand Oaks Estates Replat and Grand Oaks Estates 2nd Addition.

Hobson Drive

On both sides of Hobson Drive from its intersection with the south curb of Ford Avenue south a distance of 155 feet.

Homer Street

East side of Homer Street from Ford Street to Quincy Street.

West side of Homer Street from Twin Lakes Drive to Ford Street.

Both sides of the 1000 block of South Homer from its intersection with the 500 block of East Monroe south to its intersection with the 600 block of East Monroe.

Industrial Street

West side of Industrial Street from 13th Street to 14th Street.

Jefferson Avenue

On both sides of Jefferson Avenue a distance of 100 feet west from the west line of Broadway, and a distance of 100 feet east from the east line of Broadway.

On the south side of Jefferson between South Walnut Street and South Olive Street.

Joplin Street

Both sides of South Joplin from Lindburg Street to Centennial Drive.

East side of Joplin, commencing 100 feet south of the intersection of East Carlton and South Joplin, then north to the south line of the intersection of East Belleville and South Joplin.

Both sides of Joplin Street from 4th Street to Park Avenue.

West side of North Joplin Street from 4th Street to 20th Street.

Both sides of North Joplin from 20th Street to Atkinson Avenue.

J.F. Kennedy Street

On the west side of J.F. Kennedy Street from Ford Street to Hudson Street.

Lincoln Park

On the north side of the road extending from the east end of the parking lot adjacent to Jim Kelly ball diamond to Memorial Drive.

On the south side of ball park access road from the east end of the parking lot adjacent to Jim Kelly ball diamond to Memorial Drive.

Lindburg Street

North side of West Lindburg Street from its intersection with South Walnut Street to the first alley west of South Walnut Street.

Locust Street

West side of South Locust between East Lindburg Street and East Ford Street.

East side of South Locust Street from 2nd Street to Park Avenue.

West side of North Locust Street from its intersection with East 6th Street south to the northern entrance to City Parking Lot No. 7.

Both sides of North Locust Street between East 29th Street and the Wal-Mart parking lot.

West side of South Locust between East Lindburg Street and East Hudson Street.

West side of South Locust from the intersection of Lindburg Street south 180 feet.

Mallory Court

East side of Mallory Court from the intersection of 14th Street south 483 feet including the east half of the cul-de-sac.

Martin Street

South side of West Martin between Olive and College Streets.

Memorial Drive

South side of Memorial Drive (West 12th Street) from U.S. Highway 69 bypass to Georgia Street.

North side of Memorial Drive from Miles Street to the west entrance of the ball park access road.

South side of Memorial Drive from Catalpa Street to the band dome parking lot.

Michigan Street

East side of Michigan Street from 15th Street to 16th Street.

Mill Road

North side from 147 feet west of the intersection of Mill Road and Woodgate Terrace to 157 feet east of the intersection of Mill Road and Woodgate Terrace.

Monroe

On both sides of the 500 block of East Monroe from its intersection with Smelter Street east to its intersection with Homer Street.

North Highland Street

On both sides of North Highland Street from its intersection with the south curb of East Fourth Street south a distance of 100 feet.

Oak Ridge Circle

Both sides of Oak Ridge Circle.

Oak Ridge Road

South side of Oak Ridge Road from the west side of the intersection of South Tucker Terrace and Oak Ridge Road west to the east side of the intersection of South Tucker Avenue and Oak Ridge Road.

Olive Street

East side of South Olive Street from the intersection of Olive Street and Quincy Street south 165 feet.

Pine Street

East side of North Pine between 7th and 8th Streets.

Both sides of North Pine Street from 11th Street to 15th Street.

Quincy Street

On the north side of West Quincy Street from College Street to Catalpa Street.

On the south side of West Quincy Street from Catalpa to the U.S. 69 Highway bypass.

On both sides of West Quincy Street for a distance of 450 feet from the west right-of-way of Broadway .

On both sides of East Quincy Street from the east right-of-way of Broadway to the Joplin Street intersection.

Rouse Street

Rouse Street from 4th Street to Centennial Drive.

On both sides of North Rouse Street from East 4th Street north to north City limits.

Scotty Drive

The east side of Scotty Drive from 31st Street north, including the east half of the cul-de-sac, replat of lots 1, 2, 3, 4, 19, 20 and 21 Radell's Second Addition.

Tanglewood Drive

Both sides of Tanglewood Drive from the north intersection with Rouse Avenue south to the south intersections with Rouse Avenue, first replat of Tanglewoods.

Tucker Avenue

The east side of South Tucker Avenue from the south side of the intersection of Oakridge Road and South Tucker Avenue south a distance of 143 feet.

Tucker Terrace

The west side of South Tucker Terrace from the north side of the intersection of South Tucker Terrace and Oak Ridge Circle to the north side of the intersection of South Tucker Terrace and Oak Ridge Road.

Both sides of South Tucker Terrace from the south side of its intersection with Ford Street south to the north side of the intersection with South Tucker Terrace and Oak Ridge Circle.

West side of South Tucker Terrace from the north side of its intersection with Oak Ridge Circle to the north side of its intersection with Oak Ridge Road.

Victorian Drive

On the west side of Victorian Drive and on the south side of Victorian Drive.

Villa Drive

South side from the west side of the intersection of Villa Drive and Victoria Drive west a distance of 271 feet.

Walnut Street

West side of North Walnut between 3rd Street and 9th Street.

West side of South Walnut for a distance of 30 feet North of South Walnut Street's intersection with West Lindburg Street.

On the east side of South Walnut Street from Jefferson Street to Quincy Street.

Both sides of North Walnut Street from 15th Street to 20th Street.

On both sides of Walnut Street from Kansas Avenue, northwesterly to the fast alley running east and west thereof.

On the west side of Walnut Street from Euclid Avenue south to the east-west alley.

On the west side of Walnut Street from Kansas Avenue south to the first alley running east and west.

On the west side of former Walnut Street from Kansas Avenue north to the east-west alley.

Warren Street

On the west side of North Warren between 3rd Street and 4th Street.

Washington Avenue

On the south side of Washington Avenue beginning at the intersection of College Avenue and Washington Avenue and continuing for a distance of 280 feet to the east end of the Lakeside Elementary School drive-thru island.

Windsor Circle

On the east side of Windsor Circle and on the south side of Windsor Circle.

Windsor Court

The east side of Windsor Court from Windsor Drive south, including the east half of the cul-de-sac, Balkans' Addition.

Woodgate Terrace

The east side of Woodgate Terrace from the north side of the intersection of Mill Road and Woodgate Terrace north to the south side of the intersection of Cedar Lane and Woodgate Terrace.

1st Street

South side of 1st Street from Broadway Street to Pine Street.
North side of 1st Street from Broadway to Locust.

3rd Street

South side of 3rd Street from Pine Street to Walnut Street.
On both sides of West 3rd Street between North Olive Street and North College Street.
The north side of 3rd Street beginning at the alley lying between North Walnut and Olive Streets thence west to Olive Street.
South side of 3rd Street between Walnut Street west to the north-south alley.
The north side of 3rd Street between Georgia Street and Warren Street.

4th Street

On the outside perimeter of the street designated as 4th Street Circle.
On the north side of East 4th Street for a distance of 150 feet east of such East 4th Street's intersection with North Grand Avenue.
On both sides of East 4th Street between Lapham Street and Water Street.

5th Street

On the north side of east 5th Street from the southwest corner of lot 16, block 13, original town addition to the city east to Joplin Street.

6th Street

The north side of 6th Street between Elm Street and Locust Street.

9th Street

South side of 9th Street from Locust to first alley west of Locust.

10th Street

South side of east 10th Street between Broadway and Locust.
Both sides of east 10th Street between Elm and Locust Streets.

14th Street

South side of East 14th Street from Elm to Grand Streets.
Within 100 feet of the intersection of Broadway and 14th Street on the east side of Broadway or the south side of 14th Street.

18th Street

North side of East 18th Street between Locust Street and Elm Street.

19th Street

North side of West 19th Street between Broadway Avenue and Walnut Street.

North side of East 19th Street between Grand Street and Joplin Street.

20th Street

South side of East 20th Street from Broadway to Michigan Streets.

South side of West 20th Street from Broadway Street to the St. Louis & San Francisco Railroad right-of-way.

On both sides of West 20th Street from St. Louis & San Francisco Railroad right-of-way to U.S. Highway 69 bypass.

On the north side of 20th Street for a distance of 135 feet west from where the western edge of North Walnut Street intersects with 20th Street.

22nd Street

On the north side of East 22nd Street from its intersection with the east edge of North Tucker Street to the west curb of North Rouse Street.

23rd Street

South side of West 23rd Street from North Pine (Walnut) Street west to the railroad right-of-way.

24th Street

Both sides of the 100 Block of West 24th Street.

27th Street

Both sides of 27th Street from the east side of its intersection with Broadway Avenue to the west side of the intersection of 27th Street and Joplin Avenue.

29th Street

On either side of East 29th Street between North Joplin Street and North Broadway Street.

(Code 1975, § 21-1507; Ord. No. G-861, § 1, 10-10-2000; Ord. No. G-874, § 1, 6-12-2001; Ord. No. G-875, § 1, 6-26-2001; Ord. No. G-885, § 1, 8-28-2001; Ord. No. G-904, §§ 1, 2, 7-9-2002; Ord. No. G-908, § 1, 7-23-2002; Ord. No. G-935, § 1, 3-23-2004; Ord. No. G-963, § 1, 1-11-2005; Ord. No. G-967, § 1, 3-22-2005; Ord. No. G-980, § 1, 9-27-2005; Ord. No. G-983, § 1, 12-13-2005; Ord. No. G-986, § 1, 3-14-2006; Ord. No. G-1014, § 1, 1-23-2007; Ord. No. G-1031, § 1, 10-23-2007; Ord. No. G-1048, § 1, 9-9-2008; Ord. No. G-1055, § 1, 12-23-2008)

Section 2. This Ordinance shall take effect upon publication in the official City paper.

PASSED AND APPROVED this _____ day of _____, 2009.

Mayor-Pamela Henderson

ATTEST:

Tammy Nagel - City Clerk



Interoffice Memorandum

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

From: Sergeant Timothy W. Tompkins

Date: Friday, January 2, 2009

Subject: Disposition of Police Vehicle Bids

For FY2009, the police department received a budget allocation of \$122,800 for the purchase of replacement vehicles for the police fleet. The request included the purchase of four vehicles for the patrol fleet and one pickup truck for the investigations division.

On Tuesday, December 30, 2008, bids were received for the purchase of four 2009 model police package vehicles. A separate bid was also received for the purchase of one 2009 half-ton, four-wheel-drive pickup truck. The bids were received and reviewed according to City bid policy. Following is a summation of the bids received:

Bids for four (4) patrol vehicles

Joe Watt Auto Sales, Inc. 438030 East Highway 60 Vinita, Oklahoma 74301	Price per vehicle: \$22,895 Total bid: \$91,580
Olathe Ford 1845 E. Sante Fe Olathe, Kansas 66062	Price per vehicle: \$22,944 Total bid: \$91,776
Shawnee Mission Ford 11501 Shawnee Mission Parkway Shawnee, Kansas 66203	Price per vehicle \$22,680 Total bid: \$90,720
Mike Carpino Ford Mercury, Inc. P. O. Box 48 Columbus, Kansas 66725	Price per vehicle: \$23,020 Total bid: \$92,080

Pittsburg Ford-Mercury, Inc.
1097 S. 69 Highway
Pittsburg, Kansas 66762

Price per vehicle: \$22,649
Total bid: \$90,596

Shepherd Team Auto Plaza
U. S. Highway 69 South
Ft. Scott, Kansas 66701

Price per vehicle: \$23,762.60
Total bid: \$95,050.40

Bids for one (1) pickup truck

Joe Watt Auto Sales, Inc.
438030 E. Highway 60
Vinita, Oklahoma 74301

Ford truck bid: \$28,000
Chevy truck bid: \$31,785

Olathe Ford
1845 E. Santa Fe
Olathe, Kansas 66062

Total bid Ford truck: \$25,160

Shawnee Mission Ford
11501 Shawnee Mission Parkway
Shawnee, Kansas 66203

Total bid Ford truck: \$25,073

Mike Carpino Ford Mercury, Inc.
P. O. Box 48
Columbus, Kansas 66725

Total bid Ford truck \$25,168

Pittsburg Ford-Mercury, Inc.
1097 S. 69 Highway
Pittsburg, Kansas 66762

Total bid Ford truck: \$24,793

After staff review, all bids complied with bid specifications. Therefore, we would respectfully request awarding the bid for the purchase of four (4) 2009 Ford Crown Victoria police package vehicles to Pittsburg Ford-Mercury, Inc, based on their submitted bid of \$90,596. Further we would recommend awarding the bid for the purchase of one (1) 2009, Ford half-ton, four-wheel drive pickup truck to Pittsburg Ford-Mercury, Inc based on their submitted bid of \$24,793. This would make the total bid award for the purchase of replacement vehicles \$115,389.

Should our request to award bids be approved, the vehicles purchased will replace the following vehicles in patrol and investigations:

- 1 – 2006 unmarked Crown Vic utilized by Patrol Sergeants in the patrol fleet.
- 1 – 2006 marked Crown Vic within the patrol fleet.
- 1 – 2007 marked Crown Vic within the patrol fleet.
- 1 – 2007 marked Crown Vic within the patrol fleet.
- 1 – 2002 Ford half-ton, two-wheel drive pickup within the Detective division.

As in the past, these retired vehicles will either be absorbed as replacement vehicles or made available to other City Departments for their use. Any remaining vehicles will then be requested to be declared surplus property and sold through public auction. Should you have any questions concerning our recommendations, please contact me.

**Recapitulation of Bids
Police Package Vehicles
Tuesday, December 30th, 2008 – 2:00 p.m.
Pittsburg City Commission Room, City Hall**

Name/Address of Bidder	Purchase of Four Patrol Units - Total Bid	# Days Delivery
Joe Watt Auto Sales, Inc. 438030 East Highway 60 Vinita, OK 74301	\$91,580.00	60-90
Olathe Ford 1845 East Santa Fe Olathe, KS 66062	\$91,776.00	60-100
Shawnee Mission Ford 11501 Shawnee Mission Parkway Shawnee, KS 66203	\$90,720.00	90-120
Mike Carpino Ford Mercury, Inc. P.O. Box 48 Columbus, KS 66725	\$92,080.00	60-120
Pittsburg Ford 1097 South 69 Highway Pittsburg, KS 66762	\$90,596.00	120-160
Shepherd Team Auto Plaza P.O. Box 112 Fort Scott, KS 66701	\$95,050.40	84

**Recapitulation of Bids
Police Department Club Cab Truck
Tuesday, December 30th, 2008 – 2:00 p.m.
Pittsburg City Commission Room, City Hall**

Name/Address of Bidder	Purchase of One New Truck	# Days Delivery
Joe Watt Auto Sales, Inc. 438030 East Highway 60 Vinita, OK 74301	\$28,000.00 Ford \$31,785.00 Chevy	30 30
Olathe Ford 1845 East Santa Fe Olathe, KS 66062	\$25,160.00	60-100
Shawnee Mission Ford 11501 Shawnee Mission Parkway Shawnee, KS 66203	\$25,073.00	90-120
Mike Carpino Ford Mercury, Inc. P.O. Box 48 Columbus, KS 66725	\$25,168.00	60-120
Pittsburg Ford 1097 South 69 Highway Pittsburg, KS 66762	\$24,793.00	90-160



Interoffice Memorandum

TO: JOHN D. VANGORDEN
Interim City Manager

FROM: WILLIAM A. BEASLEY
Director of Public Works

DATE: January 7, 2009

SUBJECT: Agenda Item – January 13, 2009
Disposition of Bids
Fuel

On January 13, 2009, City staff took bids for the purchase of fuel for the City for the period of January 14, 2009 to December 31, 2009. The specifications were written to provide for a floating bid for unleaded, diesel and small fuel tanks located at various City facilities. It was the intention of the bid documents to provide for the cost per gallon for service and delivery above the cost of the fuel when delivery was accepted from the distributor.

The City received two bids (see attached bid tab sheet) and is recommending award to the low bidder, Dobrauc Oil Co. of Frontenac, Kansas, with a cost above the distributor's cost of \$.03 per gallon for both unleaded and diesel and \$.10 per gallon above the cost for the small fuel tanks located at various City facilities. The last time the City took bids for the purchase of fuel for service and delivery was in 1999. The cost at that time was the same as the current bid provided.

Would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, January 13, 2009. Action being requested is to approve the purchase of fuel from Dobrauc Oil Co. based on their bid as stipulated above.

Attachment: Bid Tab Sheet

cc: Tammy Nagel, City Clerk
Bid File
Memo File

The City of Pittsburg, Kansas

**Recapitulation of Bids
Gasoline and Diesel Fuel
Tuesday, January 6th, 2009
2:00 p.m.**

Name & Address of Bidder	Cent/gallon above cost for Unleaded 87 Octane	Cent/gallon above cost for #2 Diesel	Cent/gallon above cost for 3 small Unleaded gasoline tanks	Cent/gallon above cost for 3 small Diesel tanks
Petroleum Traders Corporation 7120 Pointe Inverness Way Fort Wayne, Indiana 46804-7928	+.3005¢	+3245¢	No Bid	No Bid
Dobrauc Oil Company 101 North Street Frontenac, Kansas 66763	+.030¢	+.030¢	+.10¢	+.10¢



Interoffice Memorandum

TO: CITY COMMISSION

FROM: JOHN D. VANGORDEN
Interim City Manager

DATE: January 6, 2009

SUBJECT: Agenda Item – January 13, 2009
Change Order No. 20
Pittsburg Police/Courts Facility

Attached is Change Order No. 20 for the above-referenced project reflecting an increase of \$2,794.02 making a new contract construction amount of \$6,753,208.01. Also, attached is a copy of a memorandum provided by Rick Kuhl of Williams Spurgeon Kuhl & Freshnock Architects explaining the proposed changes.

Would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, January 13, 2009. Action necessary will be approval or disapproval of this change order.

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

Attachment: Change Order No. 20

cc: Jon B. Garrison, Director of Finance & Administration
Tammy Nagel, City Clerk
Project File
Memo File

AIA[®] Document G701[™] – 2001

Change Order

PROJECT (Name and address): Pittsburg Police/Courts Facility Pittsburg, Kansas	CHANGE ORDER NUMBER: 020 DATE: December 17, 2008	OWNER: <input checked="" type="checkbox"/> ARCHITECT: <input checked="" type="checkbox"/> CONTRACTOR: <input checked="" type="checkbox"/> FIELD: <input type="checkbox"/> OTHER: <input type="checkbox"/>
TO CONTRACTOR (Name and address): Crossland Construction Company, Inc. 833 S. East Ave. P.O. Box 45 Columbus, KS 66725	ARCHITECT'S PROJECT NUMBER: 06074 CONTRACT DATE: October 12, 2007 CONTRACT FOR: General Construction	

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

- Per Crossland's Change Order Request No. 046, dated 12/11/08 and WSKF's PR #20 for additional can light to match ceiling grid plans: Add: \$2,059.02
 - Per Crossland's Change Order Request No. 047, dated 12/16/08 for translucent glazing for sidelights (per Crossland's notes, the original glazing has been cut and/or installed in the sidelights and will have to be removed. No credit will be given. Add: \$ 735.00
- Total Change Order No. 20: Add: \$2,794.0002

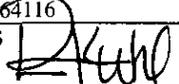
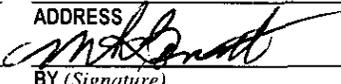
The original Contract Sum was	\$ 6,650,000.00
The net change by previously authorized Change Orders	\$ 100,413.99
The Contract Sum prior to this Change Order was	\$ 6,750,413.99
The Contract Sum will be increased by this Change Order in the amount of	\$ 2,794.02
The new Contract Sum including this Change Order will be	\$ 6,753,208.01

The Contract Time will be unchanged by Zero (0) days.

The date of Substantial Completion as of the date of this Change Order therefore is January 23, 2009

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Williams Spurgeon Kuhl & Freshnock Architects, Inc.	Crossland Construction Company, Inc.	City of Pittsburg, Kansas
ARCHITECT (Firm name)	CONTRACTOR (Firm name)	OWNER (Firm name)
110 Armour Road, North Kansas City, Missouri, 64116	833 S. East Ave., P.O. Box 45, Columbus, KS 66725	201 W. Fourth Street, Pittsburg, Kansas 66762
ADDRESS	ADDRESS	ADDRESS
		
BY (Signature)	BY (Signature)	BY (Signature)
RICK KUH	MIKE BEALBERT	
(Typed name)	(Typed name)	(Typed name)
12.22.08	12.23.08	
DATE	DATE	DATE

CROSSLAND

CONSTRUCTION COMPANY, INC.

Change Order Request

Detailed (with Breakdown of PCOs), Grouped by Each Number

Pittsburg Public Safety Facilities - Police Station **Project # 07KS12MI** **Crossland Construction Company, Inc.**
 201 N. Pine Street Tel: 620.230.0483 Fax: 620.230.0471
 Pittsburg, KS 66762

Change Order Request: 046 **Date:**

To: Rick Kuhl
 Williams Spurgeon Kuhl & Freshnock
 110 Armour Road
 North Kansas City, MO 64116

From: Mike Bennett
 Crossland Construction Company, Inc.
 833 SE Avenue
 PO Box 45
 Columbus, KS 66725

Description	Category	Status
PR #20		Sent

Reference	Required By	Days Req	Amt Req
		0	2,059.02

Notes

PCO No	Date	Reference	Amt Prop	Days Req	Category	Reason
--------	------	-----------	----------	----------	----------	--------

Description	Notes
046	12/11/2008
PR #20 - Lights - Sidewalk	

Item No	Item Description	Amt Prop	Reference
2046-100100	Light Changes	1,960.97	
2046-100101	CCC OH/P - Light Changes	98.05	
2046-100102	Sidewalk to Library	0.00	
2046-100103	CCC OH/P - Sidewalk	0.00	

Approved By:

Signature

Name

[Handwritten Signature] 12-15-2008

Date

Prolog Manager

Printed on: 12/11/2008 CM

Page 1 of 1

12/11/2008

BEI
RFP#20

Crossland Construction Co.
Atten: Mike Bennett

Pittsburg Police and Courts

Change Order

Additional can light to match ceiling grid plans

	Rate	month	linear feet	Material	
D Scissor Lift				Material	260.00
				equipment	0.00
				quoted material	1,043.00
	\$0.00			backhoe/trencher	
				subtotal	1,303.00
	0.000%			Tax	0.00
				subtotal	1,303.00
	5%			Overhead	65.15
				subtotal 2	1,368.15
	10%			Profit	136.82
			subtotal 3	1,504.97	
	Rate	Hours		Total from above	1,504.97
Foreman rate	\$48.00	0		Labor	0.00
Avg. man hr. rate	\$38.00	12.00		Labor	456.00
Overtime	\$57.00	0		Labor	0.00
Doubletime	\$76.00	0		Labor	0.00
				Total	1,960.97
Performance and	Payment bond	0.00%		add	0.00
				Grand total of	1,960.97

Sincerely,
Scott Edge
Estimator/Project Manager
Cell # 417-850-1362
sedge@beijoplinc.com

Bills Electric, Inc.
PO Box 707
Webb City, MO 64870-0707
417-624-6660 PH 417-624-6988 FAX

CROSSLAND

CONSTRUCTION COMPANY, INC.

Change Order Request

Detailed (with Breakdown of PCOs), Grouped by Each Number

Pittsburg Public Safety Facilities - Police Station **Project # 07KS12MI** **Crossland Construction Company, Inc.**
 201 N. Pine Street Tel: 620.230.0483 Fax: 620.230.0471
 Pittsburg, KS 66762

Change Order Request: 047

Date: 12/16/2008

To: Rick Kuhl
 Williams Spurgeon Kuhl & Freshnock
 110 Armour Road
 North Kansas City, MO 64116

From: Mike Bennett
 Crossland Construction Company, Inc.
 833 SE Avenue
 PO Box 45
 Columbus, KS 66725

Description	Category	Status
Translucent Glazing for Sidelights		Sent

Reference	Required By	Days Req	Amt Req
	12/23/2008	0	735.00

Notes

PCO No	Date	Reference	Amt Prop	Days Req	Category	Reason
--------	------	-----------	----------	----------	----------	--------

Description	Notes
-------------	-------

047	12/16/2008		735.00	0		
Translucent Glazing for Sidelights		The original glazing has been cut and/or installed in the sidelights and will have to be removed. No credit for the original glazing can be given.				

Item No	Item Description	Amt Prop	Reference
2047-100100	Translucent Glazing for Sidelights	700.00	
2047-100101	CCC OH/P	35.00	

Approved By:

Signature

Name

[Handwritten Signature] 12-15-2008

Date

Prolog Manager

Printed on: 12/16/2008 CM

Page 1 of 1

Architecture · Interior Design · Illustration · Planning

Attn.: Mr. John VanGorden
To: City of Pittsburg
201 W. 4th St.
Pittsburg, KS 66762
From: Rick Kuhl

Date: January 6, 2009
Project: Pittsburg Police/Courts
Pittsburg, Kansas
Project No.: 06074
Subject: Change Order 020

John,

The following is an overview of the proposed Change Order 20 for Pittsburg Police/Courts:

COR # 046/PR #020

Additional Lighting – \$1,960.97

This scope of work adds 8 additional ceiling lights. Five of the new ceiling lights are located in the Courtroom/Commission Room. The redesign of the Courtroom required changed the lighting design to accommodate the Commission's use of the room. Three light fixtures were added in other locations throughout the facility. We recommend acceptance of this work in order to provide appropriate lighting.

CCC OH/P – \$98.05

This item is Crossland's overhead and profit associated with the items above. This item represents 5% of the total change order. We recommend acceptance of this item.

COR # 047

Translucent Glazing – \$700.00

This scope of work provides for substituting translucent glazing in four office sidelights. This is a request from the Police Dept. to assure the desired level of privacy needed at each specific office. We recommend acceptance of this work in order to provide the requested office privacy.

CCC OH/P – \$35.00

This item is Crossland's overhead and profit associated with the items above. This item represents 5% of the total change order. We recommend acceptance of this item.

Summary

COR # 046	\$1,960.97 (Ceiling Lights)
CCC OH/P	\$ 98.05 (Crossland OH/P)
COR # 047	\$ 700.00 (Translucent Glass)
CCC OH/P	\$ 35.00 (Crossland OH/P)
Total Cost	\$2,794.02

Please let me know if you need additional information or comment.

Signed: 

Williams Spurgeon Kuhl & Freshnock Architects, Inc.
Copy to: File



Interoffice Memorandum

TO: JOHN D. VANGORDEN
Interim City Manager

FROM: WILLIAM A. BEASLEY
Director of Public Works

DATE: January 6, 2009

SUBJECT: Agenda Item – January 13, 2009
Street Light Request

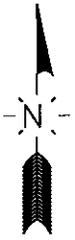
In conjunction with the Pedestrian/Bicycle Path Project on Centennial (Meadowbrook Mall to Knollview) and Joplin (Ford to Centennial), City staff is recommending the installation of four 70-watt high pressure sodium street lights along this path. The monthly cost for these lights is \$5.01 each, but with the taxes, fuel adjustments and environmental adjustments the cost will be \$6.13 each per month.

Would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, January 13, 2009. Action being requested is to approve the installation of a new street light and, if approved, authorize the Mayor to sign the modification order once prepared.

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

Attachment: Map

cc: Tammy Nagel, City Clerk
Street Light File
Memo File



CALIFORNIA AVE

NORRIS DRIVE

PEARL

CENTENNIAL

HIKING/BIKING TRAIL

INSTALL (4) 70 WATT
HPS STREET LIGHTS

OMAHA AVE

CALIFORNIA

KNOLLVIEW

THOMAS AVE



Interoffice Memorandum

TO: JOHN D. VAN GORDEN
Interim City Manager

FROM: JON B. GARRISON
Director of Finance & Administration

DATE: December 29, 2008

SUBJECT: Mt. Olive Cemetery Mausoleum

As you know, we have had many problems with the Mt. Olive Cemetery Mausoleum, from the roof leaking, flooding problems, to damage to basement floor. I asked Rick Kuhl to look at the building and give me his assessment of the building. Attached is Rick's plan to thoroughly investigate the damage to the building and a plan to correct such damage.

Rick's estimated cost to complete the study on an hourly basis is a maximum of \$7,500. See attached memo from Rick.

If approved by the City Commission, I would recommend that we get an authorizing resolution approved also.

Thanks for your consideration.



Interoffice Memorandum

TO: JOHN D. VAN GORDEN
Interim City Manager

FROM: JON B. GARRISON
Director of Finance & Administration

DATE: January 5, 2009

SUBJECT: "New" Employee Handbook

After much work and effort, the new City of Pittsburg Employee Handbook is attached for City Commission review and approval.

Please place this on the January 13, 2009 City Commission agenda for approval.



Employee Handbook

January 18, 2009



Section Number: 1
Effective Date: January 18, 2009

Policy Number: TOC
Page: 2 of 149

Table of Contents

ACKNOWLEDGMENT	5
100 - INTRODUCTION.....	7
101 - APPLICATION OF POLICIES	9
102 - ORIENTATION.....	10
103 - SERVING THE PUBLIC.....	11
104 - TEAMWORK AND COOPERATION	12
105 - FREEDOM OF INFORMATION	13
200 - CITY EMPLOYMENT	14
201 - EQUAL OPPORTUNITY	16
202 - RECRUITMENT	17
203 - APPLICATION PROCESS	18
204 - AGE REQUIREMENTS.....	19
205 - ELIGIBILITY OF EMPLOYMENT	20
206 - EMPLOYMENT CATEGORIES AND POSITION CLASSIFICATION.....	21
207 - COMPENSATION	23
208 - RESIDENCY REQUIREMENTS	24
209 - NEPOTISM	25
210 - HOURS OF WORK	26
211 - RECORD OF TIME WORKED	27
212 - PROMOTION, DEMOTION, RECLASSIFICATION AND TRANSFER.....	28
213 - REHIRES	30
214 - PERSONNEL RECORDS	31
215 - PERFORMANCE EVALUATIONS	32
216 - WORK REFERENCES	33
300 - COMPENSATION PHILOSOPHY	34
301 - PAYROLL PROCEDURES FOR ISSUING PAY	36
302 - OVERTIME AND COMPENSATORY TIME	37
303 - FLEX TIME	39
304 - GARNISHMENTS AND SALARY LIENS	40
305 - SALARY OVERPAYMENTS, CORRECTIONS AND OTHER ADJUSTMENTS ..	41
306 - PAYROLL DEDUCTIONS	42
307 - TERMINATION PAY	43
400 - USE OF CITY NAME AND LOGO	45
401 - TRAVEL EXPENSE ADVANCES AND REIMBURSEMENT.....	46
402 - CELLULAR PHONE USAGE	47
403 - COMPUTER, INTERNET AND E-MAIL	49
404 - USE OF CITY PROPERTY AND FACILITIES	51



Section Number: 1
Effective Date: January 18, 2009

Policy Number: TOC
Page: 3 of 149

405 - NEGLECT AND MISUSE OF CITY PROPERTY	52
406 - CITY VEHICLES	53
500 - WORK BREAKS	55
501 - HOLIDAYS	56
502 - VACATION.....	57
503 - HEALTH INSURANCE	59
504 - HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT	60
505 - CONTINUATION OF BENEFITS	62
506 - SICK LEAVE POOL	63
507 - SECTION 125 FLEXIBLE SPENDING ACCOUNTS.....	66
508 - LIFE INSURANCE AND DEATH BENEFITS	67
509 - LONG TERM DISABILITY	69
510 - COUNSELING ASSISTANCE.....	70
511 - SOCIAL SECURITY	71
512 - TRAINING AND DEVELOPMENT	72
513 - EDUCATION ASSISTANCE	73
514 - UNEMPLOYMENT COMPENSATION.....	74
515 - RETIREMENT.....	75
600 - ABSENCE FROM WORK	76
601 - ATTENDANCE AT MEETINGS AND CONFERENCES.....	77
602 - SICK LEAVE	78
603 - FAMILY MEDICAL LEAVE ACT.....	80
604 - MILITARY FAMILY AND MEDICAL LEAVE.....	84
605 - BEREAVEMENT LEAVE	85
606 - COURT AND JURY LEAVE.....	86
607 - TIME OFF TO VOTE.....	87
608 - LEAVE OF ABSENCE WITHOUT PAY.....	88
609 - MILITARY LEAVE	89
700 - HEALTH AND SAFETY	90
701 - WORKERS COMPENSATION.....	92
702 - LIGHT DUTY.....	94
703 - ACCIDENT REPORTING	96
704 - WEAPONS.....	97
705 - INCLEMENT WEATHER	98
800 - PERSONAL APPEARANCE	100
801 - HANDLING CONFIDENTIAL INFORMATION	101
802 - CONFLICTS OF INTEREST	103
803 - GIFTS, GRATUITIES AND BUSINESS COURTESIES	104



Section Number: 1
Effective Date: January 18, 2009

Policy Number: TOC
Page: 4 of 149

804 - TOBACCO FREE WORKPLACE	105
805 - DRUGS AND ALCOHOL	106
806 - POLITICAL ACTIVITIES	112
807 - OUTSIDE EMPLOYMENT	113
808 - HARASSMENT	114
809 - SEXUAL HARASSMENT	116
810 - WORKPLACE VIOLENCE	122
811 - DISCIPLINE	124
812 - DISCIPLINARY APPEAL	126
813 - INFORMAL COMPLAINT RESOLUTION	129
814 - GRIEVANCE PROCEDURE	130
815 - RESIGNATION	133
816 - RETIREMENT	134
817 - INVOLUNTARY TERMINATION OF EMPLOYMENT	135
GLOSSARY	137
Appendix A.....	149



Section Number: 1
Effective Date: January 18, 2009

Policy Number: ACK
Page: 5 of 149

ACKNOWLEDGMENT

I acknowledge that I have received a copy of the City of Pittsburg Employee Handbook. I have been informed that I can also access the Employee Handbook on the City of Pittsburg's intranet site (<http://citynet/>). I understand and agree that it is my responsibility to review this handbook and familiarize myself with its contents.

I acknowledge and understand that employment with the City is **employment at will**. This means employment may be terminated, **with or without notice, and with or without cause at any time** by the City. Nothing in this employment handbook, or in any other document or statement, shall limit the City's right to terminate my employment at any time, with or without cause, or with or without notice or to make changes to my employment including, not limited to my position, title, job responsibilities or compensation and benefit level. I also understand and agree that no department head, manager, supervisor or other employee of the City has the authority to enter into any agreement for the employment for any specified period of time or to make any agreement for employment other than employment at will. I understand and agree that the City Manger is the only City employee who has the authority to make such an agreement, and only if it is in writing and signed by the City Manager and myself.

I further understand and agree that except for employment at will status, any and all policies and practices for the City can be changed at any time without notice by the City. I also acknowledge and understand that nothing in the Employee Handbook creates or is intended to create a promise or representation of continued employment with the City. Employment with the City is employment at will which means that my employment may be terminated, with or without cause, at the will of either the City or myself at any time.

Employee Signature

Date

Employee Printed Name

STATE OF KANSAS)
) ss:
CRAWFORD COUNTY)



Section Number: 1
Effective Date: January 18, 2009

Policy Number: ACK
Page: 6 of 149

BE IT REMEMBERED, that on this ____ day of _____, 2008, before me the undersigned, a Notary Public in and for the County and State aforesaid, came _____, who is personally "know" to me to be the same person who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Notary Public

My appointment expires: _____



Section Number: 1
Effective Date: January 18, 2009

Policy Number: 100
Page: 7 of 149

Table of Contents

100 - INTRODUCTION.....	7
101 - APPLICATION OF POLICIES.....	9
102 - ORIENTATION.....	10
103 - SERVING THE PUBLIC.....	11
104 - TEAMWORK AND COOPERATION.....	12
105 - FREEDOM OF INFORMATION.....	13

100 - INTRODUCTION

Congratulations and welcome! We know that there are many things to deal with as you assume your new position at the City of Pittsburg. This handbook was designed to make the transition easier. The City's success in carrying out its mission is, in large part, dependent on the success of each of its employees. Individual skills, pride, and commitment to each employee's work help ensure the continued progress and strength of the City.

Much of the material in the Employee Handbook is summarized, excerpted, or paraphrased, so the handbook is a guide rather than a complete source of information on employment-related subjects. The Employee Handbook is accessible in electronic format through the Human Resources intranet web site, <http://citynet/>, and may be downloaded, stored, or printed as needed.

If there is a conflict between this handbook and Federal or State law, City ordinance, or The City of Pittsburg policy, federal and state laws will prevail. The City reserves the right to revise, modify, or repeal any statements included in this handbook and any of these policies or procedures through future actions. Information contained in this handbook is not intended to establish an employment contract of any kind. This handbook is not a legal document. This edition of the Employee Handbook supersedes previous editions.

Employees are expected to acquaint themselves fully with the contents of this Handbook in order to establish an understanding of the City personnel requirements which are established to:

- a. Promote and increase the efficiency and effectiveness of City service(s) without regard to an individual's race, color, national origin, age, religion, sex, veteran's status, or disability.
- b. Establish and maintain a uniform plan of performance evaluation and compensation based upon primary duties and responsibilities of each position.



Section Number: 1
Effective Date: January 18, 2009

Policy Number: 100
Page: 8 of 149

- c. Establish and promote high morale among City employees by providing good working relationships and uniform personnel policies.

Under the City's form of government, all employees are under the jurisdiction of the City Manager and can be terminated by him/ her at any time and for any reason. **All employees are at-will employees for the purposes of City employment.** Nothing stated in these policies and guidelines shall be interpreted to change an employee's "at-will" status or give any employee an expressed or implied expectation of continued employment with the City.



Section Number: 1
Effective Date: January 18, 2009

Policy Number: 101
Page: 9 of 149

101 - APPLICATION OF POLICIES

The policies and guidelines contained in this handbook shall apply to all employees in the service of the City. Elected officials are not City employees.

The head of any City department/division may formulate in writing reasonable guidelines of the conduct of the operations of his/her department/division, such as those relating to safety or operational procedures, which shall be available to all departmental/divisional employees. Such department/division guidelines shall not be less stringent than, in violation of, or in conflict with any personnel guidelines approved by the City Manager.

No policy manual can cover every conceivable situation. The information, policies and procedures in this handbook are subject to change. Revisions may occur at any time, and may supersede, modify, or eliminate existing policies and procedures.



Section Number: 1
Effective Date: January 18, 2009

Policy Number: 102
Page: 10 of 149

102 - ORIENTATION

On an employee's first day of employment, Human Resources will conduct employee orientation consisting of the completion of employment forms and records, an explanation of the City's compensation and benefit programs, recording of time worked, personnel policies, and any other information determined appropriate.

During the first week of employment, the supervisor of a new employee will conduct an orientation of the employee on such matters as the City and the department's organization and function; the employee's role in helping to achieve the objectives of the City and the employee's department; the employee's job content; performance and evaluation standards; job safety and other departmental guidelines.



Section Number: 1

Policy Number: 103

Effective Date: January 18, 2009

Page: 11 of 149

103 - SERVING THE PUBLIC

The City is supported by members of the community and provides its people with essential services. The City's success in providing service to its citizens depends to a large extent on how City employees treat the public. Each individual plays an important role in building and maintaining good relations with the public. City employees are expected to treat every member of the public courteously in official correspondence, e-mails, telephone conversations, and personal interactions with them.



Section Number: 1
Effective Date: January 18, 2009

Policy Number: 104
Page: 12 of 149

104 - TEAMWORK AND COOPERATION

The City operates most effectively and is best able to carry out its responsibilities when employees and co-workers cooperate with each other and function as a team. Teamwork will help with performance and is one of the best ways of improving the department's efficiency and aid in accomplishing the City's goals.

Teamwork requires cooperation, and it means that each individual employee's contribution is important. Suggestions for improving working procedures or for carrying out particular responsibilities more efficiently can be discussed with co-workers and supervisors. While it may not be possible to implement every good idea or resolve every problem, more can be accomplished when each employee addresses problems with a spirit of good will and an understanding of the value of mutual collaboration.

An important contributing factor to the City's success is the way in which employees get along with each other. Attitudes toward work and toward co-workers can affect the employee's own productivity and that of the entire work unit.



Section Number: 1
Effective Date: January 18, 2009

Policy Number: 105
Page: 13 of 149

105 - FREEDOM OF INFORMATION

The City observes both the Freedom of Information Act and the Kansas Open Records Act (KORA), which allows for the full or partial disclosure of information and documents controlled by the City. The Acts define City records subject to disclosure, outline mandatory disclosure procedures and grant certain exemptions. The City Clerk acts as the Freedom of Information Officer.

Available through the Freedom of Information Act include:

- Ordinances
- Resolutions
- Minutes from open meetings
- Salaries of public officials
- Budgets

For a complete listing of exemptions, see K.S.A. 45-221. For more information regarding available records, contact the City Clerk.



Section Number: 2
Effective Date: January 18, 2009

Policy Number: 200
Page: 14 of 149

Table of Contents

200 - CITY EMPLOYMENT	14
201 - EQUAL OPPORTUNITY	16
202 - RECRUITMENT	17
203 - APPLICATION PROCESS	18
204 - AGE REQUIREMENTS.....	19
205 - ELIGIBILITY OF EMPLOYMENT	20
206 - EMPLOYMENT CATEGORIES AND POSITION CLASSIFICATION.....	21
207 - COMPENSATION	23
209 - NEPOTISM	25
210 - HOURS OF WORK	26
211 - RECORD OF TIME WORKED	27
212 - PROMOTION, DEMOTION, RECLASSIFICATION AND TRANSFER.....	28
213 - REHIRES	30
214 - PERSONNEL RECORDS	31
215 - PERFORMANCE EVALUATIONS	32
216 - WORK REFERENCES	33

200 - CITY EMPLOYMENT

The employment relationship that exists between the City and its employees is one of employment at will. This means that employment with the City may be terminated at will, without cause, and with or without notice, and at any time by the City or the employee.

The employment policy handbook contains the employment policies and practices of the City in effect at the time of publication and supersedes all previously issued employment handbooks and policies. The City reserves the right to revise, modify, delete or add to any and all employment policies, procedures, work rules, or benefits stated in this handbook, **except**, for the policy of employment at will. The employment at will policy can only be changed in a signed writing, executed by the City Manager and the employee.

Nothing in the employment policy handbook, or any other such personnel document, including benefit statements, creates or is intended to create a promise or representation that employment will continue for a definite period of time for any



Section Number: **2**
Effective Date: January 18, 2009

Policy Number: 200
Page: 15 of 149

employee or that employment will be terminated only under particular circumstances. The City reserves the right to terminate the employment relationship or change wages, benefits, job title, job duties, responsibilities, and other terms and conditions of employment with or without cause and with or without notice or prior consultation or agreement with any employee.



Section Number: 2
Effective Date: January 18, 2009

Policy Number: 201
Page: 16 of 149

201 - EQUAL OPPORTUNITY

The City is an equal opportunity employer and it is the policy of the City to make employment decisions on the basis of merit and to prohibit discrimination on the basis of race, color, sex, religion, age, natural origin, disability and any other consideration unlawful under federal, state or local laws. The City is committed to complying with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in the operations of the City and prohibits unlawful discrimination by any employee, supervisor or department head of the City.

The City will make reasonable accommodation for the known disability of an otherwise qualified applicant or employee who can perform the essential function of the job with or without reasonable accommodation, unless undue hardship would result. Any person who requires accommodation in order to perform the essential functions of his or her job should contact the Human Resources Manager. The City will investigate and make reasonable accommodation, where required, that will not impose undue hardship.

If you believe that you have been subjected to any form of unlawful discrimination, please contact the Human Resources Manager or the City Manager. The City will immediately undertake an effective, thorough and objective investigation. In the event the City determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action will also be taken to defer any future discrimination. The City will not retaliate against you for reporting discrimination and will not permit retaliation against you by your supervisor, department head or your co-workers.



Section Number: 2
Effective Date: January 18, 2009

Policy Number: 202
Page: 17 of 149

202 - RECRUITMENT

When a vacancy occurs, the appropriate department head will submit a completed Job Requisition to the Human Resources department for approval by the City Manager. Upon requisition approval, Human Resources will circulate position announcements to all department heads who will post the announcement for notification to employees. Newspaper advertisements may be placed with a deadline for application. Additional announcements may be submitted to appropriate agencies and organizations to help ensure equal access to job information for all area citizens.

The appropriate authorization is required to initiate any action for an open position including any recruitment efforts, advertising, interviewing and offers of employment. Authorization is required to extend an offer of employment to any candidate.

Exceptions include internal promotions or transfers within an organization. These actions require the use of a "Personnel Action Form".

Consideration will be given to all applications for any position with the City, provided the applicant meets the minimum qualifications established for that position.

Relatives of the City Commissioners, however, cannot hold any position defined as Department Head or City Clerk.

To be considered for employment, each applicant shall complete a job application form which is available at City Hall, Human Resources, or online at www.pittks.org.

Additional qualifications for employment in various job classifications may include job-related testing, education, certifications and/or training. Qualification for employment may be contingent upon review of minimum age, possession of or ability to obtain required valid driver's license, required certification(s), results of drug screen, assessment of physical condition related to position requirements, records check, criminal background check and other tests specified for a particular classification.



Section Number: 2
Effective Date: January 18, 2009

Policy Number: 203
Page: 18 of 149

203 - APPLICATION PROCESS

Generally, all City vacancies, including part-time temporary positions, are posted on the City web site at: <http://www.pittks.org>, internally and on local access television. However, when there is believed to be qualified internal applicants, the City Manager may authorize an internal search. In this situation, no outside advertising will take place, and only current City employees will be eligible to apply for the open position. Other trade publications, websites, list serves, etc will be incorporated as needed.

The City has a standard application form. Applicants may apply for open positions electronically or in person at City Hall.

If an applicant meets the minimum or preferred qualifications for a position, the application will be sent to the department where the vacancy exists. If an applicant wishes to submit a resume with their application, they may do so and it will accompany the application.

Application procedures for professional and/or administrative positions as defined by the Fair Labor Standards Act are explained in the individual position announcements. Physical assessments, drug and alcohol screening, background checks, and other job related testing may be required as a condition of employment



Section Number: 2
Effective Date: January 18, 2009

Policy Number: 204
Page: 19 of 149

204 - AGE REQUIREMENTS

The minimum age for employment in most City positions is sixteen years. However, applicants younger than sixteen with a valid work permit may be employed. Employees who hold hazardous jobs must be eighteen years of age or older. No one under the age of sixteen may work more than six days in any week, more than 40 hours in any week, more than ten hours in a twenty four hour period or before 6:00 a.m. or after 11:00 p.m. Fire Department and Police personnel must be age twenty one or older. There is no maximum age for employment and no mandatory retirement age.



Section Number: 2
Effective Date: January 18, 2009

Policy Number: 205
Page: 20 of 149

205 - ELIGIBILITY OF EMPLOYMENT

Employers are required by federal law to verify that employees are authorized to work in the United States, using the Employment Eligibility Verification Form (Form I-9). Identification must be presented within three (3) days of employment.

The Kansas Constitution protects against discrimination in employment because of membership or non-membership in a labor union. Specifically, the constitution provides that:

“No person shall be denied employment because of membership or affiliation with or resignation from a labor union, or because of refusal to join or affiliate with a labor union; nor shall any corporation or individual or association of any kind enter into any contract, written or oral, to exclude from employment members of a labor union or persons who refuse to join a labor union, or because of resignation from a labor union; nor shall any person against his will be compelled to pay dues to any labor organization as a prerequisite to or condition of employment. “



Section Number: 2
Effective Date: January 18, 2009

Policy Number: 206
Page: 21 of 149

206 - EMPLOYMENT CATEGORIES AND POSITION CLASSIFICATION

Non-Exempt employees are employees whose work is covered by the Fair Labor Standards Act (FLSA). They are **NOT** exempt from the law's requirements concerning minimum wage, compensatory time and overtime.

Exempt employees are generally managers, professional, administrative, or technical employees who are exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs which meet the standards and criteria established under the FLSA by the US Department of Labor.

In addition, the City of Pittsburg has established the following categories for both non-exempt and exempt employees:

Regular, full-time – Employees who are not in a temporary status and who are regularly scheduled to work 40 hours in a work week. Generally, they are eligible for the full benefit package, subject to the terms, conditions and limitations of each benefit program.

Full-time Fire – Employees average fifty-six (56) hours of work per week. Fire department employees receive overtime for hours over 212 in a 28 day period. Fire department employees do not receive compensatory time benefits.

Regular, part-time – Employees who are not in a temporary status and who are regularly scheduled to work less than the full-time schedule of less than 40 hours per week. Regular, part-time employees are eligible for some of the benefits offered by the City subject to the terms, conditions, and limitations of each benefit program.

Temporary, full-time – Employees who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project and who are temporarily scheduled to work 40 hours a week for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

Temporary, part-time -- Employees who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project and who are temporarily scheduled to work less than 40 hours in a week.



Section Number: 2
Effective Date: January 18, 2009

Policy Number: 206
Page: 22 of 149

Employment beyond any initially stated period does not in any way imply a change in employment status.

POSITION CLASSIFICATIONS

Each City position shall, on the basis of the duties, responsibilities, skills, experience, education and training required on the position, be allocated to an appropriate job classification. Each job classification shall have a descriptive title, a description of the essential and marginal job functions of the position, a description of job duties, and a statement of the qualifications for filling such the position. Classification descriptions shall be approved by the City Manager and kept on file in the Human Resources department and shall be open to inspection by any interested party during regular office hours.

The Governing Body has adopted a grade pay plan, with minimum and maximum amounts of pay for each class of positions assigned to a particular grade. The pay ranges assigned to each class of positions shall be periodically reviewed, revised, and approved by the Governing Body.

It is the responsibility of each department head to make recommendations and requests for any and all organization changes which will significantly alter or affect changes in existing classifications or proposed classifications to the City Manager. It is the responsibility of the City Manager to review such requests and make recommendations deemed appropriate to the Governing Body. The City Manager shall approve all new or revised job classifications. The Governing Body shall approve annually a salary ordinance which sets job classifications and pay ranges.



Section Number: 2
Effective Date: January 18, 2009

Policy Number: 207
Page: 23 of 149

207 - COMPENSATION

Positions with similar types and levels of duties and which require similar knowledge, abilities, skills, education, and experience are grouped into classifications and assigned a pay grade. The minimum and maximum for each pay grade are set by the Governing Body. The wages of each employee of the City shall, at least annually, be set at an amount within the pay range of the classification grade to which each employee is assigned. Recommendation for wage increases shall be made by the department head to the City Manager. Such recommendations will be reviewed by the City Manager with the department head and the Manager of the H.R. Department. Final approval for minimum and maximum salaries within the identified classifications shall be approved by the Governing Body.

Pay increases are not routine or automatic and are subject to approval by the City Manager. A department head may award an increase to an employee submitted by the employee's immediate supervisor with City Manager approval.



Section Number: 2
Effective Date: January 18, 2009

Policy Number: 208
Page: 24 of 149

208 - RESIDENCY REQUIREMENTS

Under the provisions of Pittsburg City Ordinance, the City Manager is required to reside within the city limits. Department Heads shall reside within an area of the county, bounded by an eight linear mile radius from the intersection of Fourth Street and Broadway Street in the City; provided, however, that if such radius line intersects the boundaries of an incorporated City, then the radius shall exclude the entire boundary of such City.

A newly hired City Manager or Department Head may be granted sixty (60) calendar days to establish residency. If the employee has made a good faith effort to meet residency requirements, but special circumstances warrant a request for extension of time, the City Manager will review such requests on a case-by-case basis. If an employee fails to meet the City's residency requirement, disciplinary action, up to and including termination, may result.

Employees are responsible for notifying the H. R. Department for any change in address.



Section Number: 2
Effective Date: January 18, 2009

Policy Number: 209
Page: 25 of 149

209 - NEPOTISM

In order to avoid favoritism or the appearance of favoritism based on family relationships, no one shall be considered for regular full-time or part-time employment in a department where the supervisor or department head is a relative or related person. The term "relative" is defined to include an employee's parent, stepparent, spouse, child, sibling, grandparent, grandchild, mother or father-in-law and brothers or sisters-in-law. The term "related person" is defined to mean mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, stepparent, stepchild, step-brother, step-sister, adopted child, foster child and foster parent.

Employment of relatives in the same department or division of the City is allowed only when one will not supervise or have control over personnel decisions affecting the other. To avoid possible conflict of interest, relatives must not participate, either formally or informally, in decisions to hire, retain, promote, or determine the salaries of each other. Due to the temporary status of the appointment, if a regular City employee is asked to serve in an interim position, this provision will be waived until a search has been conducted and the position is filled.

If two employees within the same department marry or otherwise obtain a relationship whereby they become related or a relative, one of the employees may be transferred to another department, if possible, without loss of pay or other benefits.



Section Number: 2
Effective Date: January 18, 2009

Policy Number: 210
Page: 26 of 149

210 - HOURS OF WORK

All City offices are open for business between 8:00 a.m. and 5:00 p.m., Monday through Friday. However, department administrators may establish other working hours, so long as all full-time employees except Fire Department employees work at least a forty-hour work week. The Fire Department works in 24 hour shifts; and depending on scheduling may not work 40 hours within the week. Most City offices do not close for lunch, so flexing of schedules may be required. An employee's supervisor will inform employees about normal work hours for the department and their individual positions.

Work schedules (beginning work time, ending work time and specified days of work) will be established for each employee by supervisory personnel who may change such schedules based on the needs and requirements of each Department.

Time worked includes all time that an employee is required to be physically at work; therefore, employees are not permitted to start work prior to their scheduled start time or work after the established schedule for that employee without prior supervisor approval.



Section Number: 2
Effective Date: January 18, 2009

Policy Number: 211
Page: 27 of 149

211 - RECORD OF TIME WORKED

All employees are required to maintain a daily record of all time worked for the City. Employee supervisors will provide time sheets and explain how to complete and submit work records. Intentional falsification of time worked records may constitute grounds for dismissal. It is each employee's responsibility to complete time sheets and submit them to his or her supervisor prior to 9:00 a.m. Monday of the scheduled pay week. Failure to turn time sheets in on time may result in delay of pay until the next scheduled pay day. Supervisors must submit time sheets to Payroll by 12:00 noon on the same Monday.



Section Number: 2
Effective Date: January 18, 2009

Policy Number: 212
Page: 28 of 149

212 - PROMOTION, DEMOTION, RECLASSIFICATION AND TRANSFER

In an effort to offer employees opportunity for development and career advancement and to provide managers with qualified internal applicants, employees may be considered for internal transfers and promotions.

External recruiting may occur simultaneously to the internal posting to expedite the process as business needs require.

To be considered as an internal applicant, employees must be a regular full-time or part time employee with at least three (3) months of service, have acceptable performance (not on a corrective action plan) and must meet the minimum qualifications as outlined in the position posting.

The Department Heads and/or Human Resources will determine the qualified internal candidate(s). Simply meeting minimum requirements does not necessarily guarantee an interview. In addition, the City reserves the right to grant individual exceptions based on documented business needs.

When an internal promotion or transfer exists, the Releasing Manager should understand and encourage the employee's career goals, assist in defining career objectives and encourage employees to pursue career development. The Releasing Manager and Department Head should negotiate the employee's transfer date. The Department Head should review the need to fill the vacant position, and if needed, generate a Personnel Requisition.

PROMOTIONS

Employees may be promoted, by the City Manager, to another position within their department or other departments within the City which are classified at a higher grade, if the employee meets the minimum qualifications for that position.

DEMOTIONS AND TRANSFERS

Employees may be demoted, by the department head, to another position in the employee's department which is classified at a lower grade.



Section Number: 2
Effective Date: January 18, 2009

Policy Number: 212
Page: 29 of 149

The employee's position may be reclassified if the responsibilities have changed significantly. If the new reclassification is at a lower grade, the reclassification of the position will be a demotion. Employees may apply for a position in a different department of the City which is classified at a lower grade. If the employee is the selected candidate for the open position, the transfer to that position will be considered a demotion.

An employee's rate of pay resulting from a demotion or transfer will be determined by the City Manager taking into consideration length of employment, knowledge, skills, ability, and budget implications.



Section Number: 2
Effective Date: January 18, 2009

Policy Number: 213
Page: 30 of 149

213 - REHIRES

If a former employee is rehired by the City, their eligibility for benefits will be determined by the re-hire date unless otherwise mandated by law. Depending on the amount of time that has elapsed between employment with the City, or other extenuating circumstances, the City Manager may approve, on a limited basis, alternative benefits on a case by case basis.



Section Number: 2
Effective Date: January 18, 2009

Policy Number: 214
Page: 31 of 149

214 - PERSONNEL RECORDS

Employees have the right to examine and copy the information contained in their own personnel file. Official personnel records for all employees are maintained in Human Resources, where employees may view their own file at any time during regular business hours. The employee's department may also maintain personnel records. If so, employees have the right to also view that file.

Each employee is responsible for notifying Human Resources immediately of any changes such as name, address, contact information, marital status, or change in dependents.

Personnel records may also be viewed by City officials who have a legitimate need to review them, such as the employee's supervisor, prospective supervisor if the employee has applied for a promotion or transfer, persons involved in the investigation or settlement of a formal grievance or complaint filed by an employee, and attorneys and others who are investigating state workers' compensation claims.

A signed release must be submitted to Human Resources before others are allowed to inspect or copy files, the following types of information will be removed: social security and income tax information, medical and insurance information, information about retirement annuities, information about family and marital and parental status, unlisted telephone numbers and addresses not intended for publication. Evaluation or job performance records, including performance evaluations, are disclosed only if there has been a final administrative resolution of a suspension or termination proceeding at which the records formed the basis for the suspension or termination, and there is a compelling need for the information to be released.

Within twenty-four hours of receiving a request for inspection of personnel records, the City must determine whether the records are subject to disclosure and notify the employee of the request and the determination.

In the event of a law enforcement or agency investigation in which employee's personnel records are relevant, they may be made available to the City's attorneys and others involved in the investigation or litigation. Employee records may also be made available in response to a lawfully issued subpoena or court order.



Section Number: 2
Effective Date: January 18, 2009

Policy Number: 215
Page: 32 of 149

215 - PERFORMANCE EVALUATIONS

Employee performance evaluations will be considered in determining pay adjustments, as a factor in promotions, and as a factor in determining the order of layoffs.

An evaluation of the performance of each full-time employee based on his or her duties and responsibilities shall be prepared by the employee's Department Head or designee each year. The evaluation shall be in writing on forms approved by the City Manager. Employees, whose performance requires improvement, will be notified and placed on a plan for improvement. Failure to make significant improvement will subject the employee to disciplinary action up to and including termination. The employee will be allowed an opportunity to respond to his or her performance evaluation.



Section Number: 2
Effective Date: January 18, 2009

Policy Number: 216
Page: 33 of 149

216 - WORK REFERENCES

The City of Pittsburg will release without written permission the following information for a current or former employee;

1. Date and duration of employment
2. Job title and duties

Employees receiving requests for information on current or previous employees should forward all requests to Human Resources. Prior to releasing information other than dates of service and position held, a consent form must be signed and dated and will be considered valid for a reasonable amount of time (not to exceed a one month period) for the purpose described on the consent form.



Section Number: 3
Effective Date: January 18, 2009

Policy Number: 300
Page: 34 of 149

Table of Contents

300 - COMPENSATION PHILOSOPHY 34
301 - PAYROLL PROCEDURES FOR ISSUING PAY 36
302 - OVERTIME AND COMPENSATORY TIME 37
303 - FLEX TIME 39
304 - GARNISHMENTS AND SALARY LIENS 40
305 - SALARY OVERPAYMENTS, CORRECTIONS AND OTHER ADJUSTMENTS .. 41
306 - PAYROLL DEDUCTIONS 42
307 - TERMINATION PAY 43

300 – COMPENSATION PHILOSOPHY

The City of Pittsburg recognizes that competitive compensation is the cornerstone for recruiting, retaining, and motivating the type of employees needed to fulfill the City's goals. The City's compensation philosophy is to pay all categories of employees at competitive levels established by the external labor markets; considering both salary and benefits as a total compensation package.

The compensation system must meet the following objectives:

- Establish pay levels for positions on the basis of their external competitiveness with relevant labor markets and their relative internal value;
- Regularly reward employees on the basis of work performance;
- Administer pay equitably and consistently;
- Establish compensation policy that is consistent with the judicious expenditure of funds entrusted by the citizens of Pittsburg.
- Maximize the effectiveness of compensation funding based on recruiting and retention;

Methodology

External markets define pay levels and may vary according to where, and with whom, the City competes for qualified employees in particular job categories. In some cases the local labor market is considered and for other positions, regional or national markets must be targeted. Regular assessments of these labor market salaries are prepared to measure the City's competitiveness using benchmark job classifications.



Section Number: **3**
Effective Date: January 18, 2009

Policy Number: 300
Page: 35 of 149

Internal Job Value relationships are also factored into the setting of compensation rates. These considerations may include reporting relationships within departments and to other departments having similar jobs. Although basic salary rates or ranges for similar positions are established on a system wide basis, the individual effectiveness of employees will have a direct relationship to their respective rates of pay, including performance, educational achievement and career competencies.

Salary increases are recognized through a variety of mechanisms that offer maximum opportunity to enhance their total compensation. Within annual budgetary considerations, allocations for salary increases may include any or all of the following: market adjustments, general increases, promotion and equity increases.

The wages of each employee of the City shall be set at an amount within the pay range of the classification grade to which each employee is assigned. Recommendation for wage increases shall be made by the department head to the City Manager. Such recommendations will be reviewed by the City Manager with the department head and the HR Department. Final approval for minimum and maximum salaries within the identified classifications shall be approved by the Governing Body.

Pay increases are not routine or automatic and are subject to approval by the City Manager. Subject to the approval of the City Manager, a department head may award an increase to an employee submitted by the employee's immediate supervisor.



Section Number: 3
Effective Date: January 18, 2009

Policy Number: 301
Page: 36 of 149

301 - PAYROLL PROCEDURES FOR ISSUING PAY

All employees are paid on a bi-weekly basis. For employee's security and convenience, direct deposit is the standard method by which the City pays employees. Pay may be deposited into several separate accounts. The accounts can be at the same financial institution or at different ones. Forms to request direct deposit are available from payroll section of Human Resources or on the City intranet at <http://citynet/>

For computation of payroll, a work week shall consist of hours worked within a seven day work week, commencing at 12:01 a.m. Sunday and ending at midnight the following Saturday night for all employees except Firefighters. Firefighters work a twenty eight day cycle. In the event a scheduled shift encompasses two pay periods, the shift will be applied to the pay period in which the shift begins.



Section Number: 3
Effective Date: January 18, 2009

Policy Number: 302
Page: 37 of 149

302 - OVERTIME AND COMPENSATORY TIME

Compensation for authorized overtime work will be paid at the rate of 1 ½ times the employee's regular rate of pay. Overtime compensation will be paid the first payday following the pay period in which it was earned. For compensatory time with City Manager approval, departments may establish maximum accrual limits and require employees to use accrued compensatory time prior to the end of the fiscal year.

The Fair Labor Standards Act (FLSA) allows public employers to pay nonexempt employees for overtime worked in the form of compensatory time off. At the discretion of the department head, an employee may be given compensatory time off ("comp. time") in lieu of cash payments for the overtime worked. Any comp time off shall be at the rate of 1 ½ times the hours of overtime worked.

No exempt employee in an administrative, executive, or professional position, as defined by the FLSA, shall be eligible for overtime pay or compensatory time.

With the exception of firefighters, sworn police officers, and employees with exempt status, all full-time employees shall be eligible to receive overtime compensation (1 ½ times the hourly rate of pay) for all hours worked in excess of forty (40) hours a week.

Section 7(k) of the FLSA provides that employees engaged in fire protection or law enforcement may be paid overtime on a "work period" basis. The City of Pittsburg has determined a "work period" to be 28 consecutive days in length. Fire protection personnel are due overtime under such a plan after 212 hours worked during a 28-day period, while law enforcement personnel must receive overtime after 171 hours worked during a 28-day period.

Emergency Response

Non-exempt employees will be granted overtime compensation when responding to an emergency situation. Management should carefully weigh the costs and benefits of alternatives before authorizing emergency response pay. Reasonableness and fairness shall be exercised in administering this policy.

Emergency Response is when an employee has left the work site at the end of his/her regularly scheduled work shift and is required to return to the worksite due to an emergency situation as defined herein. Emergency Response requires an employee to respond on short notice to an emergency situation at work for any of the following reasons:



Section Number: **3**
Effective Date: January 18, 2009

Policy Number: 302
Page: 38 of 149

- Avoid significant service disruption
- Avoid placing employees or the public in unsafe situations
- Protect and/or provide emergency services to citizens, property or equipment
- Respond to emergencies with employees or residents in the case of severe weather.
- Any other situation approved **in advance** by the City Manager or his/her designee.

Expectations

Employees are expected to report to work when called for emergency response situations. An employee is expected to perform necessary work duties in a safe and competent manner without risk to employees, citizens, equipment or operation.

All overtime work must have prior authorization by the employee's department head or supervisor. Failure to gain prior approval for overtime may result in disciplinary action for violation of personnel and departmental policies if a pattern of abuse develops.

Upon termination of employment, accrued comp time will be paid to the employee.



Section Number: **3**
Effective Date: January 18, 2009

Policy Number: 303
Page: 39 of 149

303 - FLEX TIME

Employee(s) and supervisor(s) may agree to a time schedule that differs from the regular daily schedule. However, the needs of the department and city are first priority. The schedule must not create overtime work or cause undue hardship for the department. All flex-time agreements must be put in writing and be signed by the employee and the supervisor.



Section Number: 3
Effective Date: January 18, 2009

Policy Number: 304
Page: 40 of 149

304 - GARNISHMENTS AND SALARY LIENS

The City is required by law to comply with certain court orders of garnishment. Income withholding orders resulting from claims for unpaid taxes, bankruptcy claims, and child support orders must also be honored. When applicable, administrative fees may be collected.



Section Number: 3
Effective Date: January 18, 2009

Policy Number: 305
Page: 41 of 149

305 - SALARY OVERPAYMENTS, CORRECTIONS AND OTHER ADJUSTMENTS

It is the employee's responsibility to notify Human Resources and the department head immediately of any salary payment errors, including overpayments.

It is the policy of the City of Pittsburg that an individual may not profit from an error in payment to an employee. The City will pursue collection of all salary overpayments from former employees in the same manner as it pursues other debts to the City. Salary overpayments that are not repaid immediately will be referred to the Finance Director for collection.

If a salary overpayment occurs during continuous employment by the City, the overpayment will be deducted from the next regular paycheck. If the re-payment creates a hardship, other mutually agreeable arrangements may be made with the Finance Director.

Any other outstanding debts owed to the City by the employee will be deducted from the employee's paycheck or other forms of payment due the employee, (e.g. payment for accrued leave at the time of termination).

Any underpayments or inaccurate deductions will be adjusted in the next regular payroll cycle after the City has been notified.



Section Number: 3
Effective Date: January 18, 2009

Policy Number: 306
Page: 42 of 149

306 - PAYROLL DEDUCTIONS

The City is required by law to withhold part of an employee's pay each month for federal and state income taxes and for social security and Medicare taxes. Firefighters and Police employees are not subject to social security withholding. Employees may request in writing that amounts be withheld from their check for other purposes, including retirement contributions; group life, medical, dental, flexible spending account payments; United Way, etc. Employees requesting voluntary deductions should contact Human Resources to complete the appropriate form(s).



Section Number: **3**
Effective Date: January 18, 2009

Policy Number: 307
Page: 43 of 149

307 - TERMINATION PAY

When an employee leaves City employment, the amount due from unused accrued vacation, holiday and compensatory time will be paid as a lump sum. Any unpaid debts to the City at the time of termination will be withheld from the final paycheck.



Section Number: 4
Effective Date: January 18, 2009

Policy Number: 400
Page: 44 of 149

Table of Contents

400 - USE OF CITY NAME AND LOGO	45
401 - TRAVEL EXPENSE ADVANCES AND REIMBURSEMENT	46
402 - CELLULAR PHONE USAGE	47
403 - COMPUTER, INTERNET AND E-MAIL	49
404 - USE OF CITY PROPERTY AND FACILITIES	51
405 - NEGLIGENCE AND MISUSE OF CITY PROPERTY	52
406 - CITY VEHICLES	53



Section Number: 4
Effective Date: January 18, 2009

Policy Number: 402
Page: 45 of 149

400 - USE OF CITY NAME AND LOGO

Prior written consent is required from the City Manager's Office for any use of the City's logo other than for official City business. It is important to the City that the use of the name "City of Pittsburg" be limited to activities which are in fact activities of the City. The following broad clarifications are applicable to most uses of the name of the City:

1. The City recognizes that employee's contributions involve a variety of regular duties over and beyond the regular work day. As members of the larger community, they have the rights and obligations of any citizen. When they speak or write as citizens, they are free from City censorship or discipline, but their special position in the community may impose special obligations. They measure the urgency of their obligations to the community in the light of their responsibilities to the City. They remember that the public may judge their profession and the City by their actions and utterances. Therefore, they are at all times accurate, exercise appropriate restraint, and show respect for the opinions of others. When they speak or act as private persons, they make every effort to indicate that they are not representing the City or speaking in an official capacity.
2. Sponsorship of Activities: When the name of the City is used in connection with seminars, institutes, conferences, workshops, short courses, and other such activities, the City must in fact be a sponsor, cooperating through a departmental unit.
3. Public Statements: The City Manager or designee is responsible for official statements affecting the City.

For guidelines on the use of the City logo and seal, the printing of City stationery, and the identification of City publications, contact the City Manager's office. Employees may not use City of Pittsburg stationary to supply a letter of recommendation for a current or former employee without the City Manager's approval.



Section Number: 4
Effective Date: January 18, 2009

Policy Number: 402
Page: 46 of 149

401 - TRAVEL EXPENSE ADVANCES AND REIMBURSEMENT

Travel advances are made only to city employees who are authorized to travel on official City business. Employees are responsible for turning in a travel summary reconciliation, turning in receipts and repaying any unused travel advance within five days after their scheduled return from the trip for which the advance was issued. If advances are not reconciled in a timely manner, the amount owed may be deducted from the employee's paycheck. If the City has to deduct the repayment for travel advances more than once in any twelve month period, employees will be ineligible for further travel advances. If an employee's trip is canceled, the travel advance must be returned or repaid immediately. If a travel advance is still outstanding 30 days or more after return, the advance amount may be deducted from the employee's next pay deposit or check.

Employees may request and receive a travel advance up to 50% of the total authorized, estimated reimbursable travel expenses. Expenses such as airfare, registration fees, and local car rentals are not eligible for travel advances. Allowable travel advance expenses include, but are not limited to, anticipated meals and lodging costs within reasonable limits, anticipated mileage expense at the state-stipulated rate if not using a city vehicle, and anticipated taxi fares.

Employees driving on behalf of the City must possess a valid driver's license. Out of town travel will be in City-owned vehicles when possible. In the event privately-owned vehicles are used for official travel, reimbursement will be made at the rate established by the State of Kansas.

Loss damage coverage or supplemental automobile liability coverage should not be purchased when using a rental car for City business. In addition, the City assumes no responsibility for losses or damages to an employee's personal vehicle being used for City business. The mileage reimbursement is intended to cover all costs associated with using a personal vehicle; including gas, oil, insurance, repairs, damages and depreciation.



Section Number: 4
Effective Date: January 18, 2009

Policy Number: 402
Page: 47 of 149

402 - CELLULAR PHONE USAGE

This policy outlines the use of personal cell phones at work, including special issues related to camera phones, the personal use of business cell phones and the safe use of cell phones by employees while driving.

1. Personal Cellular Phones

While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of City phones. Excessive personal calls and texting during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. A reasonable standard is to limit personal calls and texting during work hours. Employees are therefore asked to make personal calls on non-work time and to ensure that friends and family members are aware of the City's policy. Flexibility will be provided in circumstances demanding immediate attention. The City will not be liable for the loss of personal cellular phones brought into the workplace.

2. Personal Use of City-Provided Cellular Phones

Where job or City needs demand immediate access to an employee the City may issue a City-owned cell phone to an employee for work-related communications. Personal use of City cell phones that does not conflict with City use is permitted, but should be limited in both occurrence and duration and is not an entitlement. Any additional costs incurred by the City for personal, non-business-related use of City-provided cell phones must be reimbursed by the employee on a regular basis and credited to the specific cost center to which the original expense was charged. Phone logs will be audited regularly to ensure no unauthorized use has occurred. Failure to reimburse the City for the cost of the call will result in tax liability for the employee as well as possible disciplinary action.

Employees in possession of City equipment such as cellular phones are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within 24 hours may be expected to bear the cost of a replacement.

Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.



Section Number: 4
Effective Date: January 18, 2009

Policy Number: 402
Page: 48 of 149

3. *Safety Issues for Cellular Phone Use*

Employees whose job responsibilities include regular or occasional driving and who are issued a cell phone for business use are expected to refrain from using their phone while driving. Safety must come before all other concerns.

Employees whose job responsibilities do not specifically include driving as an essential function, but who use a cell phone for business or personal use, are also expected to abide by the provisions above. Under no circumstances are employees allowed to place themselves at risk to fulfill City business.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all fines and penalties that result from such actions. Violations of this policy will be subject to the highest forms of discipline, including termination.

4. *Special Responsibilities for Managerial Staff*

As with any policy, management employees are expected to serve as role models for proper compliance with the provisions above and are encouraged to regularly remind employees of their responsibilities in complying with this policy.



Section Number: 4
Effective Date: January 18, 2009

Policy Number: 403
Page: 49 of 149

403 - COMPUTER, INTERNET AND E-MAIL

Computing resources are provided to enhance productivity, service and the activities which support them. When an employee uses City computing resources or is granted the use of a computing account, they are expected to use their assigned access, accounts, and resources responsibly and for the intended administrative purposes. Employees may not use their account for personal gain. Solicitation for outside business ventures, personal parties, or religious causes, not connected to the City's business are prohibited.

The use of computing and network resources should always be legal and ethical, reflect honesty, and show restraint in the consumption of shared resources. The City prohibits any use that violates policy, including harassing or illegal messages, demeaning insulting, defaming, intimidating, or sexually suggestive messages. Additionally, foul, inappropriate, or offensive messages, such as racial, sexual, or religious slurs are prohibited.

Employees should demonstrate respect for intellectual property, ownership of data, system security mechanisms, the right to personal privacy, and the right of individuals to freedom from intimidation and harassment. Employees must adhere to copyright and licensing agreements and should become familiar with those for each specific product before using it.

The City of Pittsburg owns computer accounts; but grants use of them to City employees. Electronic files, including e-mail files of City employees are potentially subject to public inspection and copying under the Kansas Open Records Act, which states that all records maintained in public offices or by public employees within the scope of their employment are presumed to be public records. Confidential information placed in computers must be protected appropriately. Employees, who have access to privileged or sensitive information, have an obligation to keep it confidential. Retention of files timelines can be obtained from the Information Systems Manager.

The IS department will automatically archive individual employee's deleted e-mail for thirty days, after which time the e-mail will be permanently deleted. Mailboxes are backed up daily to a magnetic tape and are rotated on a two week rotation cycle.

Employees should not give their password to any unauthorized user and should take advantage of system-provided protection measures to prevent unauthorized use of or access to the employee account, their computer, and its network. If an employee ceases to be employed by the City, is assigned new responsibilities, or takes a new



Section Number: 4
Effective Date: January 18, 2009

Policy Number: 403
Page: 50 of 149

position, account and access authorization will be reviewed and appropriate necessary changes will be made. Employees may not use facilities, accounts, access codes, privileges, or information which they are not authorized to use.

The City has an obligation to prevent "pirated" software from being used on our system; therefore the Information Systems Manager has been authorized to scan hard disks from time to time to see what programs are loaded. Scanning is also used to audit the versions of authorized software that are being used so upgrades can be ordered properly.

Employees must not attempt to access, copy, or destroy programs or files that belong to the City, nor use City computing resources for unauthorized monitoring of electronic communications. Employees must not create, run, install, or knowingly distribute a computer virus, Trojan horse, or other surreptitiously destructive program, e-mail, or data via any City computer or network facility, regardless of whether it results in demonstrable harm. City computers must not be used to annoy, harass, threaten, intimidate, terrify or offend another person, disrupt or damage another person's work, or invade another's privacy. Sending electronic chain letters, spamming, spoofing, and engaging in resource-intensive activities unrelated to City functions are also prohibited. Violation of this policy may result in revocation or suspension of access privileges, in disciplinary action, or legal sanctions.

Employees are directed to contact the Information Systems manager *prior* to downloading any file from Internet or other sources. Internet access is a privilege extended by the City of Pittsburg which may be withdrawn at any time.

The City Manager may authorize a department head to access the system through the Information Systems Manager in order to retrieve a file.



Section Number: 4
Effective Date: January 18, 2009

Policy Number: 404
Page: 51 of 149

404 - USE OF CITY PROPERTY AND FACILITIES

Employees may use City equipment and supplies only for work-related purposes. City computers, telephones, long-distance authorization codes, fax machines, cell phones, photocopying machines, vehicles, machinery, tools, disposable supplies, and other equipment and materials may not be used for personal activities. City equipment may not be discarded, but must be disposed of in accordance with established procedures. City bulletin boards, except for designated ones may not be used for private or commercial activities. The internal mail service may be used only for City purposes. Unauthorized or personal use of equipment or supplies may be grounds for dismissal.

An emergency or other unforeseen and extraordinary situation that requires employees to use a long distance authorization code, photo copy or other service for personal purposes, should make reimbursement promptly to the City, credited to the specific cost center to which the original charge was made.

When City facilities are not required for regularly-planned business and programs, they may be made available for extracurricular use. It is an objective of the City to provide opportunities to the community. It must be made clear that the City neither supports nor opposes the views stated by or the candidacy and or actions of such individuals.

Reservation and scheduling information for the use of City buildings and facilities is available from the City Manager's Office.

While visitors are welcome, employees should not have children, other family members, or friends as a regular presence in the workplace. Exceptions may be made in response to special circumstances for short periods of time and must be approved by the supervisor.



Section Number: 4
Effective Date: January 18, 2009

Policy Number: 405
Page: 52 of 149

405 - NEGLECT AND MISUSE OF CITY PROPERTY

It is the intent of the City of Pittsburg to ensure that all property maintained by the City is kept in the best possible working condition and to ensure proper utilization. Property shall be defined as any piece of equipment, furnishings, vehicle, building or supply leased, owned, donated or otherwise in the custodial care of the City or any person acting as its agent.

It is the responsibility of each employee to maintain his/her work environment in an orderly fashion and follow all City guidelines to ensure its proper use and maintenance. Should any employee have knowledge of any misuse, he/she must notify his/her supervisor immediately.

Any employee found to neglect or misuse of City property will be subject to disciplinary procedures up to and including termination. If the negligence is determined to be gross, the City will expect remuneration for part or all of the replacement cost.

Misappropriation of City property is grounds for immediate termination and possible criminal prosecution.



Section Number: 4
Effective Date: January 18, 2009

Policy Number: 406
Page: 53 of 149

406 - CITY VEHICLES

Where driving is an essential job duty, the employee must possess a valid driver's license appropriate for the type of vehicle(s) being driven. In addition, they must be authorized, approved and/or certified to drive any vehicle necessary to perform the essential functions of the position.

It is the responsibility of the driver to ensure the vehicle is in full operating condition before each use. Any vehicle found to be unsafe should be reported to their supervisor.

Take home vehicles will be assigned to employees who meet the following conditions:

1. Employees that are subject to regular after-hours callouts for emergencies, with preference given to management and supervisory personnel.
2. Callout work must involve need for rapid response to protect life and property.
3. Temporary assignment of vehicles may be made for seasonal work, emergency situations, or anticipated after hours work.
4. Employees taking vehicles home must live within a 6 mile radius of the City limits.



Section Number: 5
Effective Date: January 18, 2009

Policy Number: 500
Page: 54 of 149

Table of Contents

500 - WORK BREAKS	55
501 - HOLIDAYS	56
502 - VACATION.....	57
503 - HEALTH INSURANCE	59
504 - HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT	60
505 - CONTINUATION OF BENEFITS	62
506 - SICK LEAVE POOL	63
507 - SECTION 125 FLEXIBLE SPENDING ACCOUNTS.....	66
508 - LIFE INSURANCE AND DEATH BENEFITS	67
509 - LONG TERM DISABILITY	69
510 - COUNSELING ASSISTANCE.....	70
511 - SOCIAL SECURITY	71
512 - TRAINING AND DEVELOPMENT	72
513 - EDUCATION ASSISTANCE	73
514 - UNEMPLOYMENT COMPENSATION.....	74
515 - RETIREMENT.....	75



Section Number: 5
Effective Date: January 18, 2009

Policy Number: 500
Page: 55 of 149

500 - WORK BREAKS

Although not required, City employees may be given work breaks (rest periods) when the work schedule permits. In conjunction with recommendations by supervisors, each department head will approve the availability, time, length, and location of breaks for his or her employees. Departmental directives for break time and locations will consider the nature of the work or services to be performed by the employees in each Department.

Employees will be granted one unpaid lunch break per work day. The time and length of the daily lunch break for each employee will be recommended by supervisor to the department head. Departmental schedules will take into consideration the nature of the work or services to be performed and desired staffing levels for employees in each department. Some exceptions to this policy exist for police officers, firefighters, and some employees working in 24 hour shift departments.



Section Number: 5
Effective Date: January 18, 2009

Policy Number: 501
Page: 56 of 149

501 - HOLIDAYS

Full time employees are eligible for the following official holidays:

- New Year's Day
- Martin Luther King's Birthday
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Friday following Thanksgiving
- Christmas Day

The City Manager may designate an additional or floating holiday. . Firefighters are awarded 11.2 hours for this additional day; however they must be employed on the designated floating day in order to receive compensation for the floating holiday.

Firefighters terminating employment with the City will have holiday(s) pro-rated according to the number of months the employee worked. If an employee has taken more holiday hours than they have accrued, the hours taken in excess will be deducted from the employee's final check.

When a holiday occurs on a weekend, the City Manager will determine if the holiday will be observed on the preceding Friday or Monday following the holiday. Employees assigned a work schedule which requires work on a regularly-scheduled holiday, may be granted time off on another date that is mutually acceptable to the Department Head and employee. If the workload in the department makes it difficult to arrange an alternate day to observe the holiday, employees may be paid for the holiday, at the regular pay rate, in accordance with provisions of the Fair Labor Standards Act (FLSA).

FLSA does not require payment for time not worked, such as vacation, sick leave or holidays (federal or otherwise).



Section Number: 5
 Effective Date: January 18, 2009

Policy Number: 502
 Page: 57 of 149

502 - VACATION

Vacation benefits begin accruing on the hire date. Vacation is cumulative and is added to the employee's vacation balance as it is earned; however, maximum allowable accumulation limits exist.

Vacation must be earned before it can be used. Employees continue to earn vacation at their normal earning rate when they are on leave with pay. Vacation accrual is pro-rated during a month in which an employee is on leave without pay for ten or more days.

Employees may request vacation at any time. Requests may be made in writing, in advance and must be approved by the employee's supervisor. Supervisors may require that employees take vacation at those times when it will be most convenient for and least disruptive to the department. If an employee exhausts their earned vacation, compensatory time may be taken. However, employees cannot use sick leave for vacation purposes.

Vacation Accrual at termination of employment with the City for any reason, will be paid as a lump sum payment. Vacation is credited at the end of every payroll cycle. The employee's last month of vacation accrual will be pro-rated based on the actual termination date.

If a full time employee drops down to part time status, all unused accrued vacation will be paid in a lump sum at that time.

From the beginning of	Through the end of	Pay Period	Annually	Maximum
1st year	6th year	3.38 Hours	88 Hours	220 Hours
7th year	14th year	5.23 Hours	136 Hours	340 Hours
15+		7.23 Hours	188 Hours	470 Hours



Section Number: **5**
Effective Date: January 18, 2009

Policy Number: 502
Page: 58 of 149

Fire Department

From the beginning of	Through the end of	Pay Period	Annually	Maximum
1st year	6th year	4.62 Hours	120 Hours	312 Hours
7th year	14th year	7.38 Hours	192Hours	480 Hours
15+		10.15 Hours	264 Hours	660 Hours



Section Number: 5
Effective Date: January 18, 2009

Policy Number: 503
Page: 59 of 149

503 - HEALTH INSURANCE

The City provides a self-insured medical plan which is administered by a third-party administrator. Eligible full time regular employees who consistently work forty hours per week and eligible dependents, eligible retirees, or eligible disabled employees, may enroll in the City's health insurance plan. However, a timely enrollment is required. Qualifying employees need to enroll within thirty days of their initial employment or qualifying event.

The City pays a portion of the monthly premium costs, and the employee contribution of the premium will be obtained through a payroll deduction.

Visit or call Human Resources for specific details of the City's health insurance plan, including eligibility criteria, enrollment forms, plan benefits and exclusions, premiums, and lists of participating physicians, hospitals, and other health care providers.



Section Number: 5
Effective Date: January 18, 2009

Policy Number: 504
Page: 60 of 149

504 - HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT

As the plan sponsor of a group health plan, the City of Pittsburg has a responsibility to comply with the Health Insurance Portability and Accountability Act (HIPAA).

The City has an obligation to protect an employee's identifiable health information. Individually identifiable health information is considered private health information (PHI). PHI that is transmitted by electronic media, or transmitted or maintained in any other form or medium is information that is a subset of health information, including demographic information collected from an individual, and:

- Is created or received from a health care provider, health plan, employer or health care clearinghouse.
- Relates to the past, present or future physical or mental health or condition of an individual, the provision of health care to an individual or the past, present or future payment for the provision of health care to an individual; and which identifies the individual; and with respect to which there is a reasonable basis to believe the information can be used to identify the individual.

The Human Resources Manager will act as Privacy Official as required. The group health plan will disclose PHI to the City only on receipt of a certification by the City that the plan document has been amended and identifies who will receive the PHI, and the reason for its receipt.

PHI can be used, without specific authorization from employees, for treatment, payment, and health care operations (referred to as TPO). Payment includes the functions of paying claims, providing reimbursement and conducting the other functions associated with payment. Health care operations include the services or activities necessary to carry out the functions of the covered entity, such as quality assessment, auditing, underwriting or premium rating, etc. HIPAA requires that privacy notice inform employees of how their PHI can be used, and educates them regarding their rights concerning their PHI. It also informs them of the individual or the office to whom they can take complaints of a privacy violation.

Complaint Resolution

Progressive discipline will be administered for privacy violations. The complaint process will be as follows:

Employees may report allegations of PHI violations to the Human Resources Manager. They may discuss with the Human Resources Manager any situation which they believe may constitute a violation of HIPAA. The Human Resources Manager must investigate



Section Number: 5
Effective Date: January 18, 2009

Policy Number: 504
Page: 61 of 149

every allegation, including informal and third party reports. The investigation shall be appropriate to the complaint, taking into consideration its seriousness, the extent to which it is or can be substantiated, and the nature of resolution desired by the complainant. The investigation must be initiated within five working days after the complaint is made.

Upon receiving a complaint, the HR Manager will interview the complainant to compile as much specific information as possible, including the nature of each incident, the time, place, and actual or potential witnesses, and other pertinent facts or allegations.

The HR Manager will explain the City's obligation to investigate and take appropriate corrective action. The HR Manager will present options for resolution of the complaint, including actions which the complainant can take.

The HR Manager will meet with the person accused of violating policy and present the allegations and attempt to resolve the issues. If resolution cannot be reached, a formal grievance can be initiated as outlined in the Employee Handbook.

Human Resources will maintain a record of complaints and resolutions with a brief explanation. No retaliation for filing a complaint, supporting a complainant or participating in any way in investigation/resolution of the complaint will be tolerated. In addition Human Resources will document all actions relevant to HIPAA compliance and maintain them for the six-year record retention period.

If an employee asks the benefits administrator to assist with a claim and the benefits administrator needs to get PHI from the insurer to intercede, HIPAA will require a signed authorization from the enrollee. An authorization must state the purposes for which access to PHI is to be granted. It must specify a date certain on which it will terminate.

Items such as pre-employment physicals, fitness for duty exams or drug screenings, are considered part of the employee's personnel file and not considered PHI. Requests under the Family and Medical Leave Act and the Americans with Disabilities Act, and the data supporting these requests which comes from the employees' physicians is not considered PHI and will not become so unless it is co-mingled with material from the group health plan.



Section Number: 5
Effective Date: January 18, 2009

Policy Number: 505
Page: 62 of 149

505 - CONTINUATION OF BENEFITS

The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) provides for continuation of benefits for eligible employees if employment with the City is terminated for any reason other than as a result of gross misconduct. Employees may continue coverage, at their own expense, for up to eighteen months or until covered by another plan, whichever comes first, under the provisions of COBRA. Covered dependents may also be eligible for COBRA coverage under certain circumstances. Detailed information about the specific provisions of COBRA coverage is available from Human Resources.



Section Number: 5
Effective Date: January 18, 2009

Policy Number: 506
Page: 63 of 149

506 - SICK LEAVE POOL

Purpose - To help fellow employees, who are pool members, by furnishing a continuing income to those members who are faced with a personal major illness or accident and have used all of their individual sick, vacation, compensatory time, and holiday leave. A personal major illness or accident is defined as a serious, extreme, or life-threatening illness, injury, impairment, or mental condition that has caused, or is likely to cause, the employee to take leave without pay. This Pool is only for personal illness of the employee, the employee's spouse, the employee's child, or the employee's parent. For employees the Pool is designed to bridge time between expiration of sick leave, vacation, compensatory time, and holiday pay and coverage by long term disability insurance. The Employee Committee will be responsible for the administration of the Sick Leave Pool.

Membership - All full-time City personnel may join the Sick Leave Pool upon meeting the following requirements. Membership in the Pool is optional and is not a mandatory condition of employment. Sick leave days are the only contribution required by the employee.

1. All employees desiring membership will be required to sign a form stating they wish to join the Pool. Withdrawal from the Pool will require a 30-day notice, in writing, filed with the HR department.
2. All new employees may join upon employment and for up to a period of one year from initial employment date. These employees are considered members of the pool when they have accrued and donated two (2) days of sick leave to the pool.
3. Employees with over one year of service may make application to join the pool and will be members of the pool when they have donated two (2) days of sick leave to the pool. Should an employee join after one year's employment he or she will be subject to some withdrawal restrictions outlined below.
4. In the event the pool drops below 400 days, the committee will assess each member additional hours to donate to the pool until the pool again has a minimum of 400 days.
5. **MEMBERS OF THE POOL WILL FORFEIT ALL RIGHTS TO DAYS THEY DONATED; THOSE DAYS BELONG EXCLUSIVELY TO THE POOL.**
6. Employees will abide by the decision of the Employee Committee, whose decision will be final.



Section Number: 5
Effective Date: January 18, 2009

Policy Number: 506
Page: 64 of 149

Former Members / Termination of Employment - Former members of the Pool or former employees retain no rights or interests in the Pool following their withdrawal from the pool or termination of employment with the City.

Termination of the Pool - If it is ever decided that the Pool should cease to exist, donations to the Pool will be stopped. The Employee Committee will continue to withdraw days as requested and approved until all donated days have been used. At that time, the Pool will cease to exist.

Eligibility - An employee who joined the pool and made all required contributions to the pool, will be eligible to make application to the pool, for emergency situations provided the employee has used all of their sick leave, vacation, compensatory time, and holidays. Leave will be granted on the Committee's approval and on the criteria outlined in the Procedure to Use the Pool section below.

Employees who join within their first year of employment and have made the initial contribution will be eligible to make application for withdrawal from the pool.

Employees who joined after their first year of employment cannot apply for a withdrawal from the pool until after they have one year's eligibility in the pool.

Procedure to Use the Pool

An employee who is a member of the pool may request time from the pool, however, request of less than or equal to the normal amount of shifts an employee would have worked in a pay period will not be considered. Employees who desire sick leave for periods equal to or less than one pay period may petition the City Manager for an advance of sick leave. The maximum amount of sick leave that can be advanced by the City Manager is (1) The number of shifts the employee would have worked in the pay period in which the employee was ill, or (2) The number of shifts in the pay period for which the leave is being requested in advance. The City Manager has the sole authority to grant or reject the request.

1. Eligible employees shall submit a written letter to HR, requesting withdrawal of days from the pool with the following information: name, letter from their doctor specifying the nature of their illness, and the earliest date the doctor plans to release the employee to return to work. The employee must sign a HIPAA release of information to be attached with the request. This release can be obtained through a HR representative.
2. When a properly documented request is received, the Human Resources Manager will contact the other members of the Employee Committee to convene



Section Number: 5
Effective Date: January 18, 2009

Policy Number: 506
Page: 65 of 149

a meeting regarding the employee's request, within five working days of the receipt of the request, or sooner depending on the urgency of the request.

3. An employee who has received an advance in sick leave from the City Manager and requires additional leave may do so. The documentation in the request must be as outlined above. The Employee Committee may, at its discretion, based on the circumstances of the employee, elect to grant hours previously advanced by the City Manager in addition to those currently being requested and those additional hours being applied to the employee's sick leave account.
4. The Employee Committee may require additional information from the requesting employee during the employee's use of the Pool days. Failure to provide such information in a timely manner will result in revocation of any future use of previously approved Pool days and termination of the employee from the Sick Leave Pool.

Employee Committee Responsibilities - The Employee Committee will be responsible for reviewing the applications for withdrawal of Sick Leave Pool days, determining the completion and credibility of the applications, making any additional requirements upon the employee.

Voting – Any member of the Employee Committee, who is a member of the Pool and eligible to make a request from the Pool, may vote on an employee request for a withdrawal from the Pool. There must be a quorum of at least one member from each department present. The requesting employee's Department Head may also be present, and if an eligible member of the Pool, be allowed to vote. Votes will be cast by secret ballot. A request must have a 2/3 or greater majority of votes to pass.

The Committee has the sole discretion to award any, all, or none of the days requested to be drawn from the Pool. Any appeals of a request are to be made to the Employee Committee. **MEMBERSHIP IN THE POOL DOES NOT AUTOMATICALLY GUARANTEE THE RIGHT TO DRAW DAYS. IT IS THE RESPONSIBILITY OF THE COMMITTEE TO MAKE SURE THAT THE POOL IS NOT ABUSED.**



Section Number: 5
Effective Date: January 18, 2009

Policy Number: 507
Page: 66 of 149

507 - SECTION 125 FLEXIBLE SPENDING ACCOUNTS

The City offers flexible spending accounts, under a Section 125 cafeteria plan, which allows employees to use pre-tax dollars to pay for un-reimbursed medical expenses and care for dependents. Each year, employees may designate a portion of their salary which will be placed in an individualized account before federal, state, and social security taxes are deducted. Employees are then reimbursed from their account(s) for eligible health or dependent care expenses. The flexible spending account(s) may allow employees to reduce their personal tax liability while increasing discretionary income. The City offers two types of flexible spending accounts: Dependent Care and Health Care.

Although employees may set up both types of account, employees cannot use funds set aside in the medical care reimbursement account to pay for dependent care; or dependent care reimbursement account to pay for medical expenses. It is important, therefore, to estimate the needs for each purpose as accurately as possible at the beginning of every year and to anticipate any changes that may occur during the calendar year, such as your pre-school child starting kindergarten in the fall. Any unused funds in these accounts cannot be refunded to the employee; they are on a use it or lose it basis.



Section Number: 5
Effective Date: January 18, 2009

Policy Number: 508
Page: 67 of 149

508 - LIFE INSURANCE AND DEATH BENEFITS

The City contributes 50% of the premium for a \$10,000 term life insurance policy for full time eligible employees. Optional employee and dependent life is also available.

Upon meeting eligibility for the Kansas Public Employee Retirement System, employees have basic group life insurance equal to 150 percent of their annual salary. In addition, employees may elect optional life coverage in amounts from \$5,000 to \$250,000 in \$5,000 increments. New employees are eligible for an initial \$50,000 of guaranteed coverage *without* proof of good health within 30 days of their hire date. Employees must provide proof of good health for amounts over \$50,000. Optional life insurance premiums are automatically deducted from the employee's pay.

Employees may start or increase coverage at *any time* with proof of good health.

In addition, employees can enroll for or increase coverage by up to \$25,000 *without* proof of good health when employees have a family status change like marriage, divorce, birth or adoption. With the "Accelerated Death Benefit," if the employee is diagnosed as terminally ill with 12 months or fewer to live, they may be eligible to receive up to 100 percent of the life insurance *instead* of the beneficiary receiving a death benefit.

Kansas Police and Firemen's Retirement System

KP&F death benefits are automatically paid to the spouse and/or eligible children. Children are eligible up to age 18, or 23, if a full-time student. If a KP&F member is unmarried and has no eligible children, the designated beneficiary receives a one-time lump-sum benefit.

Service Connected Death

The employee's spouse receives an annual benefit of 50 percent of the employee's final average salary in on-going monthly payments for the rest of his or her life. Eligible children also receive an annual benefit of up to 10 percent of the final average salary. The maximum total benefit is 75 percent of the final average salary. If there is no surviving spouse or eligible children, the designated beneficiary receives a lump sum equal to the employee's current annual salary.

Non Service Connected Death

The employee's spouse receives a lump-sum payment of 100 percent of the employee's final average salary, plus an annual benefit of the final average salary x 2.5 percent x years of service in on-going monthly payments for the rest of his or her life. The



Section Number: 5
Effective Date: January 18, 2009

Policy Number: 508
Page: 68 of 149

maximum annual benefit is 50 percent of the final average salary. If no surviving spouse exists, eligible children share the benefit. If no surviving spouse or eligible children exist, the designated beneficiary receives a lump-sum equal to the employee's current annual salary.

Optional Life Insurance for Active Members

In addition, employees may elect optional life coverage in amounts from \$5,000 to \$250,000 in \$5,000 increments. New employees are eligible for an initial \$50,000 of guaranteed coverage *without* proof of good health within 30 days of their hire date. Employees must provide proof of good health for amounts over \$50,000. Optional life insurance premiums are automatically deducted from the employee's pay.

Job-Related Death

If an employee dies from an on-the-job accident, the beneficiary will receive a monthly benefit based on 50 percent of the final average salary, less Workers' Compensation. The minimum benefit is \$100 per month. He or she will also receive a \$50,000 lump-sum payment. This is in addition to the life insurance and returned contributions.



Section Number: 5
Effective Date: January 18, 2009

Policy Number: 509
Page: 69 of 149

509 - LONG TERM DISABILITY

The City provides employees eligible for membership in the Kansas Public Employees Retirement System (KPERS) or the Kansas Police and Firemen's Retirement System (KPFERS) long-term disability benefits.

KP&F disability is defined as occupational rather than total disability as required for KPERS disability. Proof of continuing disability is required annually for the first five years of disability.

For KPERS disabled employees may qualify for a disability benefit based on 60 percent of their annual salary. They must be disabled for 180 days and no longer receive employer compensation. In addition, they must apply for Social Security benefits and complete all appeal process. The City provides this long-term disability benefit. Employees continue receiving service credit and basic life insurance coverage for approved disability periods. They may also continue any optional insurance coverage. For KP&F, benefits are classified as service connected or non-service connected. A "service-connected" disability includes any disability resulting from heart disease or a disease of the lung or respiratory tract, as well as cancer resulting from exposure to heat, radiation or a known carcinogen, if the member has at least five years of credited service.



Section Number: 5
Effective Date: January 18, 2009

Policy Number: 510
Page: 70 of 149

510 - COUNSELING ASSISTANCE

The City has established a relationship with Crawford County Mental Health which provides employees and family members, with personal and professional dilemmas, an opportunity to seek assistance. The Crawford County Mental Health Center will work with the City's medical insurance in an effort to make this benefit available. This is a resource to help with counseling, consultation, and child and family services in areas of concern which could include substance abuse, marital discord, family conflicts, job stress, self-doubt/low self-esteem, adjustment to divorce, bereavement, aging parents, legal and financial problems, physical and emotional problems, etc. Participation is strictly confidential. Contact Human Resources for further information.



Section Number: 5
Effective Date: January 18, 2009

Policy Number: 511
Page: 71 of 149

511 - SOCIAL SECURITY

City employees, with the exception of firefighters and police officers, are covered by federal Social Security insurance. The employee pays a portion of the tax to fund this coverage which is withheld as a percentage of the employee's gross salary. The City pays a matching amount which is credited to the employee's account. The percentage of the employee's gross salary which is withheld for Social Security and Medicare is set by federal law. Any questions about benefits under the Social Security system should be addressed to the local Social Security Administration office.

Employees may request specific information about their Social Security account, and should do so periodically, to ensure that their account is being credited properly. The Social Security Administration requires, for the employee's benefits protection that the name under which they are paid and to which the Social Security payments are credited must be identical to the name on the employee's social security card.



Section Number: 5
Effective Date: January 18, 2009

Policy Number: 512
Page: 72 of 149

512 - TRAINING AND DEVELOPMENT

Human Resources coordinates program(s) for employee development designed to help employees work more efficiently and manage relationships and other life activities more effectively. General or customized training is available to departments, and other City units. Human Resources provide assistance with supervisor development program(s) which offer courses designed to help supervisors increase and improve their skills. For information about scheduled classes and other resources, or to suggest programs that would be helpful, e-mail or call Human Resources. All staff is encouraged to attend employee development and training sessions offered. Employees should discuss training with the employee's department head to help determine which training opportunities are job related.



Section Number: 5
Effective Date: January 18, 2009

Policy Number: 513
Page: 73 of 149

513 - EDUCATION ASSISTANCE

The City of Pittsburg will provide opportunities for career development in the form of General Education Development Programs (GED), Adult Education and Literacy Programs, Certification Programs, Specialized Training Programs and degree programs to eligible employees.

All full-time employees with one or more years of service may qualify for career development/education benefit for job-related programs and courses. Approval of the employee's supervisor and Human Resources is required prior to enrollment.

For Degree or Certification programs, the benefit provides eligible full-time employees 50% tuition reimbursement if the course work is directly related to the employee's job responsibilities. Employees must provide proof of payment to receive reimbursement. The employee is required to receive a C or higher grade and submit a copy of grade(s) to Human Resources. If the course is on a pass/fail basis, the employee must pass. If the applicant receives an incomplete, withdraws from the course, or receives a grade lower than a C, the applicant must reimburse the City.

Employees shall be required to sign a promissory note of re-payment. If an employee terminates employment while enrolled, the City will not cover the applicable enrollment period. If a payment has been made for the enrollment period, the City may deduct the amount paid from the employee's final check.

Employees may take courses during their normal working hours with prior approval of the Department Head, if absence during scheduled class times does not significantly impair normal department routine or burden other staff members. Absence for classes during normal working hours must be made up at times mutually agreed upon with the Department Head. Time off to attend a class during working hours may be approved as comp time or vacation or the time off may be made up provided it does not put the employee in an overtime status.



Section Number: **5**
Effective Date: January 18, 2009

Policy Number: 514
Page: 74 of 149

514 - UNEMPLOYMENT COMPENSATION

The City contributes to the state unemployment insurance fund, and under certain circumstances, employees may be eligible for unemployment compensation benefits when no longer employed by the City.



Section Number: 5
Effective Date: January 18, 2009

Policy Number: 515
Page: 75 of 149

515 - RETIREMENT

Federal law requires that all City employees must make a contribution to the Federal Insurance Contribution Act (FICA). In addition, Kansas law requires eligible members to participate in either the Kansas Public Employees Retirement System (KPERs) or the Kansas Police and Firemen's Retirement System (KPFRS). The City matches an established contribution based on the employee's gross earnings. Interest paid is determined by the employee's membership date and their contributions earn interest annually.

Benefits received are based on years of service credit and age. Vesting, based on year(s) of service is required to receive a monthly retirement benefit. Additional information is available through Human Resources or by contacting KPERs or KPFRS directly.

Employees working over 1,000 hours are eligible for participation in a 457 deferred compensation plan. International City/County Management Association Retirement Corporation, (ICMA-RC) helps establish and maintain retirement plans exclusively for state and local governments.

Through a deferred compensation plan, employees can build retirement investments and reduce payroll taxes by participating in a wide array of investment options. For more information, contact Human Resources or ICMA.



Section Number: 6
Effective Date: January 18, 2009

Policy Number: 600
Page: 76 of 149

Table of Contents

600 - ABSENCE FROM WORK	76
601 - ATTENDANCE AT MEETINGS AND CONFERENCES.....	77
602 - SICK LEAVE	78
603 - FAMILY MEDICAL LEAVE ACT.....	80
604 - MILITARY FAMILY AND MEDICAL LEAVE.....	84
605 - BEREAVEMENT LEAVE	85
606 - COURT AND JURY LEAVE.....	86
607 - TIME OFF TO VOTE.....	87
608 - LEAVE OF ABSENCE WITHOUT PAY.....	88
609 - MILITARY LEAVE	89

600 - ABSENCE FROM WORK

If an employee must be absent from work for any reason, he/she is responsible for notifying the department within the first hour of the regularly-scheduled time for reporting to work. The department has the option of requiring earlier notification. If an employee or designee does not notify the department that they will be absent, the absence will be considered unauthorized and may result in disciplinary action. If an employee does not report an absence for three days, the City may initiate termination paperwork due to job abandonment.



Section Number: **6**
Effective Date: January 18, 2009

Policy Number: 601
Page: 77 of 149

601 - ATTENDANCE AT MEETINGS AND CONFERENCES

Employees are encouraged to attend professional meetings, when attendance is beneficial to both the employee and the City. Brief leaves from official duties may be granted by the department head for attendance at such meetings when circumstances permit. The City may reimburse for travel expenses when travel funds are available and to the extent allowed by the City's travel policy. Applications for leave and for travel allowances in connection with attendance at professional meetings must be approved in advance. Non-exempt employees can contact Human Resources for information about Fair Labor Standards Act provisions for travel time.



Section Number: 6
Effective Date: January 18, 2009

Policy Number: 602
Page: 78 of 149

602 - SICK LEAVE

Full time employees accrue sick leave at the rate of 3.69 hours per pay period, up to a maximum accrual of 1,200 hours. Fire department employees accrue sick leave at the rate of 11.08 hours per pay period, up to a maximum accrual of 1,680 hours. Sick leave is intended for the use of city employees, but may also be used for sicknesses and illnesses of immediate family members. For the purpose of this policy, immediate family includes the employee's father, mother, sister, brother, spouse, child, grandchild, grandparents, in-laws, or anyone acting as parent or guardian.

Employees accrue sick leave only when they are in a paid status, including when on leave with pay. Employee's sick leave will be pro-rated for any calendar month during which leave without pay for ten or more days occurs

Sick leave is granted on the basis of work days, not calendar days. Non-work days, such as holidays and weekends, are not charged to sick leave. Sick leave may not be used in addition to or instead of vacation, but is to be taken only when an employee must be absent from work because of illness or injury or to keep an appointment with a health care provider.

An employee's leave will be charged for absences from work because of an illness or injury or for any other reason that qualifies for sick leave. Employee's leave will be charged in the following order: (1) sick leave, (2) compensatory time, holidays, and vacation, (3) leave without pay.

Planned absences should be requested to the supervisor, as early as possible. Employees must notify or have someone notify the supervisor within the first hour of the scheduled work day. Some departments may require earlier notice. Notification should be made on the first day of absence and on each subsequent work day. A statement from a health care provider defining a range of time the employee is expected to be absent because of illness or injury is acceptable.

Employees absent due to illness or injury for five or more consecutive days may be asked to furnish a written physician statement. In addition, supervisors may require physician documentation with excessive use of sick time or suspected abuse of the benefit. Fraudulent claims of illness or injury and patterns of abuse of sick leave may result in disciplinary action.

The City will make every effort to accommodate the employee recuperating from an injury, an illness, or surgery when the health care provider approves return to work but places restrictions on what can be done, A health care provider will have to document any restrictions prior to employee returning to work. For some positions, a physical



Section Number: **6**
Effective Date: January 18, 2009

Policy Number: 602
Page: 79 of 149

assessment may be required. Supervisors will review restrictions to determine if the job responsibilities can be carried out within the imposed limitations. Health Care providers can contact Human Resources to obtain the job description, and the City may consult with additional health care providers for a second opinion, when necessary.



Section Number: 6
Effective Date: January 18, 2009

Policy Number: 603
Page: 80 of 149

603 - FAMILY MEDICAL LEAVE ACT

The federal Family Medical Leave Act (FMLA) entitles employees who meet the definition of eligible employee (see below), a total of twelve work weeks of leave during a twelve-month period. To be eligible for FMLA leave, employees must have been employed by the City for at least twelve months and must have worked at least 1,250 hours during the twelve-month period prior to the beginning of the leave.

When the City becomes aware that the requested leave is covered by the FMLA, it has the responsibility to notify the employee that they have been placed on FMLA leave. A supervisor can conditionally approve FMLA until receipt of a certification issued by the health care provider of the employee is obtained. The employee shall provide certification within 5 business days, with an outside limit of 15 days within which the employee must respond to all requests for certification.

Once the City receives the certification, it must notify the employee if the certification is insufficient and explain why. The employee then has 7 calendar days to correct the problem. The City must determine if the leave will qualify as FMLA leave within five business days of the time request, or if there is not sufficient information to make the determination, at the point the information becomes available. If the City learns that leave qualified for FMLA after leave has begun or within five work days of return to work, the entire leave or a portion of it may be counted retroactively as FMLA leave.

Employees are granted leave in the following situations:

- The birth of a child
- The placement of a child for adoption or foster care,
- The care of a newborn or newly-placed child, or
- The care of a spouse, parent, son, or daughter with a serious health condition
- Employees unable to work due to their own serious health condition.

If husband and wife are both employed by the City, they are entitled to a total of twelve weeks leave, rather than twelve weeks each, for the birth or adoption of a child or to care for a sick parent. However, each employee is entitled to twelve weeks of FMLA leave for their own serious health condition or to care for their child or spouse. Married couples are entitled to a combined annual total of twelve weeks of FMLA leave to care for their own parents (not parents-in-law).



Section Number: 6
Effective Date: January 18, 2009

Policy Number: 603
Page: 81 of 149

Use of FMLA leave for the employee's serious health condition or to care for a seriously ill child, spouse, or parent must be supported by a certificate issued by a health care provider. The certificate must contain the following information:

1. The date on which the serious health condition began
2. The probable duration of the condition
3. The appropriate medical facts within the knowledge of the health care provider regarding the condition
4. If the FMLA leave is to care for a family member, the certificate must contain a statement that the employee is needed to care for the child, spouse, or parent, and an estimate of the anticipated duration.
5. If the statement is for the employee's serious health condition, a statement that they are unable to perform the functions of the job must be included.

Human Resource professionals are allowed to contact an employee's health care provider for the sole purpose of clarifying a medical certification.

When the necessity for FMLA leave is foreseeable, employees should provide the City with a completed Certificate of Health Care Provider form thirty days before leave begins. If circumstances require that the leave begin in less than thirty days, employees should provide as much notice as possible. In cases of illness, employees may be required to report periodically on the status of their condition and their intention to return to work. Employees may be required to provide recertification on a reasonable basis, but not more often than every thirty days. Any medical information submitted will be considered confidential.

The twelve-month period during which employee's may take up to 12 weeks of FMLA leave begins on January 1. The actual amount of FMLA leave employees use in association with the child's birth or adoption should be mutually agreed upon with the Department Head, taking into account the health care provider's recommendations and any birth-related complications or serious health conditions.

Family and medical leave is leave without pay. However, the City requires employees to use accrued paid leave for as much of the twelve-week period as it will cover. If the employee's illness or injury is the result of a Workers' Compensation claim and the employee is receiving benefits, unpaid leave may be granted. Compensatory time off may be used, but must be exhausted before employee's are granted leave without pay. However, compensatory time cannot be used to extend FMLA leave. For the birth of a



Section Number: 6
Effective Date: January 18, 2009

Policy Number: 603
Page: 82 of 149

healthy child, male employees are limited to the use of two (2) weeks sick leave. After that, compensatory, vacation or holiday paid time off may be taken.

FMLA leave may be taken intermittently or on a reduced leave schedule under certain circumstances.

1. If FMLA leave is taken on an intermittent or reduced leave (part-time) schedule, it will not reduce the total amount of FMLA leave to which an employee is entitled. Only the amount of leave actually taken is counted toward the twelve-week entitlement.
2. Employees may take FMLA leave intermittently when it is medically necessary. The leave is foreseeable due to planned medical treatment, the supervisor or department may require a transfer temporarily to an available alternative position with equivalent pay and benefits but which better accommodates recurring periods of leave.
3. When FMLA leave is taken for the birth of a child or the placement of a child for adoption or foster care, the leave may be taken intermittently only if the supervisor agrees to the proposed arrangement. With supervisor approval, employees may work part-time after the birth or placement of the child or take FMLA leave in several segments, up to the twelve-week cumulative limit.
4. With medical certification pregnant women may take FMLA leave before the birth of the child.
5. Leave required prior to the placement or adoption or foster care of a child is covered under FMLA.
6. Intermittent or reduced leave schedules may be used to care for a family member in a situation where the family member's condition is intermittent, when care responsibilities are shared, or to make arrangements for changes in the family member's care, such as a transfer to a nursing home.
7. Intermittent FMLA leave may be used for the employee's own serious health condition which requires treatment by a health care provider periodically, rather than for one continuous period of time.
8. Intermittent or reduced scheduled FMLA leave may be used for absences when the employee is incapacitated or unable to perform the essential functions of the job because of a chronic serious health condition even if the employee is not receiving treatment by a health care provider. Care for a family member who is incapacitated by a chronic serious health condition, will qualify as intermittent



Section Number: 6
Effective Date: January 18, 2009

Policy Number: 603
Page: 83 of 149

FMLA leave. If an initial diagnosis by a health care provider exists, the employee may use FMLA even if the family member is not receiving treatment. However, a completed certification form is required.

Upon return from FMLA leave, employees will be reinstated in their position or a position with equivalent benefits, pay, and other terms and conditions of employment. Other than paid leave which is taken during the FMLA leave period, employees will not lose any benefits accrued prior to the leave. Employees are not entitled to any right, benefit, or position other than what they would have been entitled to if FMLA leave had not been taken.

Employees, who participate in the City's group health care plan, will be covered, and the City will continue to pay its portion of the premium while the employee is on FMLA leave. Employees are responsible for paying the employee contribution of premium.

If payment for the employee's contribution for health insurance premium is more than thirty days late, the City's obligation to maintain the employee's health insurance coverage ends. The City must give written notice that payment has not been received, and that notice must be mailed at least fifteen days prior to coverage ending. The City may recover the employee contribution if the employee fails to return to work for a reason other than a serious health condition or because of circumstances beyond their control. If the City has maintained other benefits, such as life or disability insurance, in order to meet its responsibility to provide equivalent benefits upon return from FMLA leave, it may recover the costs incurred for paying the premium, whether the employee returns to work or not.

Under the Family and Medical Leave Act it is unlawful for an employer to interfere with, restrain, or deny the exercise of the rights provided by this law. It is also unlawful for an employer to discharge or discriminate against any employee who is involved in a proceeding related to the FMLA. Use of Family and Medical Leave cannot be a consideration in decisions to hire, promote, or discipline employees.

NOTE: The FMLA allows leave for substance abuse in order to undergo treatment by a health care provider and specifically excludes employee absence because of the use of the substance. Stress qualifies as a serious health condition only if it rises to the level of a mental illness or results in a physical illness.



Section Number: 6
Effective Date: January 18, 2009

Policy Number: 604
Page: 84 of 149

604 - MILITARY FAMILY AND MEDICAL LEAVE

The purpose of the Military Family and Medical Leave Act is to balance the demands of the workplace with the needs of families in a manner that accommodates the legitimate interests of employers.

Military Caregiver Leave provides up to twenty six (26) weeks of leave in a 12 month period to family members caring for a covered service member with a serious injury or illness incurred in the line of duty while on active duty.

In addition employees are provided leave for qualifying exigencies for families of National Guard and Reserves. The law allows families of National Guard and Reserve personnel on active duty to take FMLA job-protected leave to manage their affairs for "qualifying exigencies." Qualifying exigencies are the following:

- Short-notice deployment
- Military events and related activities
- Childcare and school activities
- Financial and legal arrangements
- Counseling
- Rest and recuperation
- Post-deployment activities
- Additional activities where the employer and employee agree to the leave.



Section Number: **6**
Effective Date: January 18, 2009

Policy Number: 605
Page: 85 of 149

605 - BEREAVEMENT LEAVE

Absences due to the death of a member of the immediate family are eligible for bereavement leave. For a qualifying family member twenty four (24) scheduled work hours of leave is granted. The maximum allowable time off for bereavement in a calendar year is six (6) days. Immediate family is defined as mother, father, sister, brother, spouse, child, grandchild, grandparents, in-laws or any individual who has acted as a parent or guardian.

Employees who wish to attend the funeral of anyone outside of the immediate family should make a request to their supervisor as far in advance as possible. The absence will be charged to compensatory time first (if applicable), then vacation time.



Section Number: 6
Effective Date: January 18, 2009

Policy Number: 606
Page: 86 of 149

606 - COURT AND JURY LEAVE

Employees, who serve as a juror or are subpoenaed as a witness for the City to give testimony in a court or hearing, are entitled to their regular City pay. However, the City requires any payment received for jury duty to be endorsed and made payable to the City. Employees are not required to surrender reimbursement for mileage. Absences from work will not be deducted from any available paid time off. Employees are required to return to work as soon as their services are no longer required by the court.

When service on a jury would cause a hardship to the operation of the work unit, the supervisor may petition the judge, in writing, asking that the employee be excused from jury duty. However, if the request is denied or no response is received before the date duty is to begin, employees must report for jury duty.

If witness service can be handled by the taking of a deposition rather than court appearance, the deposition is preferable. Depositions or statements which involve the City may be taken during working hours. All others should be handled on personal time.

An employee providing testimony as an expert witness and being paid a fee in excess of the normal witness fee must take paid time off for the time needed to give testimony.



Section Number: 6
Effective Date: January 18, 2009

Policy Number: 607
Page: 87 of 149

607 - TIME OFF TO VOTE

In most communities, polls remain open long enough to allow employees time to vote before or after working hours. In cases of extreme hardship, such as having to travel a great distance to the polling place, employees may be permitted to report to work late or to leave early in order to vote. The time permitted for this purpose is given with pay and without reduction of paid time off. If time off is necessary, employees must notify the immediate supervisor before Election Day.



Section Number: 6
Effective Date: January 18, 2009

Policy Number: 608
Page: 88 of 149

608 - LEAVE OF ABSENCE WITHOUT PAY

Requests for leave of absence without pay should be made to and must be approved by the employee's Department Head. Leave of absence without pay may be granted for the following reasons:

1. An extended absence, requested by the employee, which is in the best interest of the City or which the City is able to accommodate. Written request for approval of leave of absence without pay is required if it is for any reason except those which follow.
2. Necessary absences due to the employee's or their immediate family member's serious health condition (see Family and Medical Leave) or because of disability or personal reasons when the absence extends beyond available earned vacation, compensatory and sick leave. On a case-by-case basis, unpaid leave will be considered as a form of reasonable accommodation for qualified individuals with disabilities.
3. Leave for the birth or placement of a child for adoption or foster care (see Family and Medical Leave).
4. Military leave that involves active duty or active duty for specialized training (see Military Leave).
5. Employees may be put on leave of absence without pay for disciplinary reasons.

Employees must use all accumulated holiday, compensatory and vacation time before being placed on leave without pay except for certain types of military leave or when the leave is for disciplinary purposes. Employees earn pro-rated vacation or sick leave while on leave without pay for ten or more days during a calendar month. In addition employees do not receive holiday pay while on leave without pay.

Employees who are on leave without pay will continue insurance benefits through the end of the month in which they last actively worked. At that time, they will be eligible for COBRA conversion. (See COBRA policy)

Employees, who fail to report to work promptly at the end of an agreed-upon period of leave without pay, may be terminated.



Section Number: 6
Effective Date: January 18, 2009

Policy Number: 609
Page: 89 of 149

609 - MILITARY LEAVE

The City of Pittsburg is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is the City's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion, or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because they have exercised his/her rights under this policy. An employee, who believes he/she has been subjected to discrimination in violation of this policy, should immediately contact Human Resources.

Eligible employees who must be absent from their job for a period of not more than ten working days each year in order to participate in temporary military duty are entitled to as many as ten days unpaid military leave. All benefits will continue during an employee's temporary military leave.

Employees directed to participate in extended military duties in the U.S. Armed Forces that exceed ten working days will be placed on an unpaid military leave of absence status for a period of as long as six years and will be entitled to the rights and benefits as described by federal and state law.



Section Number: 7
Effective Date: January 18, 2009

Policy Number: 700
Page: 90 of 149

Table of Contents

700 - HEALTH AND SAFETY	90
701 - WORKERS COMPENSATION.....	92
702 - LIGHT DUTY.....	94
703 - ACCIDENT REPORTING	96
704 - WEAPONS.....	97
705 - INCLEMENT WEATHER	98

700 - HEALTH AND SAFETY

The City's policy is to provide for the continuous development, implementation, and maintenance of an ongoing program that assures a healthy and safe work environment for all employees. Employees will be held responsible at all times to observe and practice the highest possible standards of health and safety in carrying out assigned duties. Supervisors will provide departmental training for safe and efficient operation of equipment. In general, the following rules should be followed:

- "Horseplay" is to be avoided. Horseplay includes pranks, practical jokes, and roughhousing. Serious injury can occur from seemingly harmless activities.
- Where required, protective equipment, such as goggles, safety glasses, masks, gloves, etc. must be worn.
- Machines are to be shut down before cleaning, repairing or leaving unattended.
- If equipment is marked with a "Tagout" notice or a "Lockout" notice, **DO NOT USE THE EQUIPMENT.**
- Lift properly -- use legs, not back. For heavier loads, ask for assistance.
- Read all labels before operating machinery or using materials.
- Clean up spilled liquid, oil, or grease immediately. **IF A SPILL IS A POSSIBLE HAZARDOUS MATERIAL - EMPLOYEES SHOULD NOT ATTEMPT CLEAN UP, BUT SHOULD NOTIFY HIS OR HER SUPERVISOR.**

If an unsafe condition in the workplace exists, the employee should immediately notify his/her supervisor. The Safety Committee, working with Human Resources provides training in safety procedures and equipment use, including fire prevention; fire extinguisher testing and replacement; hazardous materials management; chemical handling and storage procedures; or other hazardous waste; occupational health and



Section Number: 7
Effective Date: January 18, 2009

Policy Number: 700
Page: 91 of 149

safety; chemical safety; emergency equipment selection and testing; building environmental conditions; and compliance with environmental health and safety laws and regulations.



Section Number: 7
Effective Date: January 18, 2009

Policy Number: 701
Page: 92 of 149

701 - WORKERS COMPENSATION

Employees, who become injured or ill while at work due to a work-related incident, may be eligible to receive Workers' Compensation. Workers' Compensation ensures that employees get appropriate and reasonable medical care for injuries or illnesses sustained while on the job. Leave taken due to a serious health condition for which Workers' Compensation benefits are paid will be designated as Family and Medical Leave if it meets FMLA requirements. Employees must immediately report any injury to their immediate supervisor. If the employee does not report the accident to their immediate supervisor within twenty four (24) hours or the next business day of the accident or illness, the claim may be denied. The supervisor will complete an approved report form and forward to Human Resources.

PROCEDURES FOR REPORTING AND TREATMENT OF A JOB RELATED INJURY OR ILLNESS

For emergency situations in which the injury or illness might threaten a person's life do the following:

Call "911" immediately then notify the injured or ill employee's supervisor immediately.

1. For urgent situations which are not life-threatening to the employee, but for which immediate treatment is required do the following:
 - a. Seek treatment from the City's designated workers compensation physician. (Human Resources can assist,)
 - b. Seek medical treatment at the local hospital or urgent care facility.
 - c. Notify the injured or ill employee's supervisor immediately.

If emergency transportation is not necessary, the injured or ill employee's supervisor will arrange transportation to either the emergency room or to the designated medical provider, whichever is appropriate. **Note: If the employee elects to seek the services of a health care provider of his/her own choice, the treatment will be covered by Workers' Compensation up to \$500.** If the expenses exceed \$500, the responsibility for payment of charges in excess of \$500 is the employee's responsibility and is not compensable through the City's workers' compensation insurance.

2. After treatment at the hospital and/or at the designated medical provider, the employee or someone designated by the employee must provide the supervisor



Section Number: 7
Effective Date: January 18, 2009

Policy Number: 701
Page: 93 of 149

with any information provided by the physician's office regarding the employee's medical condition including:

- a. follow-up appointment dates;
- b. diagnosis of the injury or illness;
- c. prognosis for recovery;
- d. any specific work restrictions; and
- e. date the employee can return to full duty.

This information should be given to the supervisor within twenty-four hours from the date of the physician's visit or the following business day, whichever is applicable.

An employee on temporary total disability will be placed on FMLA leave and receive a weekly check from Workers' Compensation based on $66 \frac{2}{3}$ of his/her regular wage. For on the job injury, regular full time employees receiving disability pay from Workers Compensation will receive full pay and benefits, including vacation and sick leave for a maximum of six weeks of lost work time upon his or her endorsement of the Workers' Compensation check(s) to the City. Un-worked time will be documented as "On the Job Injury (OJI)" on the employee's timesheet.

After six (6) weeks, if the employee has available paid time, the employee may elect to continue endorsing the Workers' Compensation check(s) to the City and receive a regular paycheck. In order to participate in wage continuation, the employee must give written authorization for the City to accept his/her endorsed Workers' Compensation check to supplement lost wages during the first six weeks, and thereafter to offset lost wages by deductions from sick, vacation, and compensatory time accruals.

If the employee chooses to supplement his/her pay, the difference between Workers' Compensation check(s) and the employee's normal salary shall be deducted from accrued paid leave. When sick leave, vacation, holiday and compensatory time accruals are depleted, the employee will retain his/her Workers' Compensation checks and will be placed on "leave without pay" status. At this time, the employee shall determine if he or she wishes to retain group health and life insurance by paying the City for the employee's portion of the premium(s).



Section Number: 7
Effective Date: January 18, 2009

Policy Number: 702
Page: 94 of 149

702 - LIGHT DUTY

It is the intent of the City of Pittsburg to assure the injured employee receives quick and efficient delivery of disability benefits and quality medical care and to facilitate the workers' return to gainful employment as soon as medically reasonable. The goal of light duty is to assist individuals with work-related illness or injury (and non work-related illness or injury, when possible) resulting in medical restrictions or lost work time. This program is designed to transition the employee back to his/her regular position after the illness/injury.

Light duty is an interim step in the physical conditioning and recovery of an injured employee with temporary restrictions with the goal of returning to his/her original job. Light duty work reduces lost time days, decreases the injured employee's disability experience, maintains employee/employer relationships and improves employee morale.

If the authorized treating worker's compensation physician states in writing that the injured/ill employee is able to return to work to perform modified duty (on a temporary basis), the manager affected shall meet with Human Resources to determine options for a light duty assignment.

If an employee submits a completed certification signed by the employee's health care provider, the City may ask the workers compensation physician to contact the employee's health care provider to clarify any discrepancies in treatment or limitations on return to work. If there is reason to doubt the validity of the medical certification, the City may require the opinion of a third health care provider, jointly approved by the employee and the City. That opinion shall be final and binding. The City will be responsible for the expense of the third opinion.

The Human Resources Manager and supervisor will discuss what, if any, of the regular duties, the employee can perform with the medical restrictions they have been given. The evaluation will be based on, but not limited to, a list of essential duties (based on the job description for which the employee was hired) along with the documentation received from the employee's physician. If there are several tasks that the employee cannot perform, the supervisor can agree to provide assistance for those types of activities. In some cases the employee is unable to perform the required duties of his/her regular position. In that situation, the Human Resource Manager and supervisor will explore other assignments that will allow the employee to stay within the limitations set by the treating physician.



Section Number: 7
Effective Date: January 18, 2009

Policy Number: 702
Page: 95 of 149

It is important to note that normally temporary or light duty is not a permanent or regular position. It is work that has been assigned to give the individual with an injury or illness the opportunity to do meaningful work while they are recovering. The goal is to return the employee to the regular position when the illness or injury has healed.

Good practice dictates that an offer of modified duty is given in writing. This should avoid any conflicts regarding the date of the offer or the parameters of the job offered.

An employee who refuses to return to "transitional" duty for which he or she was medically cleared will be subject to disciplinary action which may include termination of temporary disability payment.

Compensation for cases of work related injury or illness will not be reduced below the amount of pay the employee would have received from the City's Worker's Compensation insurance carrier. For non-work related illness or injury, based on the hours worked the employee may receive their regular pay. In addition, employees may supplement hours worked with sick leave.

Time off for work related medical treatments required during the employee's light duty shift will continue to be compensated at the employee's applicable rate of pay. Employees may use sick leave for time spent for non-work-related treatments or illness.



Section Number: 7
Effective Date: January 18, 2009

Policy Number: 703
Page: 96 of 149

703 - ACCIDENT REPORTING

It is essential that employees report all job related accidents to their immediate supervisor without delay. Any employee involved in an accident while driving a City-owned vehicle shall report it to their immediate supervisor. The immediate supervisor shall then report the accident to the City Clerk and/or Human Resources on required forms within an appropriate time. Employees involved in a work related accident will be required to submit to a drug and alcohol test within two hours of the accident.



Section Number: 7
Effective Date: January 18, 2009

Policy Number: 704
Page: 97 of 149

704 - WEAPONS

Employees with the exception of duly authorized law enforcement officers, fire personnel authorized to carry a firearm pursuant to K.S.A. 31-157 and amendments thereto, and attorneys when the firearm is possessed solely for the purpose of attempting to submit the firearm into evidence or examining the firearm in the course of a pending court proceeding may not possess, use, or store weapons on City property or in areas controlled by the City, including vehicles.

Weapons covered by this policy include, but are not limited to: firearms, firearm ammunition, air pistols, air rifles, fireworks, incendiary devices, lock blade or fixed blade knives with a blade length of four inches or greater, blackjacks, metal knuckles, or any other such offensive weapons of any description. Employees may possess tear gas-type products in personal use quantities for self-defense. Violation of this policy may be punishable by disciplinary action, up to and including termination of employment.



Section Number: 7
Effective Date: January 18, 2009

Policy Number: 705
Page: 98 of 149

705 - INCLEMENT WEATHER

It is the policy of the city to remain open regardless of weather conditions. Employees should make a determination about personal safety and their ability to travel to and from work. However, employees should make every attempt to come to work if conditions permit.

If severe and unexpected conditions force a decision to close City offices local media will be notified. Information will be available on local radio and television stations.

When an employee performs job functions that must be performed, regardless of the weather, they will be designated as "essential personnel," and will be expected to report to work even when City offices are closed. The employee's Department Head will notify affected employees of specific requirements for essential personnel.



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 800
Page: 99 of 149

Table of Contents

800 - PERSONAL APPEARANCE	100
801 - HANDLING CONFIDENTIAL INFORMATION	101
802 - CONFLICTS OF INTEREST	103
803 - GIFTS, GRATUITIES AND BUSINESS COURTESIES	104
804 - TOBACCO FREE WORKPLACE	105
805 - DRUGS AND ALCOHOL	106
806 - POLITICAL ACTIVITIES	112
807 - OUTSIDE EMPLOYMENT	113
808 - HARASSMENT	114
809 - SEXUAL HARASSMENT	116
810 - WORKPLACE VIOLENCE	122
811 - DISCIPLINE	124
812 - DISCIPLINARY APPEAL	126
813 - INFORMAL COMPLAINT RESOLUTION	129
814 - GRIEVANCE PROCEDURE	130
815 - RESIGNATION	133
816 - RETIREMENT	134
817 - INVOLUNTARY TERMINATION OF EMPLOYMENT	135



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 800
Page: 100 of 149

800 - PERSONAL APPEARANCE

Due to frequent interaction with the public, standards of personal appearance and personal apparel should be maintained by employees. Employees are expected to dress in a manner consistent with the nature of work performed. If official uniforms are allocated, employees are expected to wear these uniforms.

Supervisors of newly hired or promoted employees will communicate appropriate personal appearance and clothing for their department. An employee who is inappropriately dressed, in the opinion of supervisory personnel, may be sent home and required to return to work in acceptable attire. Under this circumstance, employees will not be paid for time away from work.

Some employees will be issued clothing and/or granted a clothing allowance for positions that require a recognizable or positive image to the general public. If an employee is required to wear clothing displaying the City name and logo they are expected to dress in a professional manner, wearing clothing that is neat, clean, and fits appropriately.



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 801
Page: 101 of 149

801 - HANDLING CONFIDENTIAL INFORMATION

Work at the City may give employees access to internal, personnel, medical or financial information that is considered confidential. In this situation, employees are expected to respect the confidentiality of such information and not disclose it to anyone who does not have an official need for it. If any question about the confidentiality of information entrusted to them or to which they have access, the employee is encouraged to ask their supervisor.

The City's policy is to safeguard personal employee information in its possession to ensure the confidentiality of the information. Additionally, the City will only collect personal information that is required to pursue its business operations and to comply with government reporting and disclosure requirements. Personal information collected by the company includes employee names, addresses, telephone numbers, e-mail addresses, emergency contact information, EEO data, social security numbers, date of birth, employment eligibility data, benefits plan enrollment information, which may include dependent personal information, and school/college or certification credentials. All pre-employment inquiry information and reference checking records conducted on employees and former employee files are maintained in locked, segregated areas and are not used by the City in the course of its business operations.

Personal employee information will be considered confidential and as such will be shared only as required and with those who have a need to have access to such information. All hard copy and electronic records will be maintained in locked, secure areas with access limited to those who have a need for such access. Personal employee information used in business system applications will be safeguarded under City proprietary electronic transmission and intranet policies and security systems. Participants in City benefit plans should be aware that personal information will be shared with plan providers as required for their claims handling or record keeping needs.

If an employee becomes aware of a material breach in maintaining the confidentiality of his or her personal information, the employee should report the incident to a representative of the human resources department. The human resources office has the responsibility to investigate the incident and take corrective action. Please be aware that a standard of reasonableness will apply in these circumstances. Examples of the release of personal employee information that will not be considered a breach include the following:



Section Number: **8**
Effective Date: January 18, 2009

Policy Number: 801
Page: 102 of 149

- Release of partial employee birth dates, i.e., day and month is not considered confidential.
- Personal telephone numbers or e-mail addresses may be distributed to department head in order to facilitate company work schedules or business operations.
- Employee identifier information used in salary or budget planning, review processes and for timekeeping purposes will be shared with department heads.
- Employee's company anniversary or service recognition information will be distributed as appropriate.
- Employee and dependent information may be distributed in accordance with open enrollment processes for periodic benefit plan changes or periodic benefits statement updates.



Section Number: **8**
Effective Date: January 18, 2009

Policy Number: 802
Page: 103 of 149

802 - CONFLICTS OF INTEREST

City employees need to be sensitive to the possibility that outside obligations, financial interests, or employment may affect their responsibilities and decisions as employees of the City of Pittsburg. Involvement of City employees in outside activities, both public and private, often serves the interests of the individual, City, and general public. Participation of individuals in activities outside the City is encouraged to the extent that they do not interfere with the mission of the City or the employee's job performance.



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 803
Page: 104 of 149

803 - GIFTS, GRATUITIES AND BUSINESS COURTESIES

Business courtesies include gifts, gratuities, meals, refreshments, entertainment or other benefits from persons or companies with whom the City of Pittsburg does or may do business. City employees will neither give nor accept business courtesies that constitute, or could reasonably be perceived as constituting, unfair business inducements that would violate law, regulation or would cause embarrassment or reflect negatively on the City's reputation.

Most business courtesies offered in the course of employment are offered because of the employee's position. Employees should not feel any entitlement to accept and keep a business courtesy. Although employees may not use their position, they may accept unsolicited business courtesies that promote successful working relationships and good will with the firms that the City of Pittsburg maintains or may establish a business relationship with.

Employees who award contracts or who can influence the allocation of business, who create specifications that result in the placement of business or who participate in negotiation of contracts must be particularly careful to avoid actions that create the appearance of favoritism or that may adversely affect the City's reputation for impartiality and fair dealing. Employees may accept occasional meals, refreshments, entertainment and similar business courtesies that are shared with the person who has offered to pay for the meal or entertainment.

GIFTS

Employees may accept unsolicited gifts, other than money, that conform to the reasonable ethical practices of the marketplace, including:

- Flowers, fruit baskets and other modest presents that commemorate a special occasion.
- Gifts of nominal value, such as calendars, pens, mugs, caps and t-shirts (or other novelty, advertising or promotional items).

Generally, employees may not accept compensation, honoraria or money of any amount from entities with whom the City does or may do business. Tangible gifts (including tickets to a sporting or entertainment event) that have a market value greater than \$100 may not be accepted unless approval is obtained from the City Manager.

Employees with questions about accepting business courtesies should talk to their Department Head or the HR department.



Section Number: **8**
Effective Date: January 18, 2009

Policy Number: 804
Page: 105 of 149

804 - TOBACCO FREE WORKPLACE

The City of Pittsburg is dedicated to providing a healthy, comfortable, and productive environment for its employees. The City is considered a tobacco-free workplace and the use of tobacco products is permitted outdoors only. You may not smoke or use other tobacco products in City buildings.

Consideration should be given to non-smokers who are entering, exiting, or occupying a building. Departments may designate an established smoking area and a non-smoking entrance to maintain a clean air supply to a building. Littering with remains of tobacco products is prohibited, and smokers are obligated to dispose of tobacco products in fireproof receptacles.

All City vehicles are considered nonsmoking, no tobacco use areas.



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 805
Page: 106 of 149

805 - DRUGS AND ALCOHOL

The City of Pittsburg is committed to protecting the safety, health and well being of all employees and other individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to our goals. We have established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment.

Any individual who conducts business for the City, is applying for a position or is conducting business on the City's property is covered by our drug-free workplace policy. Our policy includes, but is not limited to executive management, managers, supervisors, full-time employees and part-time employees.

As a condition of employment, this organization requires that employees adhere to a strict policy regarding the use and possession of drugs and alcohol. The City encourages employees to voluntarily seek help with drug and alcohol problems.

The policy of the City of Pittsburg prohibits, with the exception of police investigatory purposes, employees to possess, distribute, dispense, manufacture or use, drugs, controlled substances (except such drugs or controlled substances prescribed by the employee's physician), or drug paraphernalia on or in City buildings, parking lots, vehicles, or other City property.

Any use, dispensing, or distribution of alcohol except as related to the employee's job duties, during the employee's regularly scheduled work time (shift) while on or off City property is prohibited. The City Manager may exempt certain employees from the consumption provision of this section for, pre-approved attendance at social events, or other activities which further the City's interest provided such activities do not conflict with the below paragraph. City employees who are subject to callback must adhere to department policies addressing drug and alcohol use during times when they may be called in to work.

The City's policy also conforms to the federal requirements established for alcohol and drug testing of all identified safety sensitive employees and those set out in the Omnibus Transportation Employee Testing Act of 1991, Public Law 102-143, Title V, and is part of the City's ongoing drug free awareness program.

Employees who are required by a licensed health care provider to take prescription medicine (either temporarily or on an ongoing basis) that may cause behaviors that affect their work performance or which would cause a direct threat to the health or safety of themselves or a co-worker, shall notify their immediate supervisor of the



Section Number: **8**
Effective Date: January 18, 2009

Policy Number: 805
Page: 107 of 149

medication prescribed. Any documentation of this information will be maintained confidentially in the employee's medical file.

All property belonging to the City is subject to inspection at any time without notice as there is not an expectation of privacy. Property includes, but is not limited to, vehicles, desks, containers, files, and storage lockers.

City employees who have reason to believe another employee is illegally using alcohol, drugs, or narcotics shall report the facts and circumstances immediately to a supervisor and/or the Human Resources Manager.

Employees must abide by the terms of this drug and alcohol policy. Employees must notify the City immediately if charged of any misdemeanor or felony drug or alcohol statute violation. Notification must also be provided of any subsequent conviction(s) regarding drug or alcohol statute violations.

Employees must cooperate in any investigation relating to conduct prohibited by this Policy. Failure to cooperate may result in discipline up to and including termination.

An employee or post offer prospective employee who refuses to submit to a drug or alcohol test or as a result of testing is found to have engaged in the use of controlled substances or having an alcohol concentration in the blood or breath of 0.04% or greater shall have the offer of employment rescinded or be removed from service and their employment with the City will be terminated. Tampered tests shall be considered a refusal to test. An employee who is found to have switched or tampered with a test shall be terminated.

An employee who, as a result of testing just before, during, or just after performing safety sensitive functions, is found to have alcohol concentration of 0.02% and greater but less than 0.04% shall be removed from performing such duties for at least twenty-four (24) hours and placed on unpaid Administrative Leave.

An employee must not consume alcohol four (4) hours prior to reporting to work and up to eight (8) hours following an accident or until the employee undergoes a post-accident test, whichever occurs first.

All employees are subject to testing for the use of drugs and alcohol post accident, whenever there is reasonable suspicion of drug or alcohol use and randomly.

Post Accident: Any City employee involved in an accident must submit to a drug and alcohol test within two hours of the accident. If an alcohol and/or drug test is not administered within two (2) hours following the accident, the City shall prepare and maintain a log stating the reasons for the delay. If the test is not administered within



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 805
Page: 108 of 149

eight (8) hours following the accident, the City shall cease attempts to administer an alcohol/drug test and document the situation in the log.

Reasonable Suspicion: When a supervisor or department head observes behavior or appearance that is characteristic of alcohol or drug use. Reasonable suspicion testing, sometimes referred to as probable-cause testing, is conducted when supervisors document observable signs and symptoms that lead them to believe that the individual may pose a danger to himself or herself, other employees or the public. It is extremely important to have clear, consistent definitions of what behavior justifies drug and alcohol testing. Suspicion should trigger investigations, which should result in documentation of observable signs. Supervisors should consult with another supervisor or manager and always document:

- Specific observations concerning appearance, behavior, speech, body odors or performance
- Violations of any safety rule or unsafe work incident, which after further investigation of the employee's behavior leads the supervisor to believe the employee may be unsafe
- Other physical or existing indicators of alcohol or other drug use

Each employee, as a condition of continued employment, is subject to medical or physical examination or tests, including urine drug screen, at the determination of the responsible department supervisor and concurrence of the Department Head, providing the following conditions are met:

- If the employee's supervisor has reasonable cause to suspect that the employee is in violation of this policy; or
- If the employee's job performance is deficient in a manner which suggests a possible violation of this policy; or
- If the position is designated as a safety sensitive and/or high risk occupation; or
- If the employee is selected at random for testing in order to monitor and ensure compliance by all employees with this policy.

Any employee who tests positive will be immediately removed from duty. The City will terminate employment if the medical review re-affirms the initial findings of the test

Random: On a random, unannounced basis employees shall be randomly selected from a pool of employees not including safety sensitive positions. Safety sensitive



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 805
Page: 109 of 149

employees will be included in a pool for safety sensitive positions as determined by the Department of Transportation. Testing dates and times shall be unannounced and be with unpredictable frequency but shall be reasonably spread throughout the year. For safety sensitive positions, the number of random drug tests conducted shall equal at least 50% of all the safety sensitive employees within the City or if a consortium is developed, then 50% of the consortium sample. Likewise Evidential Breath Test (EBT) shall be conducted on 10% of the safety sensitive employees and 10% of the consortium sample.

VOLUNTARY ADMISSION BY AN EMPLOYEE

Employees are encouraged to voluntarily identify themselves as drug users or alcohol abusers and to obtain counseling and rehabilitation through a qualified professional.

Employees who voluntarily identify themselves as having a drug or alcohol problem and obtain appropriate counseling and rehabilitation may be reinstated to their current position upon full release by the selected program according to federal and state laws. Public health and safety responsibilities of the position will be taken into consideration when making this determination.

The City may require a current City employee who was reinstated, to undergo a drug or alcohol test if there is reasonable suspicion that the employee is under the influence of drugs or alcohol during working hours.

Whether a drug or alcohol test is warranted shall be determined by the Chief of Police or approved designee and shall be coordinated by the Human Resources Manager or the City Manager.

An employee, who refuses to consent to a drug or alcohol test and sign a consent form when reasonable suspicion of drug or alcohol use has been identified, shall be terminated.

Employees who have been terminated and have undergone treatment from an approved rehabilitation program may be reinstated to their previous position. The City may hold the employee's position open for a period of time determined by the Department Head and City Manager based on the needs of the City and other applicable policies. Reinstatement will be based on the employee's work history, length of employment, recent job performance and existence of past disciplinary actions. Public health and safety responsibilities of the position will also be taken into consideration when making this determination.

Prior to reinstating an employee to their safety sensitive duties, the employee must have; (1) provided documentation of having been evaluated by a Substance Abuse



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 805
Page: 110 of 149

Professional; (2) complied with any recommended treatment; (3) taken a return to duty drug test and/or alcohol test with a result of less than .02; and (4) be subject to unannounced follow-up drug and/or alcohol tests.

Employees shall be subject to unannounced follow-up tests for up to sixty (60) months after the employee has returned to work. A minimum of six (6) tests will be conducted in the first twelve (12) months after return to duty. If any subsequent test results are positive on any employee, the employee may be terminated.

The City shall pay the laboratory cost of obtaining all drug and alcohol tests required or provided for in the Policy. In addition, the City shall compensate all employees for time spent during work hours providing a breath sample or urine specimen, including travel time to and from the collection site, in order to comply with the random, reasonable suspicion, post-accident, or follow-up testing required by this Policy.

If an employee's positive test results have been confirmed and disciplinary action is taken the employee is entitled to follow the Disciplinary Appeal process.

agency, National Transportation Safety Board (NTSB), or any State or local officials with regulatory authority over safety sensitive employees.

Test results may only be released to the City, the Substance Abuse Professional or to the decision maker in a lawsuit, Disciplinary Appeal or other proceeding initiated by or on behalf of the individual, and arising from the results of an alcohol and/or controlled substance test administered under this Policy; from the employer's determination that the employee engaged in conduct prohibited by this Policy; or a request which is otherwise required by law to be released. Disclosure of test results to any other person, agency, or organization is prohibited unless written authorization is obtained from the employee.

Records shall be made available to a subsequent employer upon receipt of a written request from a previous employee but such disclosure is expressly limited to the terms of the employee's request and the disclosure permitted by law. The City shall maintain the information regarding alcohol and drug tests on safety sensitive employees for a minimum period of three (3) years.

TRAINING

The City will provide reasonable initial and ongoing training to all supervisors of the City regarding enforcement of this Policy. At least one hour of training will be provided to supervisors on drug and/or alcohol misuse symptoms and indicators used in making determinations for reasonable suspicion testing. Every safety sensitive employee shall participate in a drug and alcohol training and education program for a minimum of one



Section Number: **8**
Effective Date: January 18, 2009

Policy Number: 805
Page: 111 of 149

hour. The program shall include the distribution of information material and a classroom type instruction.

All information from an employee's drug or alcohol test is confidential. All information related to the drug or alcohol test of an employee will be maintained in the employee's confidential medical file. Anyone disclosing drug test results, as prohibited by this Policy, will be subject to disciplinary action.

An employee is entitled, upon written request, to obtain copies of any records pertaining to the employee's use of alcohol or drugs, including any test records. Records shall also be made available when requested by the Secretary of Transportation, DOT Attendance logs from the training sessions shall be maintained for at least two (2) years.

- A. All questions regarding the Drug and Alcohol Policy and testing procedures may be directed to the Human Resources Manager.



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 806
Page: 112 of 149

806 - POLITICAL ACTIVITIES

As a citizen, employees have the right to engage in political activity. However, they must do so on their own time, outside of working hours or when on paid time off or leave without pay. Employees may not use their City title, their affiliation with the City, or the City's name, symbols, property, or supplies in political activities. Employees may not display political banners, posters, or literature in City offices or place political bumper stickers or decals on City vehicles. Employees may not request or collect political contributions during working hours.

RELATIONS WITH LEGISLATORS AND ELECTED OFFICIALS

As a citizen, employees have the right to exercise freedom of expression on legislative matters. However, employees should not, unless authorized, attempt to speak on behalf of the City in discussions with members of federal, state or local and county elected officials.

Employees have the right to communicate with elected officials concerning matters related to their job, and cannot be subjected to discipline, reprimands, or notations in their personnel file because they exercised that right. However, if employees intentionally make untrue allegations to an elected official concerning matters related to their job, they may be subject to discipline.



Section Number: **8**
Effective Date: January 18, 2009

Policy Number: 807
Page: 113 of 149

807 - OUTSIDE EMPLOYMENT

City employees may have outside employment if the following conditions are met:

1. The employment does not constitute a conflict of interest (see Policy,) and does not interfere with the performance of the employee's regular city job.
2. The work is completed during non-City work time.
3. The work does not involve the use of materials, supplies, equipment, etc. belonging to the City unless the employee's outside employment has contracted with the City for those materials, etc.

Employees considering outside employment must submit a letter to the supervisor and department head for review. A copy of the letter will be returned to the employee and the original will be kept by Human Resources.

The employee shall always make it clear that the outside employment is his/her own responsibility and that in it he/she does not act as an agent or representative of the City. City facilities or property shall not be used except with the permission of the department head, and the payment of appropriate fees may be required.



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 808
Page: 114 of 149

808 - HARASSMENT

Harassment is a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, (ADEA), and the Americans with Disabilities Act of 1990, (ADA).

Harassment is unwelcome conduct that is based on race, color, sex, religion, national origin, disability, and/or age. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.

Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of illegality. To be unlawful, the conduct must create a work environment that would be intimidating, hostile, or offensive to reasonable people.

Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance. Harassment can occur in a variety of circumstances, including, but not limited to, the following:

1. The harasser can be the victim's supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee.
2. The victim does not have to be the person harassed, but can be anyone affected by the offensive conduct.
3. Unlawful harassment may occur without economic injury to, or discharge of, the victim.

Prevention is the best tool to eliminate harassment in the workplace. Employers are encouraged to take appropriate steps to prevent and correct unlawful harassment. They should clearly communicate to employees that unwelcome harassing conduct will not be tolerated. They can do this by establishing an effective complaint or grievance process, providing anti-harassment training to their managers and employees, and taking immediate and appropriate action when an employee complains. Employers should



Section Number: **8**
Effective Date: January 18, 2009

Policy Number: 808
Page: 115 of 149

strive to create an environment in which employees feel free to raise concerns and are confident that those concerns will be addressed.

Employees are encouraged to inform the harasser directly that the conduct is unwelcome and must stop. Employees should also report harassment to management at an early stage to prevent its escalation.



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 809
Page: 116 of 149

809 - SEXUAL HARASSMENT

The City should be a place of work free of all forms of sexual intimidation and exploitation. Therefore, it is the policy of the City of Pittsburg to prohibit sexual harassment.

The City's prohibition of sexual harassment applies to city employees, and to contractors and others who do business with the City or who use City facilities. The policy prohibiting sexual harassment applies regardless of the gender of the harasser or of the person being harassed. The policy applies to sexual harassment which takes place in any relationship, including both those involving a power differential and those between peers, colleagues, and co workers.

Sexual harassment of employees is a form of sex discrimination prohibited by Title VII of the Civil Rights Act of 1964. The law applies to both the City and to individuals. Those who engage in sexual harassment may be subject to legal consequences, including civil and criminal penalties and monetary damages.

Sexual harassment subverts the mission of the City and threatens the careers and well being of the organization. In both obvious and subtle ways, sexual harassment is destructive to individuals. Sexual harassment blurs the boundary between professional and personal relationships by introducing a conflicting personal element into what should be a professional situation. When, through fear of reprisal, an employee submits or is pressured to submit to unwanted sexual attention, the City's ability to carry out its mission is seriously undermined.

Sexual harassment in such situations constitutes an abuse of the power inherent in a supervisor's position.

Definitions

Sexual harassment as defined by the U.S. Equal Employment Opportunity Commission consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or written communication of a sexual nature, regardless of where such conduct might occur, when:

1. Submission to the conduct is made either implicitly or explicitly a term or condition of an individual's employment with the City or advancement in a program or activity;
2. Submission to or rejection of the conduct by an individual is used as the basis for employment affecting that individual; and/or



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 809
Page: 117 of 149

3. The conduct has the purpose or effect of unreasonably interfering with an individual's work or creating an intimidating, hostile, or offensive working environment.

Sexual harassment is distinguished from voluntary sexual relationships in that it introduces such elements as coercion, threat, unwanted sexual attention, and/or promises of professional rewards in exchange for sexual favors. Sexual harassment is *unwelcome* behavior. Repeated or continued behavior, even after the individual makes it clear that it is unwanted constitutes sexual harassment. An important **distinction is that sexual harassment must be unwelcome.**

Sexual harassment can take many forms. Most sexual harassment falls into three categories: verbal, physical, and written or visual.

Verbal sexual harassment may include, but is not limited to:

- sexual innuendoes, comments, and suggestive remarks about clothing, a person's body, or sexual activities;
- suggestive or insulting sounds;
- whistling in a suggestive manner;
- humor and jokes about sex;
- sexual propositions, invitations, or other pressure for sex; and implied or overt threats.

In most cases, a single offensive epithet would not constitute sexual harassment.

Physical sexual harassment may include, but is not limited to:

- patting, pinching, feeling, or any other intentional inappropriate touching;
- brushing against the body;
- making obscene or offensive gestures;
- attempted or actual kissing or fondling;
- coerced sexual intercourse; and assault.

Written or visual sexual harassment may occur when the following types of materials are directed to a specific individual or when people cannot reasonably avoid seeing them (the list is not inclusive):

- pictures or drawings of a sexual nature;



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 809
Page: 118 of 149

- sexually derogatory pin ups, posters, cartoons, magazines, or calendars;
- messages, words, comments, rhymes, or other writing of a sexually derogatory or suggestive nature.
- Electronic transmission; e-mail

NOTE: Some of the forms of harassment described above may constitute criminal behavior.

CONSENSUAL RELATIONSHIPS

Consensual sexual relationships between supervisors and their employees in some instances may result in charges of sexual harassment.

Consensual relationships may lead other supervisors and coworkers to question the validity of evaluations, and other interactions between the people involved in such a relationship. The integrity of the work of both people in the relationship may be compromised.

Administrators, and other supervisory staff should be aware that any sexual involvement with their employees could subject them to formal action if a sexual harassment complaint is subsequently made and substantiated, and that they bear the greater burden of responsibility should it be proven that the power differential between them made the relationship other than fully consensual. Even when both parties have consented to a relationship, it is the administrator, or supervisor who may be held accountable for unprofessional behavior. Other employees may allege that the relationship creates a hostile or abusive environment affecting them.

When a consensual relationship exists between an employee and his or her supervisor, the resulting conflict of interest should be reported to the Department Head.

Responsibility to Report

Any employee and administrator, or visitor who has experienced or witnessed sexual harassment is required to report it. The City must know about incidents of sexual harassment in order to stop them, protect victims, and prevent future incidents.

It is the responsibility of administrators, and supervisors to report complaints of sexual harassment which they receive and of possible sexual harassment of which they become aware. When there is a relationship that involves legally recognized professional confidentiality between the complainant and the person to whom the harassment is reported, the report may be withheld at the request of the complainant.

Timeframe for Reporting



Section Number: **8**
Effective Date: January 18, 2009

Policy Number: 809
Page: 119 of 149

Sexual harassment should be reported immediately and must be reported within 180 days of its occurrence. However, under compelling circumstances, a delayed report of sexual harassment may be made 180 days after an employee has left his or her current position at the City.

Retaliation Prohibited

City policy and federal law prohibit any form of retaliation against a person who makes a sexual harassment complaint, participates in an investigation of sexual harassment, or participates in formal grievance or disciplinary procedures. Retaliation against a complainant or witness is, in itself, a violation of City policy and the law, and is a serious separate offense.

False Reports of Sexual Harassment

Willfully making a false report of sexual harassment is a violation of City policy and is a serious offense. Any person who willfully makes or participates in making a false or frivolous report of sexual harassment will be subject to disciplinary action.

Reporting System

Employees may report allegations of sexual harassment to the Human Resources Manager. They may discuss with the HR Manager any situation which they believe may constitute sexual harassment. Reports may be made by the person experiencing the harassment or by a third party, such as a witness to the harassment or someone who is told of the harassment.

Investigation of Complaints

The HR Manager must investigate every allegation of sexual harassment, including informal and third party reports. The investigation shall be appropriate to the complaint, taking into consideration its seriousness, the extent to which it is or can be substantiated, and the nature of the resolution desired by the complainant. The investigation must be initiated within five working days after the complaint is made.

Upon receiving a complaint, the complaint officer will interview the complainant (and the alleged victim if it is a third party report) to compile as much specific information as possible, including the nature of each incident, the time, place, actual or potential witnesses, any actions or other responses to the alleged harassment already taken by the complainant, identification of the alleged harasser, and other pertinent facts or allegations.

The HR Manager will explain the City's obligation to investigate and take appropriate corrective action. The HR Manager will meet with the person accused of sexual



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 809
Page: 120 of 149

harassment and present the allegations, indicating whether there are witnesses or other evidence that would appear to substantiate the charge.

Resolution and Grievance Procedures

Individuals who make complaints of sexual harassment and individuals who are accused of sexual harassment are entitled to due process and to a fair and prompt resolution of the complaint. Resolution may be attempted through direct informal action, through an informal resolution process, or through a formal grievance process.

In some instances, it may not be possible to determine whether sexual harassment has occurred. Allegations of sexual harassment which are not eventually substantiated are not necessarily false allegations.

Disclosure

Every possible effort will be made to ensure the confidentiality of information received as part of the City's resolution and grievance procedures. All parties to the complaint will be asked to assist in keeping the complaint confidential. However, the City's obligation to stop sexual harassment means that it cannot fail to take appropriate action and that confidentiality cannot always be guaranteed.

In the interests of fairness and problem resolution, disclosure of complaints and their substance and the results of investigations and grievance procedures, except as compelled by law, will be limited to the immediate parties and other appropriate administrative officials.

Disciplinary Action

Disciplinary action up to and including dismissal will be taken against persons found to have engaged in sexual harassment or found to have willfully made a false or frivolous accusation of sexual harassment. The specific disciplinary action will be determined by the nature and seriousness of the offense. In all cases where disciplinary action is recommended, procedures in the *Handbook* are to be followed.

If a thorough investigation of a complaint substantiates that formal disciplinary action is warranted because either sexual harassment has occurred, or a false report of sexual harassment has been made, the HR Manager will report the findings to the City Manager, who is responsible for initiating disciplinary action. If a formal grievance procedure has been used, a recommendation for disciplinary action may be made by the HR Manager that has heard and made a decision about the grievance.

Recommendations for disciplinary action may be appealed, using the appropriate City of Pittsburg Disciplinary Appeal procedure.



Section Number: **8**
Effective Date: January 18, 2009

Policy Number: 809
Page: 121 of 149

Disciplinary action shall be implemented within thirty days of the notification of the City Manager. The HR Manager will monitor the implementation of the disciplinary process and its timeliness.

Record Keeping

Records will be kept in employee personnel files only if a complaint of sexual harassment is substantiated and disciplinary action is taken. All other records will be kept only for statistical purposes and to document that the City has responded to complaints.

Records maintained by the HR Manager to document that the City has responded to all complaints will include information concerning the receipt of the complaint, the notification of the alleged harasser and his or her response, the steps taken to investigate the complaint, and indicate whether the complaint was substantiated. All written statements obtained, as well as summaries of witness interviews, will be included in the documentation. If the complaint is substantiated, the records will document actions taken to stop the harassment and to remedy its effects. If the complaint is not substantiated, all records pertaining to the complaint will be maintained in confidential files, subject only to legally ordered disclosure. Whether the complaint is substantiated or not, the records will document that all parties have been reminded in writing of the City's policy prohibiting sexual harassment.



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 810
Page: 122 of 149

810 - WORKPLACE VIOLENCE

The City is committed to providing a safe workplace that is free from violence or threats of violence. Reports of threatening or violent incidents are taken seriously and dealt with appropriately. Individuals who engage in violent or threatening behavior may be removed from the premises, and may be subject to dismissal or other disciplinary action, arrest, and/or criminal prosecution.

Prohibited Behavior

The City does not tolerate behavior that:

1. Is violent
2. Threatens violence
3. Harasses or intimidates others
4. Interferes with an individual's legal rights of movement or expression
5. Disrupts the workplace or the City's ability to provide service to the public

Violent or threatening behavior can include physical acts, oral or written statements, or gestures and expressions.

All employees of the City must cooperate to maintain a safe work environment. Employees should report any incidents of violent, threatening, harassing, or intimidating behavior in the workplace to their supervisor, regardless of whether those involved are City employees or citizens.

Supervisors and managers who receive reports of violent or threatening behavior must notify the head of their department and Human Resources. Human Resources will assist supervisors and managers in their response to allegations of violent or threatening conduct.

Employees, who are particularly uncomfortable with a current or potential situation, should call the Police and ask that they send officers. In cases of physical assault or direct threats of harm to people or property, call 911.

The Safety Committee will review all reports of actual or threatened violence on city premises and will develop an action plan for the safety and security of potentially affected employees, as well as follow-up and review for any incidents. Critical stress debriefing will be provided by professionals as needed.



Section Number: **8**
Effective Date: January 18, 2009

Policy Number: 810
Page: 123 of 149

In case of incidents where buildings may be evacuated employees will be instructed about where to relocate and how to determine when the building may be reoccupied. If the City decides not to reopen the building for an extended period of time, employees may be sent home. If a building is not evacuated but the employee feels uncomfortable with the work environment, they may use vacation or compensatory time to cover the time not worked. Employees will be kept informed whenever an incident is made known to the City administration through voice mail messages and e-mail.



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 811
Page: 124 of 149

811 - DISCIPLINE

The purpose of discipline is to ensure high standards of performance and efficiency, to maintain good working relationships among employees, and to provide the citizens of the City with the highest possible level of courteous and professional public service.

Disciplinary action may take the form of verbal counseling, written reprimand, suspension, demotion or termination. Generally speaking, discipline should be **progressive**, although there are serious circumstances that do not require the application of progressive discipline.

In the case of acts of violence or other flagrant misconduct, serious safety violations, or criminal offense, any employee may be suspended immediately, with or without pay, pending an investigation and review of the matter by the Department Head, Human Resources and the City Manager.

It is the duty of employees to make a conscientious effort to work and behave in accordance with the values, service standards, policies and guidelines of the City and the department in which they work. When an employee does not exercise adequate self-discipline or is not successful in meeting the requirements of their job, it may be necessary for his/her supervisor to consider disciplinary actions to correct the problem. An employee is subject to disciplinary action if:

- The employee violates departmental, City, State or Federal policies, procedures and guidelines, laws and regulations;
- The employee's conduct reflects discredit to the City or hinders the effectiveness or efficiency of City operations;
- The employee has performed an act of misconduct, or has failed to perform an act which results in misconduct;
- The employee acts in disregard for established safety policies and procedures.

The following types of disciplinary actions may be imposed:

Verbal Counseling - A verbal warning is an oral reprimand for an issue of concern given to an employee by his/her supervisor or department head. Documentation of the warning will be recorded in the employee's file.



Section Number: **8**
Effective Date: January 18, 2009

Policy Number: 811
Page: 125 of 149

Written Reprimand - A reprimand is written warning intended to define the seriousness of deficiencies in an employee's conduct and/or performance so that the employee may take immediate corrective action. A copy will be retained in the employee's file.

Suspension - A suspension is the removal of an employee from service, with or without pay, for a specific period of time.

Demotion - A demotion is the placement of an employee into a position of a lower pay range.

Termination - is the removal of an employee from City employment.

Procedure for Disciplinary Action - Whenever the misconduct of an employee occurs that in the judgment of the employee's supervisor or department head justifies the application of disciplinary action, other than a verbal warning, the supervisor and/or department head shall:

1. Investigate and document the misconduct in writing.
2. Discuss the misconduct with Human Resources and determine appropriate disciplinary action to correct the issue.
3. Review the misconduct and recommended disciplinary action with the City Manager.
4. Meet with the employee to review the problem and the proposed disciplinary action. The employee may submit comments in writing to be attached to the record of the disciplinary action.
5. Make a final determination of the disciplinary action to be applied.
6. Notify the employee of the action in writing, documentation of the issue and outcome will be retained in the employee's personnel file.
7. Disciplinary action involving suspension, demotion, or termination requires written notification of the employee's right of appeal as outlined in this handbook.



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 812
Page: 126 of 149

812 - DISCIPLINARY APPEAL

An employee who receives disciplinary action may ask for an appeal. Appeals are granted to guarantee that the employee has his/her concerns reviewed and responded to in a timely and appropriate manner in accordance with established City policies and procedures.

An employee shall not be retaliated against for filing a disciplinary appeal. This procedure is intended to supplement, rather than discourage or replace informal discussion between supervisors and employees. A supervisor should make a reasonable effort to resolve employee concerns outside the formal Appeal Process.

Eligibility

The provisions of this policy are available to all full and part time employees; however, the provisions of this policy are not available to individuals employed in a temporary status.

An employee who has been involuntarily terminated is eligible to submit an appeal concerning issues related to the termination within the time constraints noted in the policy. The initiation of the employee appeal process in good faith by an employee who has not been terminated shall not adversely affect his or her standing as an employee. Group appeals are not permitted. A disciplined employee may only appeal the final decision on the following grounds:

1. proof that a substantial procedural error occurred that unreasonably impaired the employee's ability to achieve a fair decision;
2. new evidence of substantive nature, impossible for the supervisor to have heard at the time of the decision, has been discovered; or
3. Inappropriateness of the initial sanction(s).

Steps of Process - The Disciplinary Appeal process consists of three steps, which are outlined below. Outside counsel will not be permitted to attend any of the meetings. However, appropriate witnesses may be permitted to attend.

All formal appeals beginning with Step 2 below will be submitted in writing and will receive a written response. The employee submitting an appeal will state the specific response desired to resolve the problem satisfactorily.



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 812
Page: 127 of 149

Appeals regarding involuntary termination or issue(s) involving the immediate supervisor will be heard directly at Step 2.

Step 1: Supervisory Level

Employee's Role - The employee should verbally present the concern to his/her supervisor within five (5) working days of the final decision for the appeal or from the date the employee learned the cause for the appeal.

Supervisor's Role - The supervisor will respond verbally within five (5) working days.

Step 2: Discipline Appeal Request

Employee's Role - If an employee does not agree with the supervisor's response, he/she should submit a written appeal to his/her department head within five (5) working days of receiving the answer to Step 1. The employee may contact Human Resources for assistance.

Department Head's Role - The department head or his/her designee will review and investigate the facts of the appeal. The department head will then arrange and conduct a meeting with the employee, a representative from Human Resources may be present.

Regardless of the outcome of the meeting, the department head will provide the employee with a written response, briefly outlining the decision. This response will be delivered to the employee no later than five (5) working days following the meeting.

Step 3: Appeal

If the employee is not satisfied with the decision of the department head, he/she will give written notice within five (5) working days of receipt of the Step 2 written response to the City Manager stating his/her request to appeal the decision.

Final Decision

The City Manager, or his/her designee, will review the entire record (decision, corrective action, recommendation, and appeal process) and issue a final and binding written decision within seven (7) working days. In all cases, the City Manager, or his/her designee, may affirm, modify or reverse the disciplinary action. The City Manager's, or his/her designee's, decision is final with no right to appeal to the City Commission.



Section Number: **8**
Effective Date: January 18, 2009

Policy Number: 812
Page: 128 of 149

Human Resources Consultation

The procedure as outlined describes the normal course in which appeals are resolved. Employees should note that Human Resources is available to provide employees consultation on a problem and any other assistance at any time prior to or during the appeal procedure.



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 813
Page: 129 of 149

813 - INFORMAL COMPLAINT RESOLUTION

Employees should make every attempt to resolve problems encountered at work informally, through discussion with the other persons involved, and in a spirit of goodwill and cooperation. If issues are addressed early, they are less likely to escalate into grievances. Supervisors or department heads may be able to help in resolution of complaints and other issues informally and with as little disruption and distress as possible.

Employee's responsibility: The employee shall first attempt to resolve the issue informally with his/her immediate supervisor and, if necessary, with the immediate supervisor of his/her immediate supervisor.

Department Head's responsibility: All supervisors, to the best of their ability, are required to inform, listen to, and counsel with employees on all matters affecting them and to resolve informally, if possible, all issues. In the event the informal attempts to resolve the issues are not successful and the employee wishes to pursue the matter, he or she shall initiate a meeting with Human Resources.

Human Resources responsibility: Human Resources shall work with appropriate parties in an attempt to resolve the issue informally. If the process fails to bring about a satisfactory resolution, the employee may initiate the following formal grievance procedure.



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 814
Page: 130 of 149

814 - GRIEVANCE PROCEDURE

In the event an issue cannot be resolved informally, the following grievance procedure is available to employees. However, items resulting from disciplinary action are not eligible for the grievance procedure. Matters involving the application of or misinterpretation of policies are grievable. All other items should use the informal process or the disciplinary appeal process.

Formal Grievance Procedure

The grievant must contact Human Resources to initiate the formal grievance procedures. The grievant shall submit to Human Resources a written statement of the facts and the resolution sought. The statement must be signed and dated by the grievant. Human Resources shall:

1. Determine if there is grievance as defined above (policy application and misinterpretation).
2. Advise the grievant of the steps to be followed in the formal grievance procedure; and;
3. Advise the grievant of his or her rights to:
 - use the grievance procedure;
 - have another City employee present as the representative at all stages of the grievance procedures;
 - receive release time as necessary to participate in the grievance procedure (the grievant is cautioned about abusing his or her right to release time);
 - receive copies of all documentation, regardless of form, during all steps of the grievance procedures; and take further action through external remedies when the internal administrative process has been exhausted.

Grievance Procedure – The following steps are to be taken in sequential order for an employee grievance:

1. The aggrieved employee shall first orally present their grievance to their immediate supervisor within three working days of its occurrence. If the grievance is against the supervisor, the employee should contact the department head.



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 814
Page: 131 of 149

2. The supervisor or department head as appropriate will answer the aggrieved employee orally within three working days. A sincere attempt should be made by each supervisor/department head to resolve any grievance.
3. If, after conferring with their immediate supervisor/department head, the aggrieved employee feels that the oral presentation failed to settle the grievance, and the employee desires to proceed further, they must submit their grievance in writing to Human Resources within three (3) working days of the oral reply from the immediate supervisor.
4. The Department Head shall furnish the aggrieved employee with a written reply on the same form within three (3) working days from the date of the receipt of the grievance.
5. If, after reviewing the decision, the aggrieved employee is not satisfied with the written reply to the grievant, they must meet with the concerned Department Head and Human Resources within three (3) working days of the receipt of written reply of the Department Head.
6. Human Resources shall within three (3) working days from the date of said meeting, advise the grievant, in writing, of the decision reached as a result of this meeting.
7. If the employee is not satisfied with this decision, they must within three (3) working days from receipt of written correspondence from Human Resources make written appeal to the City Manager.
8. The City Manager shall then appoint a committee to consider the appeal or grievance of the employee within three (3) working days.
9. The Appeal Committee will be composed of three full-time employees of the City to be chosen by the City Manager; one of whom shall be a Department Head, one a Supervisor and one an employee of Grade 7 or below.
10. The Appeal Committee may conduct a hearing if the necessary facts surrounding the grievance are not adequately stated in the written allegations and responses.
11. During the hearing, the grievant and their Department Head shall have the opportunity to testify and present supporting evidence.
12. Within three (3) working days after the conclusion of the hearing, or the Committee's determination that no hearing is necessary, the Appeal Committee shall submit its recommendations, in writing, to the City Manager.



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 814
Page: 132 of 149

13. Within three (3) working days after receipt of the Committee's recommendation, the City Manager will communicate, in writing, his or her decision to the grievant and their Department Head.

14. The decision of the City Manager **will be final and binding**. No grievance proceedings or findings can advance to the City Commission.

Failure of the aggrieved employee to appeal the grievance to the next higher step, within the time specified, will terminate the grievance, with no right to re-file. Any and all adjustments resulting from the decision of grievances shall be retroactive to the date of the occurrence which initiated the grievance. All correspondence pertaining to this grievance will be a part of the employee grievance file.

Rights and Responsibilities

Each grievance shall be handled promptly and impartially, without fear of coercion, discrimination, or reprisal. Each participant in a grievance shall do his or her part to protect this right.

A grievant, any witness, any other employee involved as a participant in the grievance process, and any member of the grievance committee shall be provided released time from his or her work unit, as necessary, to participate in the grievance process.

If a representative of the City fails to observe the time limits required herein, the grievance shall be deemed to be settled in favor of the grievant. However, the time limits may be extended by the HR Manager, with the approval of the City Manager under unusual circumstances or when such extension is deemed to be in the best interest of the grievant or the City.



Section Number: **8**
Effective Date: January 18, 2009

Policy Number: 815
Page: 133 of 149

815 - RESIGNATION

Employees should give their supervisor or department head as much advance notice as possible of their intent to resign. Except under extenuating circumstances, two weeks written notice is required. Human Resources will assist with the completion of the necessary forms and other steps in the resignation process. If an employee terminates employment with the City voluntarily and with proper notice, he/she may be considered for reemployment at a later date.



Section Number: **8**
Effective Date: January 18, 2009

Policy Number: 816
Page: 134 of 149

816 - RETIREMENT

There is no mandatory retirement age for any City employee. Employees who are planning to retire should discuss their intentions with their supervisor, as early as possible. Notice provides the employee time to obtain retirement benefit options and provides the department time to properly prepare. Employees should contact KPERS or KPFERS for specific individual information. Health insurance benefits are available if the retiree meets the eligibility requirements as outlined in the plan criteria.



Section Number: 8
Effective Date: January 18, 2009

Policy Number: 817
Page: 135 of 149

817 - INVOLUNTARY TERMINATION OF EMPLOYMENT

Kansas is an employment-at-will state. All employees of the City, whether full-time, part-time or other, may have their employment terminated by the City at any time, or be dismissed for cause in accordance with City procedures (Refer to Discipline Policy). If the termination is related to unsatisfactory work performance, the procedures described in Performance Reviews, should be followed. In situations of a serious nature, such as dishonesty, insubordination, and other incidents of misconduct, or unlawful behavior, the City is not required to use progressive discipline. Refer to Progressive Discipline Policy for more information.

When a supervisor determines that a significant deficiency in work performance exists or misconduct has occurred, which in the judgment of the supervisor or department head justifies a recommendation for termination, the department head shall:

1. Meet with Human Resources and the City Manager and submit written documentation of misconduct or performance deficiency and intent to terminate in writing to the affected employee.
2. Give the employee an opportunity to refute the facts or argue against the proposed action.
3. Consult with the City Manager and Human Resources;
4. Notify the employee of the outcome in writing;
5. Notify the employee in writing of their right to file a disciplinary appeal.

REDUCTION IN FORCE

Reduction in force or lay off occurs when a reduction in programs or services occurs because of financial exigency or because of formal planning such as changes in the mission, substantial program changes, or major reallocations of resources for support services. If a reduction in force makes it necessary to eliminate jobs or reduce the City workforce, affected employees will, under normal circumstances, be given thirty days notice. The City will make serious efforts to help employees affected by reduction in force identify other employment opportunities within the City.

Evaluation of criteria to determine layoff shall be at the sole discretion of the City. Employees will be selected for layoff based on the following criteria:

1. Demonstrated current and past performance
2. Transferability of knowledge, skills and ability to other positions within the City.



Section Number: **8**
Effective Date: January 18, 2009

Policy Number: 817
Page: 136 of 149

3. The needs of the City and specific projects
4. Length of service.

Employees who are laid off will be maintained on a recall list for six months. Removal from the recall list terminates all job rights the employee may have. While on the recall list, employees should report to Human Resources if they become unavailable for recall. Employees are required to notify Human Resources if they wish to be considered for a posted opening. In addition, employees who do not keep current contact information on record with Human Resources will lose their recall rights.

Human Resources will assist with the completion of the necessary forms and other steps in the termination process. If an employee terminates employment with the City voluntarily and with proper notice, he/she may be considered for re-employment at a later date.



Section Number: 9
Effective Date: January 18, 2009

Policy Number: GLO
Page: 137 of 149

GLOSSARY

Alcohol concentration (or content)

The alcohol in a volume of breath as indicated by an evidential breath test

Appeal

An appeal is an expression of dissatisfaction relating to disciplinary actions

Applicant Tracking Pool

A hiring official's final selection of a job applicant for a specific position

Breath Alcohol Technician (BAT)

A person trained to proficiency in the operation of the EBT they are using and in alcohol testing procedures. Proficiency shall be demonstrated by successful completion of a course of instruction which, at a minimum, provides training in the principles of EBT methodology, operation, and calibration checks, the fundamentals of breath analysis for alcohol content; and the procedures required in this part for obtaining a breath sample, and interpreting and recording EBT results. Only courses of instruction for operation of EBTs that are equivalent to the DOT model course as determined by the National Highway Traffic Safety Administration (NHTSA) may be used to train BATs to proficiency. On request, NHTSA will review a BAT instruction course for equivalency.

Callback Pay

Compensation paid to an employee who is called back to work outside their normal work hours.

Child

A biological, adopted, or foster child, stepchild, or legal ward, who is under 18 years of age, or 18 years of age or older, if the child is incapable of self-care due to a physical or mental disability.

Classification

The process of organizing positions into categories of work (classes) based on the similarity of duties, authority, and responsibility.

COBRA Consolidated Omnibus Budget Reconciliation Act

Gives workers and their families who lose their health benefits the right to choose to continue group health benefits provided by their group health plan for limited periods of time under certain circumstances such as voluntary or involuntary job loss, reduction in the hours worked, transition between jobs, death, divorce, and other life events. Qualified individuals



Section Number: **9**
Effective Date: January 18, 2009

Policy Number: GLO
Page: 138 of 149

may be required to pay the entire premium for coverage up to 102 percent of the cost to the plan.

Compensatory Time

Time accrued to a nonexempt employee at one and one-half hours for every hour actually worked over 40 in a work week.

Complainant

A current employee who believes he or she has been the victim of unlawful discrimination and files a complaint alleging unlawful discrimination, or a member of the public who files a complaint of disability discrimination under the ADA.

Complaint

The complainant's allegations of unlawful discrimination. The complaint must present sufficient background and facts to identify the alleged act(s) of discrimination and must be submitted to the Human Resources Office.

Controlled Substance

A controlled substance in Schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812) and as further defined in regulation 21 CFR 1308.11-1308.15.

Continuous City Employment or Service

Staff who have been employed by the City without interruption in service. Service is defined as the length of time an employee has been employed in a benefits-eligible position.

Date of Hire

Date on which an employee was hired into a position. Also known as employment date.

Daughter

Means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis*, who is under eighteen years of age or who is eighteen years of age or older and incapable of self-care because of mental or physical disability.

Day-to-Day Assignments

Actions involving assignments on course work, office space, travel, and other benefits.

Demotion

A progressive disciplinary action changing an employee's assignment from a position in one classification to a position in another classification with a lower pay grade.

Department



Section Number: 9
Effective Date: January 18, 2009

Policy Number: GLO
Page: 139 of 149

Unit(s) directed by a department head, director, or equivalent title who normally reports to the City Manager.

Dependent Children

Children who are considered dependents for federal income tax purposes.

Direct Threat

Condition or disability that poses a threat to the health and safety of self or others and prevents an individual from performing the essential functions of the position or participating in a program, service, or activity at a safe level even with reasonable accommodation. The City must show both high probability of substantial harm and inability to reasonably accommodate.

Disability

A physical or mental impairment that substantially limits one or more major life activities, a record of such impairment, or a perception of such impairment. Examples of impairments: asthma, tuberculosis, AIDS, cancer, angina, diabetes, hypertension, stutter, anxiety disorders, bipolar disorders, dyslexia, blindness or vision impairment, deafness or hearing impairment, and paralysis.

EEOC

Equal Employment Opportunity Commission, a federal agency authorized to accept, investigate, resolve, or make findings related to charges of employment discrimination.

Employees

Persons employed by the City on a full- or part-time basis.

Equal Employment Opportunity

The assurance that all employment-related actions are based on objective, nondiscriminatory criteria. State and federal laws and regulations prohibit employment discrimination on the basis of race, color, religion, national origin, citizenship, sex, age, disability, Vietnam-era veteran status, or special disabled veteran status.

Essential Function

Fundamental or material job duty, distinguished from marginal duty.

Evidential Breath Testing Device (EBT)

A device approved by the National Highway Transportation and used to measure breath alcohol concentration

Exempt Employees

Employees who are exempt from the Fair Labor Standards Act and are not eligible to receive overtime pay or compensatory time for hours worked in excess of 40 hours per week.



Section Number: **9**
Effective Date: January 18, 2009

Policy Number: GLO
Page: 140 of 149

Facility

Building or site owned, leased, used, or controlled by the City of Pittsburg.

Fair Labor Standards Act (FLSA)

Establishes minimum wage, overtime pay, recordkeeping, and child labor standards affecting full-time and part-time employees.

Family Medical Leave Act (FMLA)

Requires covered employers to provide up to 12 weeks of unpaid leave and continued health coverage to employees during any 12-month period for one or more of the following reasons: for the birth and care of the newborn child of the employee; for placement with the employee of a son or daughter for adoption or foster care; to care for an immediate family member (spouse, child, or parent) with a serious health condition; **or** to take medical leave when the employee is unable to work because of a serious health condition.

FTE

Full-time equivalency, based on a fiscal year of 2,080 work hours.

Full -Time Employee

A regular employee based on 2080 hours of work for all employees except firefighters who are based on 2912 work hours, and expected to be employed for six months or more.

Grievant

See [Complainant](#).

Health Care Provider

A doctor of medicine or osteopathy; podiatrist; dentist; clinical psychologist; optometrist; nurse practitioner; nurse-midwife; or clinical social worker, each of whom is licensed and authorized to practice in the state and performing within the scope of his or her practice as defined by state law; Christian Science practitioner listed with First Church of Christ, Scientist, in Boston, MA; to a limited extent, chiropractor; any health care provider from whom an employer or group health plan will accept certification of the existence of a serious health condition to substantiate a claim for benefits; and a health care provider listed above who practices in a country outside the United States and who is licensed and practices under that country's laws.

Hiring Official

The individual who has authority to hire and terminate staff within a department.

Immediate Family



Section Number: **9**
Effective Date: January 18, 2009

Policy Number: GLO
Page: 141 of 149

Parent, parent-in-law, brother, sister, spouse (common law and same sex), child, grandparent, and any other person who is a member of the employee's established household.

Intimidation

An intentional act toward another person(s) that results in reasonable fear for his or her safety and/or the safety of others in the workplace.

Investigative Report

The report submitted by Human Resources, to the City Manager as part of the formal complaint

KPERS

Provides statewide defined-benefit retirement plans for state and local public employees

KP&F

Provides statewide defined-benefit retirement plans for state and local firefighters and sworn police employees.

Law Enforcement Officers

Certified personnel, including police officers, sergeants, lieutenants, deputy chiefs of police, the chief of police, and other sworn personnel.

Major Life Activity

Walking, sitting, standing, lifting, reaching, seeing, hearing, speaking, breathing, learning, working, caring for one's self, and other similar activities.

Market Adjustment

The increase amount to pay that is necessary to bring salary closer to the market rate.

Market Rate

An estimate of the wage rate that is prevailing in the external labor market for a given job or occupation.

Maximum

The upper limit of the salary range or pay grade as permitted by that classification.

Mediation

A confidential process whereby the mediator acts as a neutral party to assist disputing parties in resolving a complaint. The mediator may not impose a solution upon the parties; either party may withdraw during the process.

Medical Review Officer (MRO)



Section Number: **9**
Effective Date: January 18, 2009

Policy Number: GLO
Page: 142 of 149

The individual who is responsible for receiving laboratory results generated from the City's drug testing program under this Policy and who is a licensed physician in either medicine or osteopathy with knowledge of substance abuse disorders and the appropriate medical training to interpret and evaluate all positive test results together with an individual's medical history and any other relevant biomedical information.

Midpoint

The middle of the salary range or pay grade corresponding with the market.

Minimum

The lower limit of the salary range or pay grade as permitted by that classification.

Minimum Qualifications

The required education, experience, and/or knowledge needed to perform the essential functions of a position.

Minority

A person classified as Hispanic, Black, Asian, Pacific Islander, American Indian, or Alaska native.

Misappropriations

Wrongful uses of assets (e.g., fraud, embezzlement, and conflict of interest decisions that result in financial losses).

Nonexempt Employees

Employees who are not exempt under the Fair Labor Standards Act and are eligible to receive overtime pay or compensatory time for hours worked in excess of 40 hours per week.

Overtime Pay

Payment made to a nonexempt employee at a rate of one and one-half times the employee's regular hourly rate of pay for every hour actually worked over 40 in a work week.

PAF

Personnel Action Form. Form used to make changes affecting an employee's employment status.

PHI

Defined as Individually identifiable health information, that is, transmitted by electronic media, or transmitted or maintained in any other form or medium

Parent FMLA regulations

A natural parent, stepparent, adoptive parent, or surrogate parent.



Section Number: 9
Effective Date: January 18, 2009

Policy Number: GLO
Page: 143 of 149

Parent

Means the biological parent of an employee, or an individual who stands or who stood *in loco parentis* to an employee, when the employee was a son or daughter. It does not include parents-in-law.

Pay Grade

A number assigned to a classification corresponding to a salary range within the City's Classification/Compensation System.

Pay Status

Paid work and paid leave time as authorized by the administrative official.

Performance Standards

Written statements describing how a job should be performed.

Period of Incapacity

Period of time when an employee or family member is unable to work, attend school, or perform other regular daily activities because of a serious health condition, treatment therefore, or recovery there from.

Permanent Disability

A physical or mental impairment that substantially limits one or more major life activities, a record of such impairment, or a perception of such impairment. Examples of impairments: asthma, tuberculosis, AIDS, cancer, angina, diabetes, hypertension, stutter, anxiety disorders, bipolar disorder, dyslexia, blindness or vision impairment, deafness or hearing impairments, and paralysis.

Physical Harassment

Conduct that includes assault, impeding or blocking movement, or any physical interference with normal work or movement when directed at an individual.

Position

A job, occupied or vacant, involving a combination of duties and responsibilities requiring the services of one employee.

Position Abandonment

A position will be considered abandoned when an employee has not reported for work for three or more consecutive working days and is not on an approved leave.

Promotion

The movement of an employee to another position in a higher market grade as a result of a competitive process.

Qualified Individual



Section Number: **9**
Effective Date: January 18, 2009

Policy Number: GLO
Page: 144 of 149

- Individual with a disability who with or without reasonable accommodation can perform essential job functions at the City of Pittsburg.
- Reasonable Accommodation**
Change or modification that enables an individual with a disability to enjoy equal opportunity and/or access. Examples: job restructure; flexible work schedule; reassignment to vacant position; reassignment to accessible facility; delivery of service to accessible site; provision or modification of equipment or devices; adjustment or modification of standards, qualifications, criteria, tests, training materials or policies, provided fundamental alteration will not result from the modification; provision of qualified readers or interpreters; reallocation of nonessential (marginal) job functions; unpaid leave.
- Reassignment**
The movement of an employee from one classification to another classification at the same or lower market grade.
- Reclassification**
A change in the classification of a position where the duties and responsibilities have changed permanently and significantly in both substance and scope.
- Redlined**
Receiving compensation at or above the maximum of the pay grade.
- Reduction in Force**
The elimination of positions and layoff or severance of employment due to reorganization or budget constraints
- Refuse to Submit**
(To an alcohol or drug test) Means that an employee (1) failed to provide adequate breath for testing without a valid medical explanation; (2) failed to provide adequate urine for drug testing without a valid medical explanation; or (3) engages in conduct that clearly obstructs the testing process.
- Regarded as Having Impairment**
An individual who has physical or mental impairment that does not substantially limit a major life activity but who is treated as though it does. Examples: individuals with controlled high blood pressure, prior heart ailments, presumptive HIV risk, or disfigurement.
- Regular Employee**
An employee who is hired at FTE and is expected to be employed for six months or more. A regular employee is eligible to receive employee



Section Number: **9**
Effective Date: January 18, 2009

Policy Number: GLO
Page: 145 of 149

benefits offered by the City and must enroll in the Kansas State Retirement Plan.

Rehire

The reemployment of a former City employee within 12 months of his or her termination.

Reinstatement

Reemployment by the City resulting from an administrative or legal decision.

Relatives

Includes spouses (common law and same sex), children, grandchildren, parents, grandparents, brothers, sisters (including half brothers and half sisters), brothers-in-law, sisters-in-law, mothers-in-law, fathers-in-law, daughters-in-law, and sons-in-law of an employee.

Report

Allegations of unlawful discrimination provided to the Human Resources office, that result only in a meeting with the person alleged to have engaged in inappropriate behavior. The meeting is to alert the person to the perception of discrimination.

Respondent

A current City employee who is alleged to have committed the discriminatory act or practice.

Retired Employee

An employee who has completed at least ten years of continuous, full-time employment and obtained 85 points in the Kansas Public Employees Retirement System immediately preceding retirement, who is receiving a retirement annuity under a City sponsored retirement program.

Safety Sensitive Employee

Any employee who has a role in the operation where impaired performance could result in a significant incident affecting the health and safety of the employees, the public, property or the environment. A listing of all Safety Sensitive Positions are contained in Appendix A

Safety Sensitive Function

Any on-duty functions, but not limited to those which involve providing services directly or indirectly related to public safety or health, operations and maintenance of equipment, or any other service in which impairment could mean the loss of life or property by employees in Safety Sensitive Positions. An employee is considered to be performing a safety-sensitive function during any period in which they are actually performing, ready to



Section Number: 9
Effective Date: January 18, 2009

Policy Number: GLO
Page: 146 of 149

perform, or immediately available to perform any Safety Sensitive Functions.

Salary Adjustment

An adjustment of an individual employee's salary within his or her current classification subject to availability of funding.

Salary Structure

A set of graduated pay grades each having a specified minimum and maximum salary rate.

Search Committee

Group of two or more persons, appointed by the Department Head to review applications, interview candidates, conduct reference checks, and/or recommend candidates for hire.

Serious Health Condition

Means an illness, injury, impairment, or physical or mental condition that involves:

1. Inpatient care: Any period of incapacity or treatment in connection with or consequent to inpatient care in a hospital, hospice, or residential medical care facility;
2. Continuing treatment by a health care provider: Any period of incapacity of more than three consecutive calendar days, that also involves continuing treatment as follows:
 - a. Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or
 - b. Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under supervision of a health care provider. A regimen of continuing treatment includes, for example, a course of prescription medication or therapy requiring special equipment to resolve or alleviate the health condition. It does not include taking over-the-counter medications or other similar activities that can be initiated without a visit to a health care provider.
3. Any period of incapacity due to pregnancy.
4. Treatment for a chronic health condition that 1) requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant



Section Number: 9
Effective Date: January 18, 2009

Policy Number: GLO
Page: 147 of 149

- under direct supervision of a health care provider, 2) continues over an extended period of time (including recurring episodes of a single underlying condition), and 3) may cause episodic rather than a continuing period of incapacity (asthma, diabetes, epilepsy, etc.);
5. A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective: You or your family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, severe stroke, or the terminal stages of a disease;

Multiple treatments for non-chronic conditions: Any period of absence to receive multiple treatments (including any period of recovery there from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition such as cancer, severe arthritis, or kidney disease that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment;

Continuing supervision of, but not necessarily active treatment by, a health care provider because of a serious long-term or chronic condition or disability which cannot be cured.

Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

Smoking

The carrying or using of lighted pipes, cigars, cigarettes, or tobacco in any form.

Son

Means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis*, who is under eighteen years of age or who is eighteen years of age or older and incapable of self-care because of mental or physical disability.

Spouse



Section Number: 9
Effective Date: January 18, 2009

Policy Number: GLO
Page: 148 of 149

- Defined in accordance with applicable state law. Unmarried domestic partners do not qualify for FMLA leave to care for their partner.
- Substance Abuse Professional (SAP)**
A licensed physician or certified psychologist, social worker, employee assistance professional, or addiction counselor with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug disorders.
- Substantially Limits**
Prevents an individual from performing a major life activity.
- Temporary Disability**
A physical or mental disability that can reasonably be expected to resolve itself, allowing an employee to return to full duty without restrictions.
- Termination**
The discontinuation of City employment due to resignation, retirement, voluntary termination, involuntary termination for cause, abandonment of position, or death.
- Theft**
Taking and removing personal property with intent to deprive the rightful owner of it (e.g., removal of City property by a City employee that was not entrusted to that employee as part of his or her official responsibilities).
- Threat of Violence**
Any behavior that by its very nature could be interpreted by a reasonable person as an intent to cause physical harm to another person or damage to the property of another.
- Transfer**
The movement of an employee within or between departments within the same classification and/or grade.
- Treatment, for purposes of FMLA**
Includes examinations to determine if a serious health condition exists and evaluations of the condition, but does not include routine physical examinations, eye examinations, or dental examinations.
- Undue Hardship**
Accommodation that would be unduly costly, substantial, or disruptive, or that would fundamentally alter the nature or operation of a City department, program, service, or activity.
- Workplace**
All property owned, leased, used, or controlled by the City of Pittsburg where City work is performed.



Section Number: **10**
 Effective Date: January 18, 2009

Policy Number: APP
 Page: 149 of 149

Appendix A

Safety Sensitive Positions

The below listing contains the job titles and departments of Safety Sensitive Positions as designated by the City Manager.

Fire Department	Police Department	Administration & Finance
Firefighter I, II	Police Officer I, II	Cemetery Caretaker
Fire Lieutenant	Police Sergeant, Administrative Sergeant, Detective	Part-Time Cemetery Caretaker
Fire Captain	Communications Technicians	Water Service Representative
Battalion Chief	Police Lieutenant	
Fire Chief	Deputy Police Chief	
	Police Chief	
Parks & Recreation	Public Works	
Maintenance Workers Full and Part-Time	Laborer Full and Part-Time	
Light Equipment Operator	Light Equipment Operator	
Heavy Equipment Operator	Heavy Equipment Operator	
Parks and Golf Course Supervisors and Superintendents	Water and Wastewater Treatment Operators	
Auditorium Technical Director	Wastewater Quality Controller	
Aquatic Center staff	Street Foreman	
Recreation Superintendent	Water Foreman	
Forester	Wastewater Superintendent	
	Water Superintendent	

VENDOR SET: 99 City of Pittsburg, KS
BANK: * ALL BANKS
DATE RANGE:12/17/2008 THRU 1/06/2009

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
C-CHECK	VOID CHECK	V	12/19/2008			158486		
C-CHECK	VOID CHECK	V	12/19/2008			158487		
C-CHECK	VOID CHECK	V	12/23/2008			158528		
C-CHECK	VOID CHECK	V	12/23/2008			158529		
C-CHECK	VOID CHECK	V	12/30/2008			158544		
C-CHECK	VOID CHECK	V	1/05/2009			158553		
C-CHECK	VOID CHECK	V	1/05/2009			158554		

* * 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:	NO	VOID DEBITS	VOID DISCOUNTS	VOID CREDITS
	7	0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 99	BANK: *	TOTALS:	7	0.00	0.00	0.00
BANK: *	TOTALS:		7	0.00	0.00	0.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
4834	FAMILY RESOURCE CENTER	R	12/18/2008			158473		50.00
3406	JON SCHWENKER	R	12/18/2008			158474		400.00
1108	WESTAR ENERGY	R	12/18/2008			158475		49.54
5589	ALLTEL	R	12/19/2008			158484		122.54
4263	COX COMMUNICATIONS	R	12/19/2008			158485		650.00
2643	HEALTHSCRIPTS, INC.	R	12/19/2008			158488		118.75
0093	US POST OFFICE	R	12/19/2008			158489		70.00
5589	ALLTEL	R	12/23/2008			158523		551.43
5561	AT&T MOBILITY	R	12/23/2008			158524		705.51
0380	KANSAS DEPARTMENT OF REVENUE	R	12/23/2008			158525		625.00
6143	MANCINO MANUFACTURING CO INC	R	12/23/2008			158526		568.00
6145	NAPOLIS	R	12/23/2008			158527		1,387.50
0397	PITTSBURG POLICE DEPT	R	12/23/2008			158530		78.27
5242	SI MEMORIALS	R	12/23/2008			158531		89.32
4834	FAMILY RESOURCE CENTER	R	12/24/2008			158532		213.92
6149	LIVERPOOL LEGENDS	R	12/24/2008			158533		1,875.00
0094	M&I BANK	R	12/24/2008			158534		150.00
6135	MCNEARNEY & ASSOCIATES LLC	R	12/24/2008			158535		187.68
5503	NEWMAN, REYNOLDS AND RIFFEL	R	12/24/2008			158536		4.93
6148	BEVERLY PETERSON	R	12/24/2008			158537		187.50
6136	US DEPARTMENT OF EDUCATION	R	12/24/2008			158538		275.41
2519	EAGLE BEVERAGE CO INC	R	12/29/2008			158539		63.90

VENDOR SET: 99 City of Pittsburg, KS

BANK: 80144 M&I Bank

DATE RANGE:12/17/2008 THRU 1/06/2009

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
3466	KANSAS DEPT OF AGRICULTURE	R	12/29/2008			158540		50.00
4217	AL LETNER	R	12/30/2008			158541		144.00
1847	MILLERS	R	12/30/2008			158542		500.00
2916	US CELLULAR	R	12/30/2008			158543		2,713.52
0225	KDOR	R	12/31/2008			158545		10,588.50
4263	COX COMMUNICATIONS	R	1/05/2009			158552		2,599.50
5280	KANSAS BOARD OF TAX APPEALS	R	1/05/2009			158555		50.00
6154	4 STATE MAINTENANCE SUPPLY	R	1/06/2009			158566		31.15
4275	THE ACTIVE NETWORK INC	R	1/06/2009			158567		11,615.00
4205	AMERICAN BANKERS INS CO OF FL	R	1/06/2009			158568		2,752.00
6057	EDWARD BATTITORI	R	1/06/2009			158569		2,328.42
1342	CCMFOA OF KANSAS	R	1/06/2009			158570		75.00
5759	COMMUNITY HEALTH CENTER OF SEK	R	1/06/2009			158571		75.00
0748	CONRAD FIRE EQUIPMENT INC	R	1/06/2009			158572		398.63
5967	DANCO SYSTEMS INC	R	1/06/2009			158573		2,775.00
6079	ENGINEERED AIR	R	1/06/2009			158574		12,350.00
0118	FED EX	R	1/06/2009			158575		18.11
1004	FIRE ENGINEERING	R	1/06/2009			158576		51.95
2019	GFOA	R	1/06/2009			158577		185.00
6153	GOPHER	R	1/06/2009			158578		532.29
4678	GREAT AMERICAN OUTDOOR	R	1/06/2009			158579		1,011.25
5770	JOPLIN FREIGHTLINER SALES INC	R	1/06/2009			158580		201.11

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
3102	MED-TECH RESOURCE, INC.	R	1/06/2009			158581		520.54
1551	ORKIN EXTERMINATING CO IN	R	1/06/2009			158582		240.75
2509	POWERPLAN	R	1/06/2009			158583		1,160.00
1876	PRICE BROTHERS EQUIPMENT	R	1/06/2009			158584		339.04
5879	REGENT BOOK COMPANY	R	1/06/2009			158585		23.14
6133	S&S WORLDWIDE INC	R	1/06/2009			158586		496.67
5934	STOUFFER COMMUNICATIONS	R	1/06/2009			158587		40.00
5904	TASC	R	1/06/2009			158588		2,236.44
6147	TELEMATE.NET SOFTWARE	R	1/06/2009			158589		4,090.00
6151	THE CHILD'S WORLD	R	1/06/2009			158590		1,748.75
5959	TOMARK SPORTS	R	1/06/2009			158591		1,488.15
6144	TRI-STATE TRUCK & AUTO SALVAGE	R	1/06/2009			158592		100.00
6064	WICHITA BURNER INC	R	1/06/2009			158593		17,569.87
0011	AMERICAN ELECTRIC INC	E	12/24/2008			999999		564.47
0019	CONNECTIONS	E	12/24/2008			999999		16,985.89
0034	CRONISTER BROTHERS, INC	E	12/24/2008			999999		239.83
0039	BATTERY MART INC	E	12/24/2008			999999		361.31
0046	ETTINGERS OFFICE SUPPLY	E	12/24/2008			999999		1,047.11
0054	JOPLIN SUPPLY COMPANY	E	12/24/2008			999999		142.55
0055	JOHN'S SPORT CENTER	E	12/24/2008			999999		311.91
0062	LINDSEY SOFTWARE SYSTEMS, INC.	E	12/24/2008			999999		795.10
0063	LOCKE WHOLESALE SUPPLY	E	12/24/2008			999999		155.25

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0074	RUSSELL BELDEN ELECTRIC COMPAN	E	12/24/2008			999999		224.72
0075	RYAN'S DRIVE-THRU CLEANER	E	12/24/2008			999999		759.55
0078	SUPERIOR LINEN SERVICE	E	12/24/2008			999999		372.04
0083	WATER PRODUCTS INC	E	12/24/2008			999999		1,055.89
0087	FORMS ONE	E	12/24/2008			999999		38.50
0088	D & H LEASING INC	E	12/24/2008			999999		94.45
0094	M&I BANK	D	12/24/2008			999999		57.22
0101	BUG-A-WAY INC	E	12/24/2008			999999		20.00
0105	PITTSBURG AUTOMOTIVE INC	E	12/24/2008			999999		1,597.87
0112	MARRONES INC	E	12/24/2008			999999		165.75
0117	THE MORNING SUN	E	12/24/2008			999999		525.04
0128	MT CARMEL MEDICAL CENTER	E	12/24/2008			999999		112.88
0136	CHARLESWORTH & ASSOCIATES LC	E	12/24/2008			999999		1,495.00
0145	BROADWAY LUMBER COMPANY, INC.	E	12/24/2008			999999		156.16
0152	JOHN VAN GORDEN	E	12/24/2008			999999		400.00
0154	BLUE CROSS & BLUE SHIELD	D	12/18/2008			999999		15,758.05
0154	BLUE CROSS & BLUE SHIELD	D	12/19/2008			999999		24,912.11
0154	BLUE CROSS & BLUE SHIELD	D	12/24/2008			999999		2,721.33
0164	ALVIN J EASTEP	E	12/24/2008			999999		46.00
0168	MENGHINI, MENGHINI & MAZUREK L	E	12/24/2008			999999		41.50
0176	BAKER & TAYLOR INC	E	12/24/2008			999999		3,794.88
0177	BOOK WHOLESALERS INC	E	12/24/2008			999999		61.30

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0183	PRO-PRINT INC	E	12/24/2008			999999		140.00
0191	XEROX CORP	E	12/24/2008			999999		367.67
0197	KANSAS LEGAL SERVICES, INC	E	12/24/2008			999999		667.00
0199	KIRKLAND WELDING SUPPLIES	E	12/24/2008			999999		11.50
0201	SPICER-ADAMS WELDING, INC.	E	12/24/2008			999999		40.00
0207	PEPSI-COLA BOTTLING CO OF PITT	E	12/24/2008			999999		71.65
0224	KDOR	D	12/19/2008			999999		1,919.85
0224	KDOR	D	12/30/2008			999999		1,022.97
0237	JON B. GARRISON	E	12/24/2008			999999		250.00
0278	LAWSON PRODUCTS INC	E	12/24/2008			999999		189.83
0289	TITLEIST	E	12/24/2008			999999		44.92
0292	UNIFIRST CORPORATION	E	12/24/2008			999999		90.48
0303	601 DONUT SHOP	E	12/24/2008			999999		16.81
0306	CASTAGNO OIL CO INC	E	12/24/2008			999999		97.51
0308	DOBRAUC OIL COMPANY INC	E	12/24/2008			999999		11,721.58
0312	HACH COMPANY	E	12/24/2008			999999		105.95
0328	KANSAS ONE-CALL SYSTEM	E	12/24/2008			999999		265.62
0329	O'MALLEY IMPLEMENT CO INC	E	12/24/2008			999999		29.56
0331	OVERHEAD DOORS INC	E	12/24/2008			999999		248.72
0335	CUSTOM AWARDS PLUS INC	E	12/24/2008			999999		159.98
0337	CROSS-MIDWEST TIRE	E	12/24/2008			999999		1,781.25
0339	GENERAL MACHINERY	E	12/24/2008			999999		1,884.08

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0347	LYNN'S QUICK LUBE	E	12/24/2008			999999		417.55
0348	TYRELL'S SERVICE INC	E	12/24/2008			999999		3,691.54
0364	CRAWFORD COUNTY SHERIFF	E	12/24/2008			999999		2,820.00
0375	CONVENIENT WATER COMPANY	E	12/24/2008			999999		65.75
0376	DRUMMOND AMERICAN CORPORATION	E	12/24/2008			999999		373.62
0392	NAHRO	E	12/24/2008			999999		468.75
0400	QUILL CORPORATION	E	12/24/2008			999999		79.54
0516	AMERICAN CONCRETE CO INC	E	12/24/2008			999999		1,526.01
0573	WORLDWIDE DIRECTORY PRODUCT SA	E	12/24/2008			999999		97.54
0583	DICKINSON INDUSTRIES INC	E	12/24/2008			999999		172.50
0623	CALVIN JONES	E	12/24/2008			999999		260.00
0710	HOLLAND ALIGNMENT	E	12/24/2008			999999		49.95
0746	CDL ELECTRIC COMPANY	E	12/24/2008			999999		81.25
0753	CRAWFORD COUNTY MENTAL HE	E	12/24/2008			999999		11,390.81
0788	SCHREIBER LLC	E	12/24/2008			999999		302.00
0803	OLD DOMINION BRUSH CO	E	12/24/2008			999999		404.96
0805	BROADWAY ANIMAL HOSPITAL	E	12/24/2008			999999		922.00
0843	LAB SAFETY SUPPLY INC	E	12/24/2008			999999		512.00
0844	HY-FLO EQUIPMENT CO	R	12/24/2008			999999		39.95
0932	ALL-QUIP RENTAL AND SALES INC	E	12/24/2008			999999		259.98
0969	SEK-CAP INC	E	12/24/2008			999999		189.94
1013	SAFETY FIRST SUPPLY CO., LLC	E	12/24/2008			999999		46.35

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1033	BOB DITTMANN AGENCY INC	E	12/24/2008			999999		50.00
1050	KPERS	D	12/24/2008			999999		1,456.10
1097	BARCO MUNICIPAL PRODUCTS INC	E	12/24/2008			999999		408.17
1235	RHODES GROCERY INC	E	12/24/2008			999999		188.84
1243	WILLIAM A BEASLEY	E	12/24/2008			999999		250.00
1264	UNIVERSITY OF KANSAS	E	12/24/2008			999999		45.00
1347	ELECTRIC MOTOR SUPPLY INC	E	12/24/2008			999999		801.67
1435	DOC'S HEATING & AIR	E	12/24/2008			999999		325.30
1445	WICHITA PUMP & SUPPLY CO INC	E	12/24/2008			999999		515.82
1478	KANSASLAND TIRE OF PITTSBURG	E	12/24/2008			999999		389.67
1490	ESTHERMAE TALENT	E	12/24/2008			999999		25.00
1633	FISHNET SECURITY INC	E	12/24/2008			999999		100.00
1704	AMERICAN MEDIA INVESTMENTS	E	12/24/2008			999999		304.00
1717	WEARGUARD	E	12/24/2008			999999		100.97
1923	AUTOZONE	E	12/24/2008			999999		72.92
1977	CDW GOVERNMENT, INC.	E	12/24/2008			999999		157.26
2025	SOUTHERN UNIFORM & EQUIPMENT L	E	12/24/2008			999999		1,037.79
2027	COLLEEN BROOKS	E	12/24/2008			999999		112.50
2126	BUILDING CONTROLS & SERVICE IN	E	12/24/2008			999999		1,281.90
2134	PENELOPE W. ARMSTRONG	E	12/24/2008			999999		137.50
2161	RECORDED BOOKS	E	12/24/2008			999999		347.80
2165	CP COMMUNICATIONS	E	12/24/2008			999999		703.80

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
2226	KEY EQUIPMENT & SUPPLY CO INC	E	12/24/2008			999999		98.82
2960	PACE ANALYTICAL SERVICES INC	E	12/24/2008			999999		160.00
2974	H.W. WILSON COMPANY	E	12/24/2008			999999		445.00
3014	PUBLIC SAFETY CENTER, INC	E	12/24/2008			999999		783.89
3145	HUBER INC	E	12/24/2008			999999		31.60
3248	AIRGAS MID-SOUTH, INC	E	12/24/2008			999999		388.00
3281	USA BLUE BOOK	E	12/24/2008			999999		221.55
3305	FBI/LEEDA	E	12/24/2008			999999		100.00
3697	LR ENTERPRISES LLC	E	12/24/2008			999999		714.85
3884	MARK D. TURNBULL	E	12/24/2008			999999		250.00
3971	FASTENAL COMPANY	E	12/24/2008			999999		278.72
4022	THOMAS W. HETER	E	12/24/2008			999999		16.60
4133	T.H. ROGERS HOMECENTER	E	12/24/2008			999999		129.45
4149	THE LIBRARY OF CONGRESS	E	12/24/2008			999999		35.00
4183	BARBIZON LIGHT	E	12/24/2008			999999		13,453.60
4186	KEN WILKERSON	E	12/24/2008			999999		1,400.00
4307	HENRY KRAFT, INC.	E	12/24/2008			999999		325.64
4354	LIFESTYLE LEASING INC	E	12/24/2008			999999		1,200.00
4390	SPRINGFIELD JANITOR SUPPLY, IN	E	12/24/2008			999999		928.40
4501	JAMES D PATTERSON	E	12/24/2008			999999		25.00
4645	COVERT ELETRICAL SUPPLY INC	E	12/24/2008			999999		405.00
4660	TURFGRASS, INC.	E	12/24/2008			999999		3,000.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
4668	FIREHOUSE	E	12/24/2008			999999		52.00
4694	NAWLEE	E	12/24/2008			999999		75.00
4711	RANDOM HOUSE, INC.	E	12/24/2008			999999		208.00
4956	YAMAHA MOTOR CORPORATION, U.S.	E	12/24/2008			999999		1,540.26
5313	BURNS & MCDONNELL	E	12/24/2008			999999		7,470.22
5340	COMMERCE BANK TRUST	E	12/30/2008			999999		26,711.62
5357	JOPLIN BUSINESS JOURNAL	E	12/24/2008			999999		1,052.00
5418	QUALIFICATION TARGETS INC	E	12/24/2008			999999		135.16
5474	THE UPS STORE	E	12/24/2008			999999		51.25
5727	B3 CONSTRUCTION INC	E	12/24/2008			999999		4,345.00
5758	ROLL OFF SERVICES INC	E	12/24/2008			999999		1,069.70
5850	FAIRBANKS MORSE/MEMBER PENTAIR	E	12/24/2008			999999		832.00
5851	MEMPHIS NET & TWINE CO INC	E	12/24/2008			999999		254.51
5883	SPROULS CONSTRUCTION INC	E	12/24/2008			999999		300.00
5889	MIKE'S REPAIR & FABRICATION LL	E	12/24/2008			999999		132.00
5904	TASC	D	12/30/2008			999999		5,830.60
5908	HIBBARD DAVIS	E	12/24/2008			999999		151.30
5927	THOMPSON, ROSS AND ASSOCIATES,	E	12/24/2008			999999		3,780.00
6034	JEFF WILBERT	E	12/24/2008			999999		250.00
6104	CAPPS RENT-A-CAR INC	E	12/24/2008			999999		625.00

* * T O T A L S * *	NO	CHECK AMOUNT	DISCOUNTS	TOTAL APPLIED
REGULAR CHECKS:	58	89,562.93	0.00	89,562.93
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	8	53,678.23	0.00	53,678.23
EFT:	130	154,663.15	0.00	154,663.15
NON CHECKS:	0	0.00	0.00	0.00

VOID CHECKS:	VOID DEBITS	VOID DISCOUNTS	VOID CREDITS
0	0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 99	BANK: 80144	TOTALS:	196	297,904.31	0.00	297,904.31
BANK: 80144	TOTALS:	196	297,904.31	0.00	297,904.31	

VENDOR SET: 99 City of Pittsburg, KS
 BANK: EFT MANUAL EFTS
 DATE RANGE:12/17/2008 THRU 1/06/2009

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0026	STANDARD INSURANCE COMPANY	E	1/05/2009			999999		1,415.55
0129	PROFESSIONAL ENGINEERING CONSU	E	12/26/2008			999999		128,700.00
0135	PITTSBURG AREA CHAMBER OF COMM	E	12/24/2008			999999		25.76
0142	HECKERT CONSTRUCTION	E	12/26/2008			999999		66,196.85
0236	RON WUERDEMAN	E	1/06/2009			999999		20.00
0256	STEPHEN GILLIS	E	12/30/2008			999999		16.81
0577	KANSAS GAS SERVICE	E	12/19/2008			999999		25.83
0866	AVFUEL CORPORATION	E	1/06/2009			999999		35.00
0866	AVFUEL CORPORATION	E	12/30/2008			999999		15,039.23
1238	SEWARD ELECTRIC, INC.	E	12/24/2008			999999		9,023.40
1542	LARRY SHANKS	E	12/19/2008			999999		495.00
2223	PITNEY BOWES	E	12/30/2008			999999		810.00
2678	MID AMERICA ROOFING,	E	12/24/2008			999999		38,886.30
2921	CSG SYSTEMS INC	E	12/26/2008			999999		5,449.77
2971	KERIT	E	1/05/2009			999999		81,067.00
3114	PATRICIA BURLESON	E	12/19/2008			999999		1,000.00
3273	RICHARD F THENIKL	E	12/19/2008			999999		400.00
3435	PURCHASE POWER (POLICE METER)	E	12/30/2008			999999		518.99
3593	REMINGTON SQUARE	E	12/19/2008			999999		49.00
3668	MID AMERICA PROPERTIES OF PITT	E	12/19/2008			999999		475.00
3708	GILMORE BROTHERS RENTALS	E	1/02/2009			999999		100.00
4013	KNIGHTS OF COLUMBUS TOWERS	E	12/19/2008			999999		280.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
4452	FEE INSURANCE GROUP	E	1/05/2009			999999		162,946.00
4534	BOB GARDULLO	E	12/30/2008			999999		30.00
4957	BOB GILMORE	E	12/24/2008			999999		42.92
5137	KANSAS RECREATION & PARKS ASSO	E	12/19/2008			999999		470.00
5387	PALUCCA AND SONS SUPER MARKET	E	12/24/2008			999999		456.46
5532	TRAVIS BOWMAN	E	12/24/2008			999999		538.63
5534	SYCAMORE VILLAGE APARTMENTS	E	12/19/2008			999999		839.00
5609	RON WHITE	E	12/19/2008			999999		339.50
5689	CONNIE ETZKIN	E	12/24/2008			999999		794.54
5838	MICHAEL S SARLEY	E	1/02/2009			999999		304.09
5858	YORK DEVELOPMENT LLC	E	12/19/2008			999999		475.00
5873	T J BARNOW	E	1/06/2009			999999		508.00
5883	SPROULS CONSTRUCTION INC	E	12/17/2008			999999		65,601.45
5883	SPROULS CONSTRUCTION INC	E	12/26/2008			999999		21,452.16
5883	SPROULS CONSTRUCTION INC	E	12/31/2008			999999		41,040.00
6043	BRENDA CAVIN	E	12/19/2008			999999		525.00
6108	TILDEN BURNS	E	12/19/2008			999999		475.00
6121	LEE SPONSEL	E	12/19/2008			999999		500.00
6138	CHARLES R GILMORE	E	12/19/2008			999999		475.00
6146	EAST OKLAHOMA HORIZONS LLC	E	12/24/2008			999999		5,690.00

* * 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:	42	653,532.24	0.00	653,532.24
NON CHECKS:	0	0.00	0.00	0.00

VOID CHECKS:	NO	VOID DEBITS	VOID DISCOUNTS	VOID CREDITS
	0	0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 99	BANK: EFT	TOTALS:	42	653,532.24	0.00	653,532.24
BANK: EFT	TOTALS:		42	653,532.24	0.00	653,532.24

VENDOR SET: 99 City of Pittsburg, KS
 BANK: HAP M&I Bank - HAP
 DATE RANGE: 12/17/2008 THRU 1/06/2009

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
6155	DEKALB COUNTY	R	1/02/2009			158546		1,977.40
1601	GRAIG MOORE	R	1/02/2009			158547		236.00
3406	JON SCHWENKER	R	1/02/2009			158548		229.00
2850	VENITA STOTTS	R	1/02/2009			158549		338.00
2348	MARY D VANLEEUWEN	R	1/02/2009			158550		450.00
1108	WESTAR ENERGY	R	1/02/2009			158551		519.00
0140	A&M RENTALS	E	1/05/2009			999999		1,451.00
0372	CONNER REALTY	E	1/05/2009			999999		1,502.00
0855	CHARLES HOSMAN	E	1/05/2009			999999		235.00
0969	SEK-CAP INC	E	1/05/2009			999999		41.00
1008	BENJAMIN M BEASLEY	E	1/05/2009			999999		1,036.00
1231	JOHN LOVELL	E	1/05/2009			999999		285.00
1421	SMITH RENTALS	E	1/05/2009			999999		546.00
1542	LARRY SHANKS	E	1/05/2009			999999		438.00
1603	GARY SAKER	E	1/05/2009			999999		385.00
1609	PHILLIP H O'MALLEY	E	1/05/2009			999999		3,324.00
1638	VERNON W PEARSON	E	1/05/2009			999999		1,566.00
1649	HAROLD O'MALLEY	E	1/05/2009			999999		482.00
1688	DORA WARE	E	1/05/2009			999999		734.00
1945	TOM SLACK	E	1/05/2009			999999		361.00
1961	DUSTIN D MAJOR	E	1/05/2009			999999		214.00
1982	KENNETH STOTTS	E	1/05/2009			999999		4,100.00

VENDOR SET: 99 City of Pittsburg, KS
BANK: HAP M&I Bank - HAP
DATE RANGE: 12/17/2008 THRU 1/06/2009

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1985	RICK A MOORE	E	1/05/2009			999999		259.00
1989	ALBERT MCCOOL	E	1/05/2009			999999		297.00
2142	D & T RENTALS, LLC	E	1/05/2009			999999		205.00
2256	TODD MERANDO	E	1/05/2009			999999		369.00
2304	DENNIS HELMS	E	1/05/2009			999999		251.00
2339	CHRIS WINDSOR	E	1/05/2009			999999		178.00
2397	DIXIE J HEFLIN	E	1/05/2009			999999		471.00
2398	WILLIAM E SAMSON	E	1/05/2009			999999		234.00
2542	CHARLES YOST	E	1/05/2009			999999		2,038.00
2624	JAMES ZIMMERMAN	E	1/05/2009			999999		2,069.00
2718	KENNETH B DUTTON	E	1/05/2009			999999		648.00
2771	MICHELLE PRYOR	E	1/05/2009			999999		179.00
3002	BARBARA MINGORI	E	1/05/2009			999999		908.00
3067	STEVE BITNER	E	1/05/2009			999999		4,146.00
3082	JOHN R JONES	E	1/05/2009			999999		459.00
3114	PATRICIA BURLESON	E	1/05/2009			999999		1,303.00
3142	COMMUNITY MENTAL HEALTH CENTER	E	1/05/2009			999999		710.00
3162	THOMAS A YOAKAM	E	1/05/2009			999999		388.00
3185	JOHN W. PETERSON	E	1/05/2009			999999		198.00
3187	DEAN POWELL	E	1/05/2009			999999		324.00
3215	REA RAE DONNA RHODES	E	1/05/2009			999999		103.00
3218	CHERYL L BROOKS	E	1/05/2009			999999		507.00

VENDOR SET: 99 City of Pittsburg, KS
 BANK: HAP M&I Bank - HAP
 DATE RANGE: 12/17/2008 THRU 1/06/2009

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
3230	DAN MONTEMURRO	E	1/05/2009			999999		311.00
3241	CHARLES F SIMPSON	E	1/05/2009			999999		638.00
3252	LINDA S LLOYD	E	1/05/2009			999999		237.00
3272	DUNCAN HOUSING LLC	E	1/05/2009			999999		2,086.00
3273	RICHARD F THENIKL	E	1/05/2009			999999		1,210.00
3317	PHIL MARTIN	E	1/05/2009			999999		375.00
3520	DON T. BUCHE	E	1/05/2009			999999		319.00
3593	REMINGTON SQUARE	E	1/05/2009			999999		9,167.00
3668	MID AMERICA PROPERTIES OF PITT	E	1/05/2009			999999		3,383.00
3724	YVONNE L. ZORNES	E	1/05/2009			999999		355.00
3746	JAROLD BONBRAKE	E	1/05/2009			999999		397.00
3929	MDI LIMITED PARTNERSHIP #49	E	1/05/2009			999999		6,216.00
3945	KEITH E. HARRIS	E	1/05/2009			999999		151.00
3977	EUGENE HUNT	E	1/05/2009			999999		1,023.40
3978	TBSW HOLDINGS, LLC	E	1/05/2009			999999		214.00
4154	JOSEPH L. BOURNONVILLE	E	1/05/2009			999999		310.00
4218	MEADOWLARK TOWNHOUSES	E	1/05/2009			999999		2,592.00
4308	KENNETH BATEMAN	E	1/05/2009			999999		186.00
4418	SUSAN K. BUCKLE	E	1/05/2009			999999		460.00
4492	PITTSBURG APARTMENTS	E	1/05/2009			999999		3,814.00
4516	THOMAS ZORTZ	E	1/05/2009			999999		175.00
4546	C & M PROPERTIES LLC	E	1/05/2009			999999		50.00

VENDOR SET: 99 City of Pittsburg, KS
BANK: HAP M&I Bank - HAP
DATE RANGE: 12/17/2008 THRU 1/06/2009

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
4550	JIM RUSSELL	E	1/05/2009			999999		391.00
4564	TERRY L SIMPSON	E	1/05/2009			999999		425.00
4605	HARLIN C CRAIN	E	1/05/2009			999999		140.00
4612	LORNA GRIFFIN	E	1/05/2009			999999		410.00
4637	OPAL M .WALKER	E	1/05/2009			999999		382.00
4928	PITTSBURG STATE UNIVERSITY	E	1/05/2009			999999		2,338.00
5035	ZACK QUIER	E	1/05/2009			999999		525.00
5036	TRACY STAHL	E	1/05/2009			999999		765.00
5151	KELLY FOWLER	E	1/05/2009			999999		348.00
5197	LOIS JONES	E	1/05/2009			999999		126.00
5356	MICHAEL SIMMONS	E	1/05/2009			999999		1,748.00
5393	CARLOS ANGELES	E	1/05/2009			999999		842.00
5411	HERMAN A KUPLEN	E	1/05/2009			999999		182.00
5541	SANDRA GEIER	E	1/05/2009			999999		154.00
5549	DELBERT BAIR	E	1/05/2009			999999		241.00
5583	ROBERT L NANKIVELL SR	E	1/05/2009			999999		101.00
5614	JAMES DAVID VAUGHN	E	1/05/2009			999999		230.00
5653	PEGGY HUNT	E	1/05/2009			999999		193.00
5656	EARL HARTMAN	E	1/05/2009			999999		1,898.00
5660	HERBERT WARING	E	1/05/2009			999999		378.00
5676	BARBARA TODD	E	1/05/2009			999999		265.00
5687	LUIS M RAMIREZ	E	1/05/2009			999999		155.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
5716	CHARLES T IMEL	E	1/05/2009			999999		393.00
5748	COZY LIVING PROPERTIES INC	E	1/05/2009			999999		625.00
5795	RUA RENTALS	E	1/05/2009			999999		341.00
5806	GARY M WILKINSON	E	1/05/2009			999999		218.00
5817	JAMA ENTERPRISES LLP	E	1/05/2009			999999		767.00
5822	JOE FENSKE	E	1/05/2009			999999		339.00
5825	DEAN DAVIED	E	1/05/2009			999999		286.00
5831	DOUGLAS R BARTO	E	1/05/2009			999999		273.00
5833	GERRY DENNETT	E	1/05/2009			999999		489.00
5854	ANTHONY A SNYDER	E	1/05/2009			999999		306.00
5858	YORK DEVELOPMENT LLC	E	1/05/2009			999999		138.00
5870	ANTHONY E SIMONCIC	E	1/05/2009			999999		224.00
5875	BRIAN WARE	E	1/05/2009			999999		299.00
5885	CHARLES T GRAVER	E	1/05/2009			999999		355.00
5891	MITCHELL R BROOKS	E	1/05/2009			999999		308.00
5897	NIESE WOODY-FAIR	E	1/05/2009			999999		1,612.00
5906	JOHN HINRICHS	E	1/05/2009			999999		223.00
5939	EDNA R TRENT	E	1/05/2009			999999		424.00
5957	PASTEUR PROPERTIES LLC	E	1/05/2009			999999		800.00
5975	RAY PEAK	E	1/05/2009			999999		360.00
6010	TONYA HARRIS	E	1/05/2009			999999		292.00
6032	TIM .J. RIDGWAY	E	1/05/2009			999999		424.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
6036	JACK H LEGRAND	E	1/05/2009			999999		86.00
6043	BRENDA CAVIN	E	1/05/2009			999999		439.00
6050	JEFFREY R SPONSEL	E	1/05/2009			999999		331.00
6062	MARC D SCHROEDER	E	1/05/2009			999999		292.00
6073	REBECCA FOSTER	E	1/05/2009			999999		984.00
6090	RANDAL BENNEFELD	E	1/05/2009			999999		454.00
6092	MINGORI LLC	E	1/05/2009			999999		225.00
6101	KENNETH D GIEFER	E	1/05/2009			999999		226.00
6108	TILDEN BURNS	E	1/05/2009			999999		315.00
6113	PHIL O'MALLEY	E	1/05/2009			999999		638.40
6121	LEE SPONSEL	E	1/05/2009			999999		428.00
6140	WANDA PERKINS	E	1/05/2009			999999		299.00
6284	FRED TWEET	E	1/05/2009			999999		680.00
6294	RONALD E WUERDEMAN	E	1/05/2009			999999		634.00
6298	KEVAN L SCHUPBACH	E	1/05/2009			999999		1,924.00
6300	MARTY STAHL	E	1/05/2009			999999		139.00
6306	BALKANS DEVELOPMENT LLC	E	1/05/2009			999999		182.00
6317	RONALD L EMERSON	E	1/05/2009			999999		192.00

* * T O T A L S * *	NO	CHECK AMOUNT	DISCOUNTS	TOTAL APPLIED
REGULAR CHECKS:	6	3,749.40	0.00	3,749.40
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	122	96,814.80	0.00	96,814.80
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0	0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 99	BANK: HAP	TOTALS:	128	100,564.20	0.00	100,564.20
BANK: HAP	TOTALS:		128	100,564.20	0.00	100,564.20

VENDOR SET: 99 City of Pittsburg, KS
 BANK: PY PAYROLL PAYABLES
 DATE RANGE: 12/17/2008 THRU 1/06/2009

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0094	M&I BANK	D	12/24/2008			000000		78,285.14
0321	KP&F	D	12/24/2008			000000		30,990.32
0728	ICMA	D	12/24/2008			000000		7,464.19
1050	KPERS	D	12/24/2008			000000		20,941.48
0349	UNITED WAY OF CRAWFORD COUNTY	R	12/24/2008			158516		31.50
1503	FAMILY SUPPORT PAYMENT CENTER	R	12/24/2008			158517		347.74
2577	OK CENTRALIZED SUPPORT RE	R	12/24/2008			158518		130.97
4252	GENERAL REVENUE CORPORATION	R	12/24/2008			158519		207.28
2228	KANSAS PAYMENT CENTER	R	12/24/2008			158520		1,189.01
0028	PAYROLL CLEARING	E	12/24/2008			999999		53,058.04

* * T O T A L S * *	NO	CHECK AMOUNT	DISCOUNTS	TOTAL APPLIED
REGULAR CHECKS:	5	1,906.50	0.00	1,906.50
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	4	137,681.13	0.00	137,681.13
EFT:	1	53,058.04	0.00	53,058.04
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0	0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 99	BANK: PY	TOTAL	10	192,645.67	0.00	192,645.67
BANK: PY	TOTALS:		10	192,645.67	0.00	192,645.67
REPORT TOTALS:			383	1,244,646.42	0.00	1,244,646.42

Passed and Approved this 13th day of January, 2009.

Pamela Henderson, Mayor

ATTEST:

Tammy Nagel, City Clerk



Interoffice Memorandum

TO: JOHN D. VANGORDEN
Interim City Manager

FROM: TODD KENNEMER
Assistant Director of Public Works

DATE: January 6, 2009

SUBJECT: Agenda Item – January 13, 2009
Recommendation of the Planning and Zoning Commission
PUBLIC HEARING
Request to Vacate a Portion of Lindburg Street from the East Right-of-Way Line of Locust Street to the West Right-of-Way Line of Elm Street

The Planning and Zoning Commission, in its meeting of November 24, 2008, considered a request submitted by Pittsburg State University to vacate a portion of Lindburg Street from the east right-of-way line of Locust Street to the west right-of-way line of Elm Street (see attached map).

Issues discussed by the Planning and Zoning Commission were traffic flow and access to utilities.

TRAFFIC FLOW: Lindburg, Locust and Elm are all one-way streets at the present time. Traffic on Lindburg flows to the west; traffic on Locust flows to the south; and traffic on Elm flows to the north.

Lindburg traffic will remain unchanged regardless if the vacation is approved or not. If the vacation is approved, direction of traffic on Locust and Elm will be switched...Locust will become one-way north bound...Elm will become one-way southbound.

MEMO TO: JOHN D. VANGORDEN
JANUARY 6, 2009
PAGE TWO

This redirection of traffic will be between Ford and Lindburg streets only. One way traffic on Locust and Elm (south of Ford) will remain as is. Minutes from the November 4, 2008 Traffic Advisory Board (TAB) state, "...TAB does not see a problem stopping one way at Ford Street. Would recommend PSU pay to remark Ford Street."

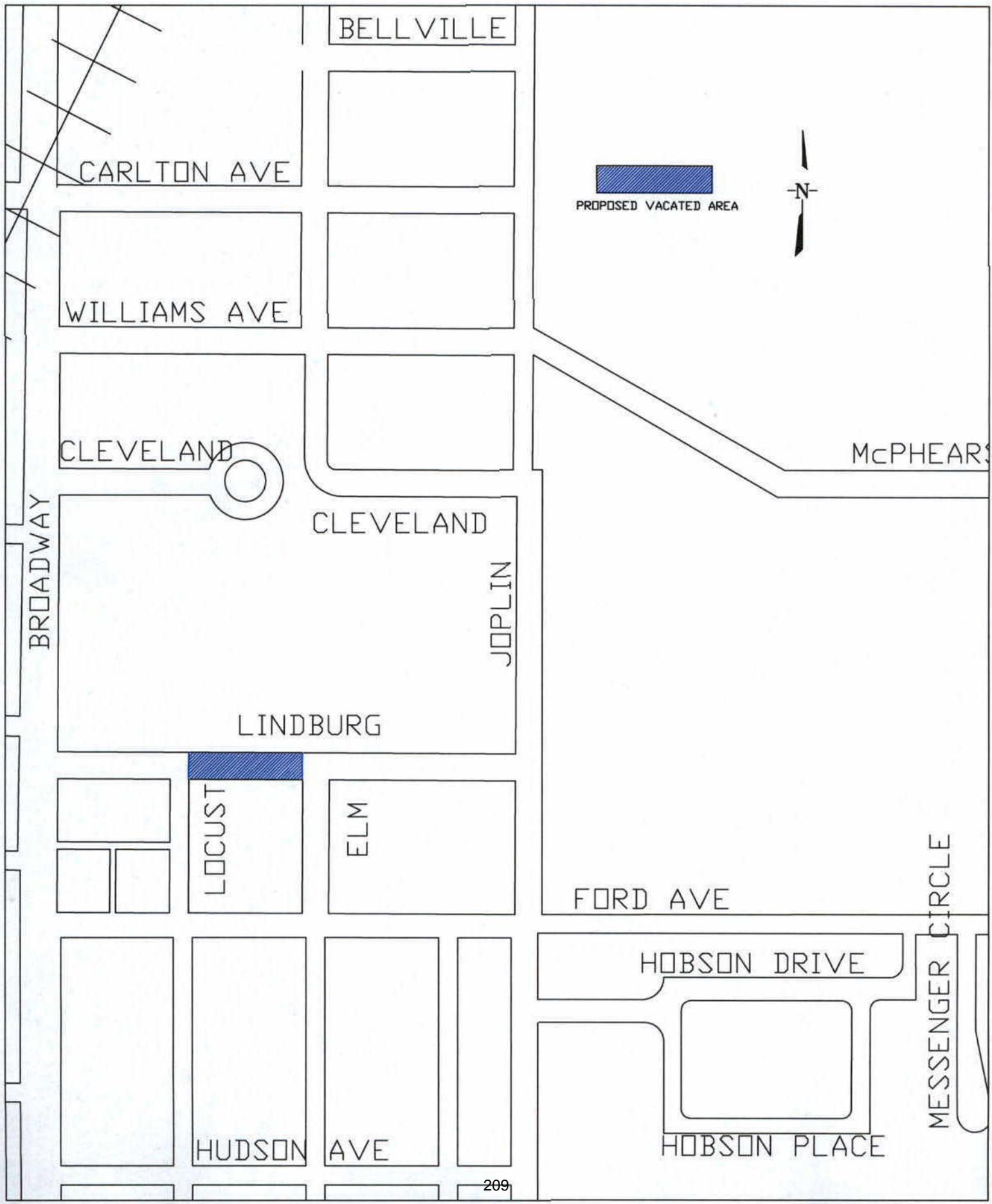
UTILITIES & ACCESS: It was determined that water lines located under this portion of Lindburg are pretty aged and somewhat undersized by today's standards. PSU stated the vacated street is to be an open space plaza with landscaping, turf and some walkways; water line replacement would not be hindered by structures (or street pavement).

After reviewing all the evidence presented, the Planning and Zoning Commission voted unanimously to recommend to the Governing Body **approval** to vacate this portion of Lindburg Street but retain the vacated portion as a utility easement. This recommendation will be presented to the Governing Body for their consideration during a **PUBLIC HEARING** scheduled for Tuesday, January 13, 2009. 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



BELLVILLE

CARLTON AVE

WILLIAMS AVE

CLEVELAND

CLEVELAND

BROADWAY

JOPLIN

LINDBURG

LOCUST

ELM

FORD AVE

HOBSON DRIVE

HUDSON AVE

HOBSON PLACE

MESSENGER CIRCLE

PROPOSED VACATED AREA

N



Interoffice Memorandum

TO: JOHN D. VANGORDEN
Interim City Manager

FROM: TODD KENNEMER
Assistant Director of Public Works

DATE: January 6, 2009

SUBJECT: Agenda Item – January 13, 2009
Recommendation of the Planning and Zoning Commission
PUBLIC HEARING
Request to Vacate a Portion of the East-West Alley Beginning at the East Right-of-Way Line of Broadway Avenue and Extending East Approximately 158 Feet Located Adjacent to Lots 1 thru 12 and Lot 26, Block 1, College Park Addition

The Planning and Zoning Commission, in its meeting of November 24, 2008, considered a request submitted by Pittsburg State University to vacate a portion of the east-west alley beginning at the east right-of-way line of Broadway Avenue and extending east approximately 158 feet located adjacent to Lots 1 thru 12 and Lot 26 in Block 1 of the College Park Addition to the City of Pittsburg, Crawford County, Kansas (see attached map).

The new Student Health Center is to be constructed on the lots directly north and adjacent to the alley subject to be vacated. All the properties to the south of the alley will basically remain the same (parking with a fraternity on the corner).

The alley entrance onto Broadway is to be eliminated.

There is a sanitary sewer main running the entire length of the alley.

Vacating the alley will have no effect on the health, safety and welfare of the public.

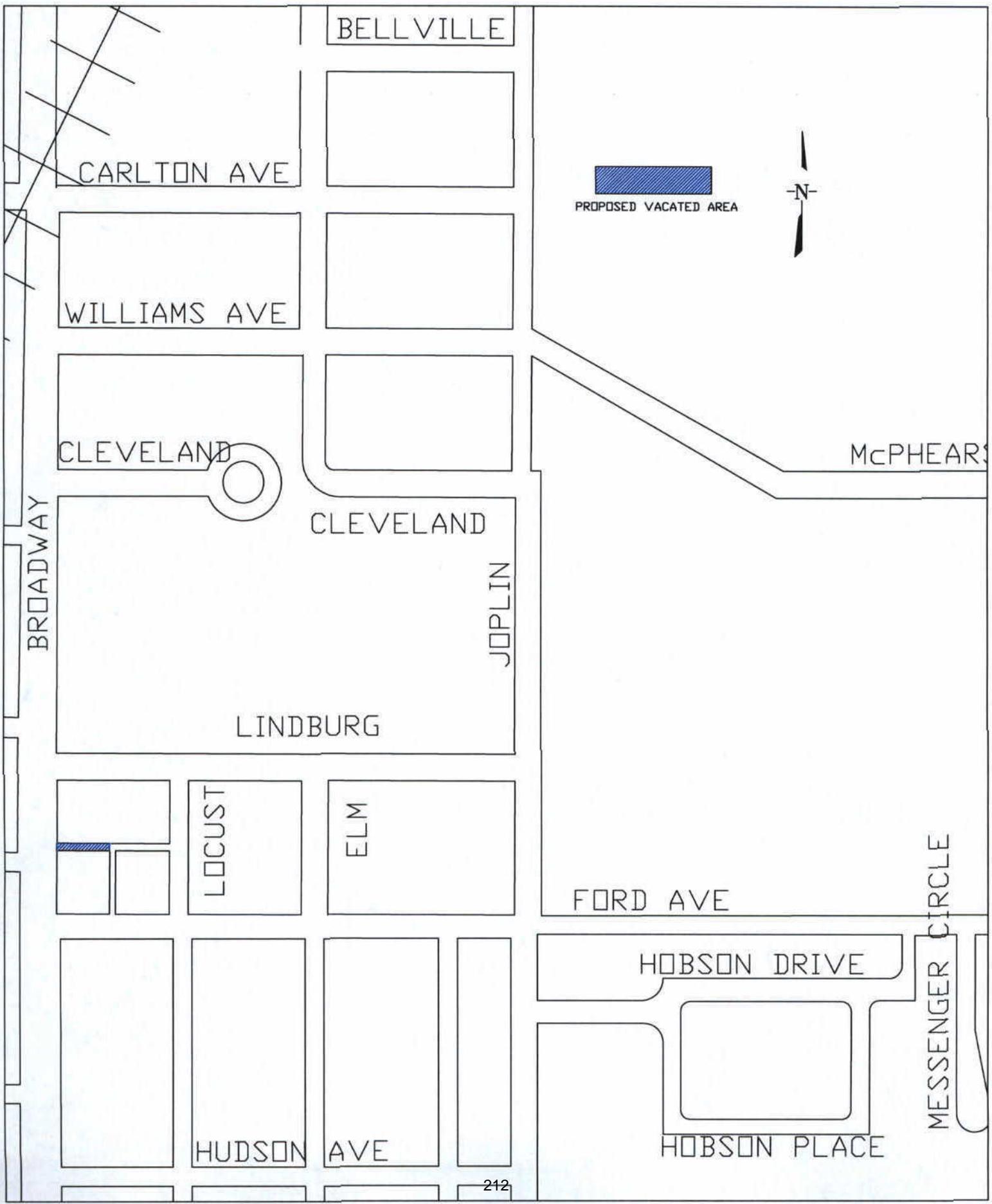
MEMO TO: JOHN D. VANGORDEN
JANUARY 6, 2009
PAGE TWO

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 an easement be retained for utility purposes. This recommendation will be presented to the Governing Body for their consideration during a **PUBLIC HEARING** scheduled for Tuesday, January 13, 2009. 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





Interoffice Memorandum

TO: CITY COMMISSION

FROM: JOHN D. VANGORDEN
Interim City Manager

DATE: January 7, 2009

SUBJECT: Agenda Item – January 13, 2009
Acquisition of Property
906 West 3rd Street

Due to the construction of the new Fire Station No. 1, the owner of the property at 906 West 3rd Street approached the City to see if they would be interested in purchasing the property. As a result, the City of Pittsburg recently hired Charles L. Hosman to conduct an examination and analysis of the real property located at 906 West 3rd Street for the purpose of providing a Market Value of the property. Based on this analysis Mr. Hosman has provided a Market Value for the subject property to be \$22,000.

Would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, January 13, 2009. Action being requested is authorization for City staff to proceed with the purchase of this property. The cost of this purchase will be funded with monies from the sales tax designated for this project.

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

cc: Tammy Nagel, City Clerk
Henry Menghini, City Attorney
Project File
Memo File



Interoffice Memorandum

TO: JOHN D. VANGORDEN
Interim City Manager

FROM: WILLIAM A. BEASLEY
Director of Public Works

DATE: January 7, 2009

SUBJECT: Agenda Item – January 13, 2009
Change Order No. 1
Broadway Avenue Streetscape Improvements Phase II
8th Street to 11th Street

The work on the Broadway Avenue Streetscape Improvements Phase II Project is nearing completion. All of the concrete has been placed on this project. The electrical subcontractor is in the process of installing street lights and traffic lights. The benches and trash cans have all been delivered and will soon be permanently installed.

The City staff is requesting consideration of Change Order No. 1 for additional work that was performed during this project outside the scope of the plans and specifications. These changes were necessary due to conditions undetectable during the preparation of the plans and specifications. After approval of this change order, there will be one additional change order on this project which will be a unit cost change order to final out the project. The total change order being requested is \$36,960. This brings the total cost to \$772,726.80. These funds will come from G.O. Bonds issued by the City of Pittsburg for this project.

Would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, January 13, 2009. Action being requested is approval or disapproval of this change order.

MEMO TO: JOHN D. VANGORDEN
JANUARY 7, 2009
PAGE TWO

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

Attachment: Change Order No. 1

cc: Tammy Nagel, City Clerk
Project File
Memo File

CHANGE ORDER FORM

PROJECT: DOWNTOWN STREETSCAPE PHASE II
 Broadway (US69 Business) - 8th Street to 11th Street
 Paving Project No. P08-01

DATE: January 7, 2009

PETITION AUTHORIZED AMOUNT \$ _____
 TEMPORARY NOTES AUTHORIZED \$ _____
 CONTRACT BIDS RECEIVED: _____
 CONTRACTOR: Sprouls Construction, Inc.

CHANGE ORDER NO.: 1

ORIGINAL CONTRACT CONSTRUCTION AMOUNT \$735,766.80
 CHANGE ORDER NO. _____ THRU _____ \$ _____
 NEW CONSTRUCTION AMOUNT \$ _____

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT COST	TOTAL
-----	Flowable Fill for Storm Sewer Trench	+1,075	L.F.	\$ 20.00	+ \$21,500.00
-----	Geotex 315ST Stabilization	+2,386	S.F.	\$ 2.00	+ \$ 4,772.00
-----	Gabian Rock	+ 16	Ton	\$ 25.00	+ \$ 400.00
-----	Set New Water Meters	+ 23	Each	\$300.00	+ \$ 6,900.00
9.	Concrete Pavement 6" (Entrance)	+1,694	S.F.	\$ 7.00	+ \$11,858.00
10.	Concrete Sidewalk Construction (4")	-1,694	S.F.	\$ 5.00	- \$ 8,470.00

TOTAL CHANGE ORDER NO. 1 \$+36,960.00
 NEW CONTRACT CONSTRUCTION AMOUNT \$772,726.80
 ENGINEERING AND INSPECTION (10%) \$ _____
 LEGAL AND ADMINISTRATIVE (5%) \$ _____
 NEW PROJECT TOTAL \$772,726.80

ACCEPTED BY: _____ SUBMITTED BY: Don Vaughan
 Don Vaughan, Inspector

DATE: _____ APPROVED BY: William A. Beasley
 William A. Beasley, Director of Public Works

DATE OF APPROVAL BY CITY COMMISSION: _____



Interoffice Memorandum

TO: JOHN D. VANGORDEN
Interim City Manager

FROM: WILLIAM A. BEASLEY
Director of Public Works

DATE: January 7, 2009

SUBJECT: Agenda Item – January 13, 2009
Change Order No. 1
Manhole Rehabilitation (Year 5)

In the process of rehabilitating the manholes identified in Year 5 of the Sanitary Sewer System Study, several items were found that required additional work or additional material. Attached is a change order identifying those items. Briefly, they include additional manhole rings and covers not identified in the original plans and specifications, re-attachment of private lines that were undiscovered until the manholes were excavated for removal, and repairs to manholes that were not able to be inspected due to the inability to find the manholes during the study. The amount of increase for this change order is \$54,985. These funds will come from the revolving loan fund from KDHE set aside for the rehabilitation of the sanitary sewers in Pittsburg.

Would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, January 13, 2009. Action being requested is to approve or disapprove the change order.

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

Attachment: Change Order No. 1

cc: Tammy Nagel, City Clerk
Project File
Memo File

MEMO

Professional Engineering Consultants, P.A.

902 S. BROADWAY • PITTSBURG, KS 66762 • 620-235-0195 • FAX 620-235-1011
www.pec1.com • pittsburg@pec1.com

TO: City of Pittsburg
201 W. 4th
Pittsburg, KS 66762

DATE: 1/7/09

PROJECT NO.: 07E03-010

PROJECT: Manhole Rehabilitation
C20 1656 01

ATTENTION: John Bailey/Jim Tush

FROM: Bruce Remsberg

REFERENCE: Change Order No. 1
Corgill Construction, Inc.

COPIES TO: Corgill Construction, Inc.
KDHE

Please advise immediately of any misconceptions or omissions you believe to be contained herein.

Bill,

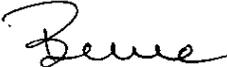
Transmitted herewith are 4 copies of Change Order No. 1 for the above referenced project.

This covers the equipment and labor cost to reconnect two service lines that were discovered during the replacement of manhole 2B-014. There was one service line directly connected to the old manhole, but was not running and was deemed a dead line. During excavation, an additional line was discovered. Corgill Construction had the City of Pittsburg die test one line and t.v. camera the other. Upon further inspection, the service lines were discovered to be active and both were reconnected by tee's to the new 8" main running into the East side of manhole 2B-014.

Other issues covered by this Change Order are:

1. Repair damaged service tap discovered during the performance of the drop repair for manhole 3C-097.
2. Elimination of a "sag" in the main sewer running into the West side of manhole 7B-162.
3. Replacment of seven(7) cleanouts from the unevaluated list from the basins in Years 3 & 4. These were facilities that were lost, buried or otherwise inaccessible during preliminary inspection and were found and excavated by the Contractor.
4. Build new flat-top for manhole 7B-012. The existing flat-top was broken.
5. Quantity overrun on bid item #8, adjust existing manhole ring (Type II). The direct cause of the overrun was due to the manholes along cow creek being unevaluated from being buried at least 1'-6" and not being found. Manhole 2A-015B was found to be under water after heavy rains and was added to raise with a barrel section.
6. Quantity overrun on bid item #9, replace manhole ring and cover. All of the rings and covers on the unevaluated manholes along cow creek were either corroded and rusted shut, broken, or didn't exist. There were other manhole rings and covers that were found to be broken and added to the project. This may have occurred after preliminary inspection of the manholes.
7. Quantity overrun on bid item #10, install bolt down manhole ring and cover. Manhole 2A-016A had the ring and cover "blown" off after heavy rains causing the manhole to surcharge and therefore was added to bid item #10.
8. Quantity overrun on bid item #11, repair drop manhole. Quantities were not calculated correctly from the original plans. Sheet 14, Misc. Details, shows two(2) drop repairs.

Please let me know of any questions.


Bruce Remsberg

CHANGE ORDER

Order No. 1

Date: 1/7/09

KWPCRF Project No. C20 1656 01

PEC Project No. 334-07E03-010-0830

Agreement Date: _____

NAME OF PROJECT: Sanitary Sewer Manhole Rehabilitation – Year 5

OWNER: City of Pittsburg, Kansas

CONTRACTOR: Corgill Construction, Inc.

Changes are hereby made to the CONTRACT DOCUMENTS as listed and described below and on the attached sheets:

1. Cost for equipment and labor to reconnect two service lines for 613 W. 5th St. and 615 W. 5th St. that was discovered during the replacement of MH 2B-014. The City of Pittsburg supplied all material. Additional cost = \$1,540.
2. Cost for equipment and labor to repair damaged service tap discovered during the performance of the drop repair for manhole 3C-097. Additional cost = \$200.00.
3. Cost for equipment and labor to eliminate "sag" in main line connected to the west side of manhole 7B-162. Additional Cost = \$625.00.
4. Cost for equipment and labor to replace seven (7) cleanouts from the unevaluated list from years 3 & 4. Additional Cost = 7 @ 1,920.00 = 13,440.00.
5. Cost for material and labor to build new flat-top for manhole 7B-012. Additional Cost = \$350.00.
6. Quantity overrun on bid item #8, adjust manhole ring (Type II). Additional Cost = 18 @ \$1,400 = \$25,200.
7. Quantity overrun on bid item #9, replace manhole ring and cover. Additional Cost = 28 @ \$360.00 = \$10,080.
8. Quantity overrun on bid item #10, install bolt down manhole ring and cover. Additional Cost = 1 @ \$100.00 = \$100.00.
9. Quantity overrun on bid item #11, repair drop manhole. Additional Cost = 1 @ \$3,800 = \$3,800.

Change to BID PRICE

Change to BID PRICE

Original BID PRICE: \$279,729.80

The CONTRACT PRICE due to this CHANGE ORDER will be INCREASED: \$54,985.00

The CONTRACT PRICE after this CHANGE ORDER will be: \$334,714.80

CONTRACT TIME: NO CHANGE

Requested by: _____ City of Pittsburg

Prepared by: Bened Rensburg _____ P.E.C., P.A.

Accepted by: _____ Corgill Construction, Inc.

The list of cleanouts that were replaced from Change Order #1 Item #4 are as follows:

1. 5B-046 – Near California St. & Ohio St.
2. 5B-047 – Near California St. & Ohio St.
3. 5B-051 – Near California St. & Ohio St.
4. 5A-080 – Between Hobson Drive & Hobson Place
5. 5A-030 – Near Quincy St. & Stilwell St.
6. 5A-029 – Near Quincy St. & Stilwell St.
7. 5A-097 – Near Homer St. & Twin Lakes Drive

The list of Type II Adjustments from Change Order #1, Item #6 are as follow:

1. 7B-003 – East of SE lift station in crop field
2. 7B-010 – East of Springdale, South of Centennial in between two crop fields
3. 7B-011 – East of Springdale, South of Centennial in between two crop fields
4. 7B-012 – East of Springdale, South of Centennial in between two crop fields
5. 7B-014 – North of Centennial, West of Cow Creek in crop field
6. 7B-015 – North of Centennial, South of Cow Creek in horse pasture
7. 7B-017 – North of Centennial, West of Cnty Rd 240 at tree line South of crop field
8. 7B-018 – North of Centennial, West of Cnty Rd 240 in middle of crop field
9. 7B-019 – North of Centennial, West of Cnty Rd 240 in middle of crop field
10. 7B-020 – North of Centennial, West of Cnty Rd 240, North of crop field in trees
11. 7B-022 – South of Quincy, West of Cnty Rd 240, West of crop field in trees
12. 7B-023 – South of Quincy, West of Cnty Rd 240, in Southern part of crop field
13. 7B-024 – South of Quincy, West of Cnty Rd 240, in tree line West of crop field
14. 7B-038 – South of 4th St., East of Water St.

15. 7B-154 – South of Quincy, West of Cnty Rd 240 in Southeast part of crop field
16. 7B-155 – South of Quincy, West of Cnty Rd 240 in grass field, East of crop field
17. 7B-158 – South of Quincy, West of Free King Hwy
18. 2A-015B – North of Quincy, East of U.S. 69 Bypass

The list of Replace Manhole Ring & Cover from Change Order #1, Item #7 is as follows:

1. 7B-003 – East of SE lift station in crop field
2. 7B-010 – East of Springdale, South of Centennial in between two crop fields
3. 7B-011 – East of Springdale, South of Centennial in between two crop fields
4. 7B-012 – East of Springdale, South of Centennial in between two crop fields
5. 7B-014 – North of Centennial, West of Cow Creek in crop field
6. 7B-015 – North of Centennial, South of Cow Creek in horse pasture
7. 7B-017 – North of Centennial, West of Cnty Rd 240 at tree line South of crop field
8. 7B-018 – North of Centennial, West of Cnty Rd 240 in middle of crop field
9. 7B-019 – North of Centennial, West of Cnty Rd 240 in middle of crop field
10. 7B-020 – North of Centennial, West of Cnty Rd 240, North of crop field in trees
11. 7B-022 – South of Quincy, West of Cnty Rd 240, West of crop field in trees
12. 7B-023 – South of Quincy, West of Cnty Rd 240, in Southern part of crop field
13. 7B-024 – South of Quincy, West of Cnty Rd 240, in tree line West of crop field
14. 7B-038 – South of 4th St., East of Water St.
15. 7B-154 – South of Quincy, West of Cnty Rd 240 in Southeast part of crop field
16. 7B-155 – South of Quincy, West of Cnty Rd 240 in grass field, East of crop field
17. 7B-158 – South of Quincy, West of Free King Hwy
18. 7B-076 – East of Rouse, North of 27th St.

19. 7B-178 – West of Free King Hwy, South of 4th St.
20. 7B-061 – 20th St., East of Highland
21. 7B-167 – In Free King Hwy at Water Plant
22. 7B-165 – In Free King Hwy, South of Water Plant
23. 7B-400 – Edge of driveway and Tanglewoods Dr.
24. 7B-395 – East of Rouse & Madison, South of rock lined garden
25. 7B-053 – South of 14th St., East of Lakewood Dr.
26. 7B-341 – South of 31st St., West of R.R. Tracks in tree line
27. 7B-060 – South of 20th St., East of Highland
28. 7B-231 – North of 4th St., East of Victorian Dr.



Interoffice Memorandum

TO: JOHN D. VANGORDEN
Interim City Manager

FROM: WILLIAM A. BEASLEY
Director of Public Works

BRUCE D. REMSBERG, P.E.
City Engineer

DATE: January 6, 2009

SUBJECT: Agenda Item – January 13, 2009
Disposition of Bids
Traffic Signal Installation
Ford and Rouse

The City received bids today on the above referenced project. Three bids were received. A Bid Tabulation is attached for your information. All bids were under the Engineer's Estimate of \$130,000.00.

The low bidder was CDL Electric Co., Inc., of Pittsburg, with a bid of \$88,295. However, this bidder did not include the sheet acknowledging the receipt of Addendum No. 1. The addendum clarified issues regarding quantities of signal equipment that needed to be supplied and was directed primarily at equipment suppliers. The issues involved were small and all would result in a lower cost. Although CDL Electric Co., Inc. did not submit the first sheet of the bid document, Larry Seward of CDL Electric Co., Inc. acknowledged at the Bid Opening that they had received the addendum.

In the Instructions to Bidders on Page 00100-1 the following is stated, "The OWNER may waive any informalities or minor defects...". While the omission of an acknowledgement of addendum is not normally considered a minor defect, we believe in this case it is. The City staff, therefore, recommends that the contract be awarded to CDL Electric Co., Inc. for the amount of \$88,295. The cost of this traffic signal will be split between the Pittsburg State University and the City of Pittsburg. The City funds will come from Revolving Loan Funds.

MEMO TO: JOHN D. VANGORDEN
JANUARY 6, 2009
PAGE TWO

Would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, January 13, 2009. Action necessary will be approval or disapproval of staff's recommendation to award the bid to the low bidder as stipulated above and, if approved, authorize the Mayor to sign the contract documents once prepared.

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

Attachment: Bid Tab Sheet

cc: Tammy Nagel, City Clerk
Jon B. Garrison, Director of Finance and Administration
Project File
Memo File

City of Pittsburg, Kansas

Recapitulation of Bids
Ford and Rouse Traffic Signal
Department of Public Works

January 6, 2009 – 2:00 p.m.
City Commission Room

Name & Address of Bidder	Amount Bid
Washington Electronics 1009 West 4 th Street Pittsburg, Kansas 66762	\$100,135.00
CDL Electric Company 201 North Joplin Pittsburg, Kansas 66762	\$88,295.00 No acknowledgement of addenda 1
Interstate Electrical Construction, Inc. P.O. Box 596 1715 South Highway 59 Parsons, Kansas 67357	\$111,250.00
Engineer's Estimate	\$130,000.00