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PUBLIC HEARING - The City of Pittsburg advertised for Public Hearing, Tuesday, July 26, 2011, at the City Commission Meeting commencing at 5:30 p.m. for the purpose of vacating the North 96 feet of the 15 foot wide utility easement between Lots 14 and 15, Block 2, North Joplin Heights Addition to the City Pittsburg, Crawford County, Kansas. (Request of Habitat for Humanity).

H4H Utility Vacation Memo 38

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NOISE ORDINANCE DISCUSSION - Richard Peoples, owner of The Jungle (1620 South Broadway), will be present to suggest changes to the City's noise ordinance.

Noise Regulations. 40

CITY OF PITTSBURG, KANSAS
COMMISSION AGENDA
Tuesday, July 26, 2011
5:30 PM

CALL TO ORDER BY THE MAYOR:

- a. Invocation by Jim Akins of the First United Methodist Church
- b. Flag Salute Led by the Mayor
- c. Proclamation - Social Security eServices Week, received by Krissy Wietharn
- d. Public Input

CONSENT AGENDA:

- a. Approval of the July 12, 2011, City Commission Meeting minutes.
- b. Approval of Ordinance No. G-1147, providing for the change of certain areas from IP-2 Planned Medium Industrial to CP-4 Planned Central Business District and amending and supplementing the Zoning District Boundary Map and Zoning Ordinance No. G-663, as amended of the City of Pittsburg. (Request of McCarthy's). **First Reading, if the Governing Body concurs.**
- c. Approval of Ordinance No. G-1148, providing for the change of certain areas from CP-2 Planned General Commercial to IP-2 Planned Medium Industrial and amending and supplementing the Zoning District Boundary Map and Zoning Ordinance No. G-663, as amended of the City of Pittsburg. (Request of VanBecelaere Machine Shop). **First Reading, if the Governing Body concurs.**
- d. Approval of Ordinance No. S-991, levying a special assessment against the lots or parcels of land on which a public nuisance was located, to pay the cost of abating the nuisance. **Second Reading - ROLL CALL VOTE.**
- e. Approval of Ordinance No. S-992, levying a special assessment against the lots or parcels of land on which refuse matter was located to pay the cost of making the premises safe and hygienic. **Second Reading - ROLL CALL VOTE.**
- f. Approval of Ordinance No. S-993, levying a special assessment against the lots or parcels of land on which existed weeds or obnoxious vegetable growth to pay the costs of cutting or removing said growth. **Second Reading - ROLL CALL VOTE.**
- g. Approval of the application submitted by George and Dana Yaghmour for water service outside the City limits to property located at 1902 East Quincy.

CITY OF PITTSBURG, KANSAS
COMMISSION AGENDA
Tuesday, July 26, 2011
5:30 PM

- h. Approval of the application submitted by George and Dana Yaghmour for sewer service outside the City limits to property located at 1902 East Quincy.
- i. Approval of the Third Amendment to the Loan Agreement for the Kansas Water Pollution Control Revolving Fund (KWPCRF) loan to the City of Pittsburg for the wastewater collection system improvements project (KWPCRF Project No. C20 1818 01A; SE Pump Station; Collection System I/I Control Equipment; Public Utilities Maintenance Building) adjusting the repayment schedule in Exhibit B to reflect the estimated amount of principle forgiveness the City has received for this project by reducing the semi-annual loan repayment from \$78,804.74 to \$38,840.82, and authorization for the Mayor to sign the amendment on behalf of the City.
- j. Approval of the Appropriation Ordinance for the period ending July 26, 2011, subject to the release of HUD expenditures when funds are received.
ROLL CALL VOTE.

PUBLIC HEARING:

- a. **PUBLIC HEARING** - The City of Pittsburg advertised for Public Hearing, Tuesday, July 26, 2011, at the City Commission Meeting commencing at 5:30 p.m. for the purpose of vacating the North 96 feet of the 15 foot wide utility easement between Lots 14 and 15, Block 2, North Joplin Heights Addition to the City Pittsburg, Crawford County, Kansas. (Request of Habitat for Humanity). **Following Public Hearing, consider request and, if approved, direct the City Attorney to prepare the necessary Order.**

CONSIDER THE FOLLOWING:

- a. **NOISE ORDINANCE DISCUSSION** - Richard Peoples, owner of The Jungle (1620 South Broadway), will be present to suggest changes to the City's noise ordinance. **Take that action deemed appropriate.**

NON-AGENDA REPORTS & REQUESTS:

CITY OF PITTSBURG, KANSAS
COMMISSION AGENDA
Tuesday, July 26, 2011
5:30 PM

EXECUTIVE SESSION:

- a. EXECUTIVE SESSION - An Executive Session is necessary for discussion regarding the confidential affairs of a third party. **Motion to recess into Executive Session for approximately 60 minutes for discussion regarding the confidential affairs of a third party.**

ADJOURNMENT

Office of the Mayor
CITY OF PITTSBURG, KANSAS

Proclamation

Whereas: For 75 years, the Social Security Administration has provided great customer service; and

Whereas: The Social Security Administration now has eServices, allowing the public to apply for benefits at their convenience and at their own pace; and

Whereas: The Social Security Administration's addition of eServices removes the need for customers to leave work, travel to a field office, or wait for appointments, and

Whereas: The Social Security Administration has adopted a Go Green Mission, pledging to remain as paperless as possible and encouraging others to use online services whenever available, making the Go Green Mission as successful as possible.

Now, Therefore, I, Marty Beezley, Mayor of the City of Pittsburg, Kansas, do hereby proclaim the week of August 22nd, 2011, as

SOCIAL SECURITY eSERVICES WEEK

and encourage all citizens to utilize online services whenever possible, to reduce the amount of paper used, which in turn will save one of our country's greatest natural resources, the tree.

Dated this 9th day of August, 2011.

ATTEST:

CITY CLERK

MAYOR

OFFICIAL MINUTES
OF THE
GOVERNING BODY
OF THE
CITY OF PITTSBURG, KANSAS
July 12th, 2011

A Regular Session of the Board of Commissioners was held at 5:41 p.m., Tuesday, July 12th, 2011, in the City Commission Room, located in the Law Enforcement Center, 201 North Pine, with Mayor Marty Beezley presiding and the following members present: Rudy Draper, Michael Gray, John Ketterman, and Patrick O'Bryan.

Mayor Beezley provided the invocation.

Mayor Beezley led the flag salute.

Mayor Beezley read a proclamation recognizing the Americans with Disabilities Act.

Mayor Beezley proclaimed July 30th, 2011, as Shrine Bowl Day in Pittsburg.

PUBLIC INPUT – Richard Peoples, owner of the Jungle, 1620 South Broadway, addressed the Commission regarding the City's current noise ordinance. Mr. Peoples suggested differentiating between residential and commercial districts when enforcing the noise ordinance. Mayor Beezley indicated that additional discussion will be held on this topic at a later date.

APPROVAL OF MINUTES – JUNE 28th, 2011 - On motion of O'Bryan, seconded by Draper, the Governing Body approved the minutes of the June 28th, 2011, City Commission Meeting as submitted. Motion carried.

ORDINANCE NO. S-991 – On motion of O'Bryan, seconded by Draper, the Governing Body approved Ordinance No. S-991, levying a special assessment against the lots or parcels of land on which a public nuisance was located, to pay the cost of abating the nuisance, on first reading. Motion carried.

ORDINANCE NO. S-992 – On motion of O'Bryan, seconded by Draper, the Governing Body approved Ordinance No. S-992, levying a special assessment against the lots or parcels of land on which refuse matter was located to pay the cost of making the premises safe and hygienic, on first reading. Motion carried.

ORDINANCE NO. S-993 – On motion of O'Bryan, seconded by Draper, the Governing Body approved Ordinance No. S-993, levying a special assessment against the lots or parcels of land on which existed weeds or obnoxious vegetable growth to pay the costs of cutting or removing said growth, on first reading. Motion carried.

OFFICIAL MINUTES
OF THE
GOVERNING BODY
OF THE
CITY OF PITTSBURG, KANSAS
July 12th, 2011

APPROPRIATION ORDINANCE – On motion of O'Bryan, seconded by Draper, the Governing Body approved the Appropriation Ordinance for the period ending July 12th, 2011, subject to the release of HUD expenditures when funds are received, with the following roll call vote: Yea: Beezley, Draper, Gray, Ketterman, and O'Bryan. Motion carried.

FACADE GRANT APPLICATION - 105 EAST 5th STREET – On motion of Gray, seconded by Ketterman, the Governing Body approved a Facade Grant Application submitted by Chris Curtis, owner of the property located at 105 East 5th, in the amount of \$3,000, with the conditions that the owner completes all work as presented in the application, meets or increases financial contribution toward facility upgrade matching costs, passes fire re-inspection, and receives a positive historic preservation review. Motion carried.

REQUEST TO REZONE – 500 NORTH JOPLIN - On motion of O'Bryan, seconded by Gray, the Governing Body approved the recommendation of the Planning and Zoning Commission to grant the request submitted by Joel VanBecelaere dba VanBecelaere Machine Shop to rezone 500 North Joplin from CP-2 Planned General Commercial to IP-2 Planned Medium Industrial to allow for future growth. Motion carried.

REQUEST TO REZONE – 221 EAST 3rd STREET – On motion of Ketterman, seconded by Draper, the Governing Body approved the recommendation of the Planning and Zoning Commission to grant the request submitted by Bryan Hanson dba McCarthy's Pub to rezone 221 East 3rd Street from IP-2 Planned Medium Industrial to CP-4 Planned Central Business District to make the property more conducive to business growth with the adjoining CP-4 Planned Central Business District. Motion carried.

DISPOSITION OF BIDS - WATER LINE MATERIALS – On motion of O'Bryan, seconded by Draper, the Governing Body approved staff request to approve the bids submitted for the purchase of water line materials to be used for the construction of the first phase (Atkinson Road to 20th Street) of a water line on Lone Star Road to the low bidders meeting specifications as follows: HD Supply Waterworks of Joplin, Missouri, for plastic pipe, tees, ells, gate valves, tapping valves, reducers, meter boxes and poly tubing in the amount of \$97,807.57; Ferguson Enterprise, Inc. of Topeka, Kansas, for gate valves and fire hydrants in the amount of \$8,615.00; Joplin Supply Co. of Joplin, Missouri, for tapping sleeves, adaptors, corp. stops, trace wire, cast iron lids and meter yokes in the amount of \$3,263.41; and General Machinery of Pittsburg, Kansas, for solid sleeves and valve boxes and covers in the amount of \$716.66, and authorized staff to issue the necessary purchase orders. Motion carried.

EXECUTIVE SESSION - On motion of Ketterman, seconded by Draper, the Governing Body recessed into Executive Session not to exceed 60 minutes for discussion regarding the confidential affairs of a third party. Motion carried.

OFFICIAL MINUTES
OF THE
GOVERNING BODY
OF THE
CITY OF PITTSBURG, KANSAS
July 12th, 2011

The Governing Body recessed into Executive Session at 6:12 p.m.

The Governing Body reconvened into Special Session at 6:47 p.m.

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

ADJOURNMENT: On motion of O'Bryan, seconded by Ketterman, the Governing Body adjourned the meeting at 6:47 p.m. Motion carried.

Marty Beezley, Mayor

ATTEST:

Tammy Nagel, City Clerk

(Published in the Morning Sun _____, 2011)

ORDINANCE NO. G-1147

AN ORDINANCE, providing for the change of certain areas from IP-2 Planned Medium Industrial to CP-4 Planned Central Business District and amending and supplementing the Zoning District Boundary Map and Zoning Ordinance No. G-663, as amended of the City of Pittsburg.

WHEREAS, the Planning and Zoning Commission of the City of Pittsburg, Kansas, has filed their report with the Board of Commissioners of the City of Pittsburg, Kansas, recommending amendment of said Ordinance relating to area and use zoning for Planned Central Business District (CP-4), and amendment of the Zoning District Boundary Map.

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

Section 1. That the CP-4 Planned Central Business District, as defined by the Zoning Ordinance, is hereby amended and supplemented to include the following described real estate in the City of Pittsburg, Crawford County, Kansas, to-wit:

Lot 116, Block 26, Town of Pittsburg, now City of Pittsburg, Crawford County, Kansas.

Section 2. That Zoning Ordinance No. G-663, as amended, including the Zoning District Boundary Map adopted on May 28, 1991, and periodically revised, is hereby amended and supplemented to include the area and use as set out in the preceding section.

Section 3. This Ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

ADOPTED AND APPROVED this _____ day of _____, 2011.

Mayor – Marty Beezley

ATTEST:

City Clerk – Tammy Nagel

(Published in the Morning Sun _____, 2011)

ORDINANCE NO. G-1148

AN ORDINANCE, providing for the change of certain areas from CP-2 Planned General Commercial to IP-2 Planned Medium Industrial and amending and supplementing the Zoning District Boundary Map and Zoning Ordinance No. G-663, as amended of the City of Pittsburg.

WHEREAS, the Planning and Zoning Commission of the City of Pittsburg, Kansas, has filed their report with the Board of Commissioners of the City of Pittsburg, Kansas, recommending amendment of said Ordinance relating to area and use zoning for Planned Medium Industrial (IP-2), and amendment of the Zoning District Boundary Map.

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

Section 1. That the IP-2 Planned Medium Industrial, as defined by the Zoning Ordinance, is hereby amended and supplemented to include the following described real estate in the City of Pittsburg, Crawford County, Kansas, to-wit:

Lots 1 through 4, and Lots 7 through 12, and the vacated alley lying between them, Block 10, Pittsburg Town Company Second Addition to the City of Pittsburg, Crawford County, Kansas

Section 2. That Zoning Ordinance No. G-663, as amended, including the Zoning District Boundary Map adopted on May 28, 1991, and periodically revised, is hereby amended and supplemented to include the area and use as set out in the preceding section.

Section 3. This Ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

ADOPTED AND APPROVED this _____ day of _____, 2011.

Mayor – Marty Beezley

ATTEST:

City Clerk – Tammy Nagel

APPLICATION FOR WATER SERVICE OUTSIDE THE CITY OF PITTSBURG, KS CORPORATE LIMITS

PROPERTY OWNER(S) George + Dana Yaghmour DATE 7-8-11

TELEPHONE 620-232-3640 CURRENT ADDRESS 1303 Cedar Crest Dr. Pittsburg, Ks 66762

The undersigned owners hereby request water service to the following real estate:

Physical address: 1902 E. Quincy Pittsburg, Ks 66762

Legal description of property:

see attached

RECEIVED

JUL 11 2011

Pittsburg City Clerk

As a prerequisite to the right to receive and to continue to receive water from the Pittsburg water system, the undersigned owners agree to the following:

1. To abide by and be subject to all ordinances, rules, and regulations pertaining to the delivery and use of water supplied by the City of Pittsburg.
2. To plat the above described real estate, or if in the opinion of the Governing Body said real estate cannot be properly platted until other adjacent areas are also platted, to execute an "Agreement to Plat", and to plat the above described real estate upon the written request of the Governing Body.
3. I hereby give consent to annexation of the above described real estate to the City of Pittsburg at the convenience of the Governing Body of the City of Pittsburg. This consent shall be binding upon the executors, administrators, grantees, heirs, trustees, successors, receivers, and assigns of the parties.
4. The agreements herein shall be deemed covenants running with the land and will be filed on record with the office of Register of Deeds, Crawford County, Kansas.

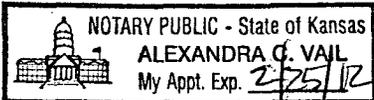
Property Owners

[Handwritten signatures of Dana Yaghmour and George Yaghmour]

STATE OF KANSAS)
SS
CRAWFORD COUNTY)

BE IT REMEMBERED, that on this 8th day of JULY, A.D., 20 11, before me, the undersigned, a Notary Public, in and for the County and State afore-said, came DANA YAGHMOUR and GEORGE YAGHMOUR, who are personally known to me to be the same persons who executed the foregoing instrument and duly acknowledge the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my Notarial Seal on the day and year last above written.



[Handwritten signature of Alexandra G. Vail]
Notary Public

(Seal)
My commission expires: 2/25/12

Recording fee paid and
County zoning permit received _____
(Date paid) (Amount)

APPLICATION FOR SEWER SERVICE OUTSIDE THE CITY OF PITTSBURG, KS CORPORATE LIMITS

PROPERTY OWNER(S) George + Dana Yaghmour DATE 7-8-11
TELEPHONE 620-232-3640 CURRENT ADDRESS 1303 Cedar Crest Dr. Pittsburg, Ks

The undersigned owners hereby request sewer service to the following real estate:

Physical address: 1902 E. Quincy Pittsburg, Ks 66762

Legal description of property:

RECEIVED

JUL 13 2011

Pittsburg City Clerk

As a prerequisite to the right to receive and to continue to receive water from the Pittsburg water system, the undersigned owners agree to the following:

1. To abide by and be subject to all ordinances, rules, and regulations pertaining to the delivery and use of water supplied by the City of Pittsburg.
2. To plat the above described real estate, or if in the opinion of the Governing Body said real estate cannot be properly platted until other adjacent areas are also platted, to execute an "Agreement to Plat", and to plat the above described real estate upon the written request of the Governing Body.
3. I hereby give consent to annexation of the above described real estate to the City of Pittsburg at the convenience of the Governing Body of the City of Pittsburg. This consent shall be binding upon the executors, administrators, grantees, heirs, trustees, successors, receivers, and assigns of the parties.
4. The agreements herein shall be deemed covenants running with the land and will be filed on record with the office of Register of Deeds, Crawford County, Kansas.

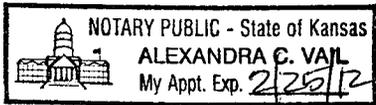
Property Owners

Dana Yaghmour
George Yaghmour

STATE OF KANSAS)
SS
CRAWFORD COUNTY)

BE IT REMEMBERED, that on this 8th day of JULY, A.D., 2011, before me, the undersigned, a Notary Public, in and for the County and State afore-said, came DANA YAGHMOUR and GEORGE YAGHMOUR, who are personally known to me to be the same persons who executed the foregoing instrument and duly acknowledge the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my Notarial Seal on the day and year last above written.



Alexandra C. Vail
Notary Public

(Seal)
My commission expires: 2/25/12

Recording fee paid and
County zoning permit received _____
(Date paid) (Amount)

A portion of the West Half (W ½) of the Northeast Quarter (NE ¼) of Section 33, Township 30 South, Range 25 East of the Sixth Principal Meridian, Crawford County, Kansas, being described as follows:

Commencing at the Northeast corner of the Northeast Quarter (NE ¼) of said Section 33; Thence North 87 Degrees 16 Minutes 59 Seconds East (Bearings based on the Kansas Coordinate System NAD 83 South Zone) along the North line of said Northeast Quarter (NE ¼) a distance of 825.80 feet to the point of beginning; Thence South 03 Degrees 30 Minutes 18 Seconds West parallel with the East line of the West Half (W ½) of said Northeast Quarter (NE ¼) a distance of 333.00 feet to a ½" Rebar; Thence North 87 Degrees 16 Minutes 59 Seconds East parallel with said North line a distance of 512.50 feet to a ½" rebar set on the East line of said West Half (W ½); Thence North 03 Degrees 30 Minutes 18 Seconds West a distance of 333.00 feet to the Northeast corner of said West Half (W ½); Thence South 87 Degrees 16 Minutes 59 Seconds West a distance of 512.50 feet to the point of beginning.

This tract contains 3.92 acres.



DEPARTMENT OF PUBLIC UTILITIES

303 Memorial Drive · Pittsburg KS 66762

(620) 240-5126

www.pittks.org

Interoffice Memorandum

TO: JOHN D. VANGORDEN
Interim City Manager

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

DATE: July 14, 2011

SUBJECT: **AGENDA ITEM – JULY 26, 2011**
Third Amendment to the Loan Agreement
Pittsburg Wastewater Collection System Improvements
KWPCRF Project No.: C20 1818 01A
SE Pump Station; Collection System I/I Control Equipment; and Public Utilities Maintenance Building

The Kansas Department of Health and Environment has provided the City with the Third Amendment to the Loan Agreement for the Kansas Water Pollution Control Revolving Fund (KWPCRF) loan to the City of Pittsburg for the wastewater collection system improvements project. This amendment adjusts the repayment schedule in Exhibit B to reflect the estimated amount of principle forgiveness the City has received for this project. The loan amount is unchanged; however, the semi-annual loan repayment has been reduced from \$78,804.74 to \$38,840.82. The first repayment for the loan is due September 1, 2011.

Would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, July 26, 2011. Action necessary will be approval or disapproval of the loan amendment and, if approved, authorize the Mayor to sign the amendment on behalf of the City of Pittsburg.

Attachment: Third Amendment

cc: Tammy Nagel, City Clerk
Project File
Memo File

=====
THIRD AMENDMENT TO THE
LOAN AGREEMENT

By and Between

THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
ACTING ON BEHALF OF
THE STATE OF KANSAS

AND

CITY OF PITTSBURG, KANSAS
KWPCRF PROJECT NO.: C20 1818 01A

ORIGINAL LOAN AGREEMENT
EFFECTIVE AS OF SEPTEMBER 17, 2009

AMENDMENT NO.: 3
EFFECTIVE AS OF JULY 1, 2011
=====

Third Amendment to
the Loan Agreement by and between the
Kansas Department of Health and Environment
Acting on Behalf of the State of Kansas
and the City of Pittsburg, Kansas
Effective As of July 1, 2011

WHEREAS, the City of Pittsburg, Kansas (the Municipality) has entered into a Loan Agreement with the Kansas Department of Health and Environment, acting on behalf of the State of Kansas, effective as of September 17, 2009 (the "Loan Agreement"); and

WHEREAS, said Loan Agreement was entered into for the benefit of the Municipality, KWPCRF Project No. C20 1818 01A; and

WHEREAS, the Municipality and KDHE hereby determines that it is necessary to amend certain exhibits to the Loan Agreement, and

WHEREAS, this Third Amendment to the Loan Agreement is entered into and effective as of July 1, 2011;

THEREFORE, the Loan Agreement is amended as follows:

SECTION 1. Article II, Loan Terms, Section 2.01, and Exhibit B of the LOAN AGREEMENT BY AND BETWEEN THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT AND THE CITY OF PITTSBURG, KANSAS are hereby amended to read as set forth on the pages attached hereto.

SECTION 2. Except as herein specifically set out, the Loan Agreement is confirmed and ratified.

IN WITNESS WHEREOF, KDHE and the Municipality have caused this Third Amendment to the Loan Agreement for the Municipality to be executed, sealed and delivered, effective as of July 1, 2011.



The KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT, acting on behalf of THE STATE OF KANSAS

By *John W. Mitchell*
Director

"KDHE"

Date: 7-7-2011

PITTSBURG, KANSAS

By _____

Title: _____

(Seal)

ATTEST:

By _____

Title:

The "Municipality"

Date: _____

ARTICLE II

LOAN TERMS

Section 2.01. Amount of the Loan. Subject to all of the terms, provisions and conditions of this Loan Agreement, and subject to the availability of State and Federal funds and proceeds of Bonds, KDHE will loan an amount not to exceed Two Million Three Hundred Ninety-Four Thousand Five Hundred Dollars [\$2,394,500] to the Municipality to pay all or a portion of Project Costs described in **Exhibit A** hereto. The project is funded in part with ARRA funds in the amount of \$2,280,817.68, and ~~will receive~~ is receiving Principal Forgiveness in an amount not-to-exceed \$1,217,250. The final actual amount of the Loan and the amount of Principal Forgiveness may be reduced without revision of any other terms, provisions or conditions of this Loan Agreement, other than the Loan Repayment Schedule (**Exhibit B** hereto), to reflect reductions in the estimated or actual total Project Costs as impacted by opening of bids for construction, change orders, final actual costs, and prepayments. The Municipality shall be responsible for any costs incurred by the Municipality in connection with the Project in addition to the amount of the Loan. Any amendment to **Exhibit B** shall be effected by written amendment to the Loan Agreement executed by all parties.

EXHIBIT B
LOAN REPAYMENT SCHEDULE
(See Page 6)

DEDICATED SOURCE OF REVENUES AND LOAN REPAYMENT SCHEDULE

Dedicated Source of Revenue.

The Municipality shall impose and collect such rates, fees and charges for the use and services furnished by or through the System, including all improvements and additions thereto hereafter constructed or acquired by the Municipality as will provide System Revenues or levy ad valorem taxes without limitation as to rate or amount upon all the taxable tangible property, real or personal, within the territorial limits of the Municipality to produce amounts which are sufficient to (a) pay the cost of the operation and maintenance of the System, (b) pay the principal of and interest on the Loan as and when the same become due, and (c) pay all other amounts due at any time under the Loan Agreement; provided, however, no lien or other security interest is granted by the Municipality to KDHE on the System Revenues under this Agreement. In the event that the System Revenues are insufficient to meet the obligations under the Loan and the Loan Agreement, the Municipality shall levy ad valorem taxes without limitation as to rate or amount upon all the taxable tangible property, real or personal, within the territorial limits of the Municipality to produce the amounts necessary for the prompt payment of the obligations under the Loan and Loan Agreement.

Loan Repayment Schedule

The Municipality and KDHE have agreed that interest becoming due semiannually on the Loan during the construction period for the Project may be capitalized and repaid as a part of the Loan. In this regard, KDHE shall give the Municipality written notice of each semiannual installment of interest becoming due during the construction period. At its option, the Municipality may elect to pay such amounts, and if so elected, must pay such amounts within 30 days of receipt of the notice of their becoming due. If the Municipality does not elect to pay such amounts within 30 days of receipt of such notice, the amount then due and owing as semiannual interest on the Loan shall be capitalized and added to the principal amount of the Loan and shall bear interest at the rate of interest set forth in **Section 2.02** hereof.

Principal Forgiveness

The principal forgiveness amount is calculated at 50% of the construction and design cost of the "green components" of the project design, as defined by EPA and refined by KDHE in the guidance documents applicable to the ARRA Clean Water State Revolving Fund program. The "green components" of the project design are listed in Exhibit D of this Loan Amendment. As required by the ARRA, if the Municipality fails to execute construction contracts for the entire project prior to February 17, 2010, all principal forgiveness will be removed from the loan. The Municipality has awarded all construction contracts and equipment purchase contracts prior to February 17, 2010.

KANSAS WATER POLLUTION CONTROL REVOLVING LOAN FUND

Estimated Draws - Actual Interest Rate
 Amortization of Loan Costs - AMENDED

Project Principal: 2,370,077.94
 Interest During Const.: 22,264.64
 Service Fee During Const.: 2,157.42
 Gross Loan Costs: 2,394,500.00
 Est. "Green Component": 1,800,000.00
 Est. "Principal Forgiveness": 1,217,250.00
 Est. Amortization Amount: 1,177,250.00

Prepared for:
 City of Pittsburg, Project No. C20 1818-01 A

6/21/2011 Gross Rate: 2.83%
 Service Fee Rate: 0.25% 1st Payment Date: 9/1/2011
 Loan Interest Rate: 2.58% Number of Payments: 40

Payment Number	Payment Date	Beginning Balance	Interest Payment	Principal Payment	Service Fee	Total Payment	Ending Balance
1	9/1/2011	1,177,250.00	17,902.07	19,204.05	1,734.70	38,840.82	1,158,045.95
2	3/1/2012	1,158,045.95	14,938.79	22,454.47	1,447.56	38,840.82	1,135,591.48
3	9/1/2012	1,135,591.48	14,649.13	22,772.20	1,419.49	38,840.82	1,112,819.28
4	3/1/2013	1,112,819.28	14,355.37	23,094.43	1,391.02	38,840.82	1,089,724.85
5	9/1/2013	1,089,724.85	14,057.45	23,421.21	1,362.16	38,840.82	1,066,303.64
6	3/1/2014	1,066,303.64	13,755.32	23,752.62	1,332.88	38,840.82	1,042,551.02
7	9/1/2014	1,042,551.02	13,448.91	24,088.72	1,303.19	38,840.82	1,018,462.30
8	3/1/2015	1,018,462.30	13,138.16	24,429.58	1,273.08	38,840.82	994,032.72
9	9/1/2015	994,032.72	12,823.02	24,775.26	1,242.54	38,840.82	969,257.46
10	3/1/2016	969,257.46	12,503.42	25,125.83	1,211.57	38,840.82	944,131.63
11	9/1/2016	944,131.63	12,179.30	25,481.36	1,180.16	38,840.82	918,650.27
12	3/1/2017	918,650.27	11,850.59	25,841.92	1,148.31	38,840.82	892,808.35
13	9/1/2017	892,808.35	11,517.23	26,207.58	1,116.01	38,840.82	866,600.77
14	3/1/2018	866,600.77	11,179.15	26,578.42	1,083.25	38,840.82	840,022.35
15	9/1/2018	840,022.35	10,836.29	26,954.50	1,050.03	38,840.82	813,067.85
16	3/1/2019	813,067.85	10,488.58	27,335.91	1,016.33	38,840.82	785,731.94
17	9/1/2019	785,731.94	10,135.94	27,722.72	982.16	38,840.82	758,009.22
18	3/1/2020	758,009.22	9,778.32	28,114.99	947.51	38,840.82	729,894.23
19	9/1/2020	729,894.23	9,415.64	28,512.81	912.37	38,840.82	701,381.42
20	3/1/2021	701,381.42	9,047.82	28,916.27	876.73	38,840.82	672,465.15
21	9/1/2021	672,465.15	8,674.80	29,325.44	840.58	38,840.82	643,139.71
22	3/1/2022	643,139.71	8,296.50	29,740.40	803.92	38,840.82	613,399.31
23	9/1/2022	613,399.31	7,912.85	30,161.22	766.75	38,840.82	583,238.09
24	3/1/2023	583,238.09	7,523.77	30,588.00	729.05	38,840.82	552,650.09
25	9/1/2023	552,650.09	7,129.19	31,020.82	690.81	38,840.82	521,629.27
26	3/1/2024	521,629.27	6,729.02	31,459.76	652.04	38,840.82	490,169.51
27	9/1/2024	490,169.51	6,323.19	31,904.92	612.71	38,840.82	458,264.59
28	3/1/2025	458,264.59	5,911.61	32,356.38	572.83	38,840.82	425,908.21
29	9/1/2025	425,908.21	5,494.22	32,814.21	532.39	38,840.82	393,094.00
30	3/1/2026	393,094.00	5,070.91	33,278.54	491.37	38,840.82	359,815.46
31	9/1/2026	359,815.46	4,641.62	33,749.43	449.77	38,840.82	326,066.03
32	3/1/2027	326,066.03	4,206.25	34,226.99	407.58	38,840.82	291,839.04
33	9/1/2027	291,839.04	3,764.72	34,711.30	364.80	38,840.82	257,127.74
34	3/1/2028	257,127.74	3,316.95	35,202.46	321.41	38,840.82	221,925.28
35	9/1/2028	221,925.28	2,862.84	35,700.57	277.41	38,840.82	186,224.71
36	3/1/2029	186,224.71	2,402.30	36,205.74	232.78	38,840.82	150,018.97
37	9/1/2029	150,018.97	1,935.24	36,718.06	187.52	38,840.82	113,300.91
38	3/1/2030	113,300.91	1,461.58	37,237.61	141.63	38,840.82	76,063.30
39	9/1/2030	76,063.30	981.22	37,764.52	95.08	38,840.82	38,298.78
40	3/1/2031	38,298.78	494.05	38,298.78	47.99	38,840.82	0.00

Totals 343,133.33 1,177,250.00 33,249.47 1,553,632.80

Third Amendment
 Effective As Of July 1, 2011

Prepared by DAAR

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
	C-CHECK		VOID CHECK	V	7/08/2011			165798
	C-CHECK		VOID CHECK	V	7/08/2011			165799
	C-CHECK		VOID CHECK	V	7/08/2011			165808
	C-CHECK		VOID CHECK	V	7/08/2011			165809
	C-CHECK		VOID CHECK	V	7/11/2011			165811
	C-CHECK		VOID CHECK	V	7/11/2011			165813
	C-CHECK		VOID CHECK	V	7/18/2011			165854
	C-CHECK		VOID CHECK	V	7/18/2011			165855

* * 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:	8 VOID DEBITS	0.00			
	VOID CREDITS	0.00	0.00	0.00	0.00
TOTAL ERRORS:	0				
VENDOR SET: 99 BANK: *	TOTALS:	8	0.00	0.00	0.00
BANK: *	TOTALS:	8	0.00	0.00	0.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
5968	TYLER BRAY	R	7/08/2011			165796		35.88
4263	COX COMMUNICATIONS	R	7/08/2011			165797		1,941.00
6733	TYLER JOHNSON	R	7/08/2011			165800		35.00
0224	KDOR	R	7/08/2011			165801		8,467.55
0094	M&I BANK	R	7/08/2011			165802		500.00
0175	REGISTER OF DEEDS	R	7/08/2011			165803		4.00
6734	KYLE ROBISON	R	7/08/2011			165804		35.88
6208	MATT STRINGER	R	7/08/2011			165805		35.88
1	SULLIVAN, BRIAN	R	7/08/2011			165806		70.00
1108	WESTAR ENERGY	R	7/08/2011			165807		95,180.69
5589	VERIZON WIRELESS	R	7/11/2011			165810		3,788.67
5589	VERIZON WIRELESS	R	7/11/2011			165812		3,386.41
1	DONELDA J HOUGH, TRUSTEE	R	7/11/2011			165814		12,275.25
1	SAM HIGHFIELD	V	7/11/2011			165815		3,440.25
1	SAM HIGHFIELD	VOIDED						
1	SAM HIGHFIELD	VOIDED						
C-CHECK	SAM HIGHFIELD	VOIDED	V	7/11/2011		165815		3,440.25
1	SAM HIGHFIELD	R	7/11/2011			165816		3,440.25
2519	EAGLE BEVERAGE CO INC	R	7/12/2011			165817		134.00
1	ANGELS AMONG US	R	7/15/2011			165845		35.00
1	FUENTEZ, TONY	R	7/15/2011			165846		20.00
1	HUMMEL, ROBIN	R	7/15/2011			165847		250.00
1	KARRY/LILLY PHILLIP AND	R	7/15/2011			165848		1,500.00

VENDOR SET: 99 City of Pittsburg, KS

BANK: 80144 M&I Bank

DATE RANGE: 7/06/2011 THRU 7/19/2011

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1	KARRY/LILLY PHILLIP AND	R	7/15/2011			165849		1,663.00
0175	REGISTER OF DEEDS	R	7/15/2011			165850		32.00
6023	JOHN T SEAL	R	7/15/2011			165851		730.00
1	WADE, ELAYNE	R	7/15/2011			165852		500.00
0523	AT&T	R	7/18/2011			165853		6,327.22
2004	AIRE MASTER	R	7/19/2011			165856		15.00
0118	FED EX	R	7/19/2011			165857		283.52
1208	KANSAS CITY SOUTHERN	R	7/19/2011			165858		1.00
6648	MID AMERICA POWER SYSTEMS & SE	R	7/19/2011			165859		2,172.01
6718	NATIONAL SCREENING BUREAU	R	7/19/2011			165860		65.50
6214	PITT PLASTICS INC	R	7/19/2011			165861		53.70
6737	PITTSBURG HIGH SCHOOL	R	7/19/2011			165862		80.00
3434	PITTSBURG SUNRISE ROTARY	R	7/19/2011			165863		384.00
6308	PITTSBURG TITLE LLC	R	7/19/2011			165864		100.00
6536	POLYDYNE INC	R	7/19/2011			165865		1,606.50
2509	POWERPLAN	R	7/19/2011			165866		1,172.83
0187	ROTARY CLUB OF PITTSBURG	R	7/19/2011			165867		200.00
6571	ROUTE 66 ELECTRIC	R	7/19/2011			165868		195.00
6716	SID BOEDEKER SAFETY SHOE SERVI	R	7/19/2011			165869		425.97
6702	APPLIED CONCEPTS INC	R	7/19/2011			165870		3,025.00
6481	THE SHOPPER INC	R	7/19/2011			165871		39.95
5964	THOMSON WEST	R	7/19/2011			165872		86.88

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
4052	TRAVELERS	R	7/19/2011			165873		2,685.50
5589	VERIZON WIRELESS	R	7/19/2011			165874		5,460.00
2350	WCA WASTE SYSTEMS INC	R	7/19/2011			165875		1,412.75
0011	AMERICAN ELECTRIC INC	E	7/13/2011			999999		1,380.44
0034	CRONISTER BROTHERS, INC	E	7/13/2011			999999		1,614.28
0044	CRESTWOOD COUNTRY CLUB	E	7/13/2011			999999		512.56
0046	ETTINGERS OFFICE SUPPLY	E	7/13/2011			999999		980.52
0055	JOHN'S SPORT CENTER	E	7/13/2011			999999		132.91
0062	LINDSEY SOFTWARE SYSTEMS, INC.	E	7/13/2011			999999		703.10
0063	LOCKE WHOLESALE SUPPLY	E	7/13/2011			999999		752.21
0073	K P & P INC	E	7/13/2011			999999		102.50
0074	RUSSELL BELDEN ELECTRIC COMPAN	E	7/13/2011			999999		63.64
0078	SUPERIOR LINEN SERVICE	E	7/13/2011			999999		36.35
0083	WATER PRODUCTS INC	E	7/13/2011			999999		11,851.59
0087	FORMS ONE	E	7/13/2011			999999		1,147.54
0101	BUG-A-WAY INC	E	7/13/2011			999999		55.00
0105	PITTSBURG AUTOMOTIVE INC	E	7/13/2011			999999		2,247.98
0117	THE MORNING SUN	E	7/13/2011			999999		373.08
0129	PROFESSIONAL ENGINEERING CONSU	E	7/13/2011			999999		31,629.74
0145	BROADWAY LUMBER COMPANY, INC.	E	7/13/2011			999999		821.03
0154	BLUE CROSS & BLUE SHIELD	D	7/08/2011			999999		9,016.42
0154	BLUE CROSS & BLUE SHIELD	D	7/15/2011			999999		35,145.89

VENDOR SET: 99 City of Pittsburg, KS

BANK: 80144 M&I Bank

DATE RANGE: 7/06/2011 THRU 7/19/2011

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0163	O'REILLY AUTOMOTIVE INC	E	7/13/2011			999999		24.45
0185	MISSION CLAY PRODUCTS LLC	E	7/13/2011			999999		82.54
0194	KANSAS STATE TREASURER	D	7/14/2011			999999	1,030,200.00	
0194	KANSAS STATE TREASURER	E	7/13/2011			999999		5,720.56
0199	KIRKLAND WELDING SUPPLIES	E	7/13/2011			999999		91.71
0200	SHERWIN WILLIAMS COMPANY	E	7/13/2011			999999		151.05
0207	PEPSI-COLA BOTTLING CO OF PITT	E	7/13/2011			999999		1,205.58
0224	KDOR	D	7/06/2011			999999		6,512.46
0224	KDOR	D	7/08/2011			999999		3,890.27
0276	JOE SMITH COMPANY, INC.	E	7/13/2011			999999		2,112.62
0289	TITLEIST	E	7/13/2011			999999		1,339.98
0292	UNIFIRST CORPORATION	E	7/13/2011			999999		38.55
0308	DOBRAUC OIL COMPANY INC	E	7/13/2011			999999		4,778.99
0329	O'MALLEY IMPLEMENT CO INC	E	7/13/2011			999999		348.23
0337	CROSS-MIDWEST TIRE	E	7/13/2011			999999		50.88
0339	GENERAL MACHINERY	E	7/13/2011			999999		4,829.96
0345	VICTOR L PHILLIPS CO	E	7/13/2011			999999		1,013.88
0347	LYNN'S QUICK LUBE	E	7/13/2011			999999		122.30
0362	SENSUS TECHNOLOGIES INC	E	7/13/2011			999999		150.94
0375	CONVENIENT WATER COMPANY	E	7/13/2011			999999		95.00
0409	WISEMAN'S DISCOUNT TIRE INC	E	7/13/2011			999999		28.08
0420	CONTINENTAL RESEARCH CORP	E	7/13/2011			999999		219.16

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0429	LORD ELECTRIC	E	7/13/2011			999999		502.74
0512	CALIFORNIA CONTRACTORS SUPPLIE	E	7/13/2011			999999		99.82
0525	3M	E	7/13/2011			999999		885.00
0526	KDH&E	E	7/13/2011			999999		20.00
0585	MOLLE MC AUTOMOTIVE INC	E	7/13/2011			999999		26.45
0704	NEPTUNE RADIATOR AND AUTO	E	7/13/2011			999999		824.77
0746	CDL ELECTRIC COMPANY INC	E	7/13/2011			999999		75.00
0803	OLD DOMINION BRUSH CO	E	7/13/2011			999999		1,022.97
0806	JOHN L CUSSIMANIO	E	7/13/2011			999999		220.00
0823	TOUCHTON ELECTRIC INC	E	7/13/2011			999999		64.00
0947	TOM SLAUGHTER	E	7/13/2011			999999		1,050.00
1013	SAFETY FIRST SUPPLY CO., LLC	E	7/13/2011			999999		105.93
1050	KPERS	D	7/08/2011			999999		431.26
1070	KANSAS ATTORNEY GENERAL	E	7/13/2011			999999		165.00
1074	NICHOLS & WOLFE CHARTERED	E	7/07/2011			999999		3,127.20
1150	INDUSTRIAL SALES CO INC	E	7/13/2011			999999		2,111.35
1216	MOODY'S INVESTORS SERVICE	E	7/13/2011			999999		4,675.00
1327	KBI	D	7/18/2011			999999		60.00
1478	KANSASLAND TIRE OF PITTSBURG	E	7/13/2011			999999		323.51
1490	ESTHERMAE TALENT	E	7/13/2011			999999		25.00
1792	B&L WATERWORKS SUPPLY INC	E	7/13/2011			999999		311.68
1923	AUTOZONE	E	7/13/2011			999999		89.93

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
2035	O'BRIEN ROCK CO., INC.	E	7/13/2011			999999		4,852.20
2111	DELL MARKETING L.P.	E	7/13/2011			999999		3,399.37
2137	VAN WALL GROUP	E	7/13/2011			999999		440.88
2433	THE MORNING SUN	E	7/13/2011			999999		1,874.25
2825	KANSAS DEPT OF ADMINISTRATION	E	7/13/2011			999999		544.66
2960	PACE ANALYTICAL SERVICES INC	E	7/13/2011			999999		754.00
2971	KERIT	E	7/12/2011			999999		86,337.00
3248	AIRGAS MID-SOUTH, INC	E	7/13/2011			999999		1,008.00
3261	PITTSBURG AUTO GLASS	E	7/13/2011			999999		425.00
3338	SPLASH POOL & PATIO	E	7/13/2011			999999		79.94
3697	LR ENTERPRISES LLC	E	7/13/2011			999999		80.75
3802	BRENNTAG MID-SOUTH INC	E	7/13/2011			999999		3,091.25
3856	MATTHEW L HOISINGTON	E	7/13/2011			999999		600.00
3971	FASTENAL COMPANY	E	7/13/2011			999999		49.99
3972	WASHINGTON ELECTRONICS INC	E	7/13/2011			999999		243.50
4085	GILMORE & BELL	E	7/13/2011			999999		1,983.93
4133	T.H. ROGERS HOMECENTER	E	7/13/2011			999999		66.95
4183	BARBIZON LIGHT	E	7/13/2011			999999		561.22
4197	ESRI	E	7/13/2011			999999		1,350.00
4390	SPRINGFIELD JANITOR SUPPLY, IN	E	7/13/2011			999999		421.16
4452	RYAN INSURANCE	E	7/13/2011			999999		126.00
4501	JAMES D PATTERSON	E	7/13/2011			999999		375.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
4520	ETS CORPORATION	D	7/06/2011			999999		540.00
4603	KANSAS GOLF AND TURF INC	E	7/13/2011			999999		583.87
4618	TRESA NOYES	E	7/13/2011			999999		939.00
4621	JCI	E	7/13/2011			999999		259.00
4638	SOUND PRODUCTS	E	7/13/2011			999999		46.35
4766	ACCURATE ENVIRONMENTAL	E	7/13/2011			999999		652.50
5049	CRH COFFEE INC	E	7/13/2011			999999		40.40
5238	JAMES R VANDERPOOL	E	7/13/2011			999999		330.00
5275	US LIME COMPANY-ST CLAIR	E	7/13/2011			999999		7,228.96
5470	COMBUSTION SERVICE INC	E	7/13/2011			999999		1,174.25
5590	HD SUPPLY WATERWORKS LTD	E	7/13/2011			999999		69,350.20
5855	SHRED-IT USA INC	E	7/13/2011			999999		167.50
5904	TASC	D	7/08/2011			999999		7,400.18
6117	ALEXANDER OPEN SYSTEMS INC	E	7/13/2011			999999		1,365.00
6118	CHOICE TECHNOLOGY LLC	E	7/13/2011			999999		15,090.00
6175	HENRY C MENGHINI	E	7/13/2011			999999		330.00
6191	MARADETH FREDERICK	E	7/13/2011			999999		600.00
6203	SOUTHWEST PAPER CO INC	E	7/13/2011			999999		181.48
6262	CLEAN THE UNIFORM COMPANY	E	7/13/2011			999999		199.35
6309	TAMMY FRYE	E	7/13/2011			999999		400.00
6498	BLUEGLOBES LLC	E	7/13/2011			999999		315.54
6508	JOHN H BAILEY	E	7/13/2011			999999		1,400.00

VENDOR SET: 99 City of Pittsburg, KS
BANK: 80144 M&I Bank
DATE RANGE: 7/06/2011 THRU 7/19/2011

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
6509	JAMES TUSH	E	7/13/2011			999999		1,400.00
6576	JOHN M ELLSWORTH CO INC	E	7/13/2011			999999		156.76
6690	LUCAS BARTLEY	E	7/13/2011			999999		63.00

* * T O T A L S * *	NO	CHECK AMOUNT	DISCOUNTS	TOTAL APPLIED
REGULAR CHECKS:	44	159,852.79	0.00	159,852.79
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	9	1,093,196.48	0.00	1,093,196.48
EFT:	101	303,472.49	98.90	303,571.39
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	1 VOID DEBITS	3,440.25		
	VOID CREDITS	3,440.25	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 99 BANK: 80144	TOTALS:	155	1,556,521.76	98.90	1,556,422.86
BANK: 80144	TOTALS:	155	1,556,521.76	98.90	1,556,620.66

VENDOR SET: 99 City of Pittsburg, KS
 BANK: EFT MANUAL EFTS
 DATE RANGE: 7/06/2011 THRU 7/19/2011

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0075	RYAN'S DRIVE-THRU CLEANER	E	7/11/2011			999999		501.95
0237	JON B. GARRISON	E	7/11/2011			999999		100.00
0577	KANSAS GAS SERVICE	E	7/11/2011			999999		4,312.58
0779	PITTSBURG COMMUNITY THEATRE	E	7/18/2011			999999		1,710.00
0866	AVFUEL CORPORATION	E	7/11/2011			999999		27,152.94
0866	AVFUEL CORPORATION	E	7/18/2011			999999		417.10
2921	CSG INTERNATIONAL	E	7/11/2011			999999		5,522.39
5482	JUSTIN HART	E	7/11/2011			999999		39.99
5957	PASTEUR PROPERTIES LLC	E	7/18/2011			999999		10,000.00

* * 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:	9	49,756.95	0.00	49,756.95
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0	VOID DEBITS 0.00		
		VOID CREDITS 0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 99	BANK: EFT	TOTALS:	9	49,756.95	0.00	49,756.95
BANK: EFT	TOTALS:	9	49,756.95	0.00	49,756.95	

VENDOR SET: 99 City of Pittsburg, KS
 BANK: HAP M&I Bank - HAP
 DATE RANGE: 7/06/2011 THRU 7/19/2011

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0753	CRAWFORD COUNTY MENTAL HEALTH	E	7/08/2011			999999		400.00
1609	PHILLIP H O'MALLEY	E	7/08/2011			999999		1,188.00
1688	DORA WARE	E	7/08/2011			999999		600.00
1874	HIGHLAND MEADOWS OF KS	E	7/08/2011			999999		267.00
2542	CHARLES YOST	E	7/08/2011			999999		400.00
3272	DUNCAN HOUSING LLC	E	7/08/2011			999999		550.00
3929	MDI LIMITED PARTNERSHIP #49	E	7/08/2011			999999		200.00
5393	CARLOS ANGELES	E	7/08/2011			999999		1,040.00
5534	SYCAMORE VILLAGE APARTMENTS	E	7/08/2011			999999		246.00
6073	REBECCA FOSTER	E	7/08/2011			999999		410.00
6130	T & K RENTALS LLC	E	7/08/2011			999999		525.00
6322	R JAMES BISHOP	E	7/08/2011			999999		267.50
6391	DOWNTOWN PITTSBURG HOUSING PAR	E	7/08/2011			999999		1,400.00
6441	HEATHER D MASON	E	7/08/2011			999999		1,200.00
6724	ROBERT MCCAULEY	E	7/08/2011			999999		400.00

* * 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:	15	9,093.50	0.00	9,093.50
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0	VOID DEBITS 0.00		
		VOID CREDITS 0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 99 BANK: HAP TOTALS:	15	9,093.50	0.00	9,093.50
BANK: HAP TOTALS:	15	9,093.50	0.00	9,093.50

VENDOR SET: 99 City of Pittsburg, KS
 BANK: PY PAYROLL PAYABLES
 DATE RANGE: 7/06/2011 THRU 7/19/2011

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0224	KDOR	D	7/08/2011			000000		12,749.93
0321	KP&F	D	7/08/2011			000000		29,866.80
0728	ICMA	D	7/08/2011			000000		2,009.55
1050	KPERS	D	7/08/2011			000000		24,714.79
3147	INTERNAL REVENUE SERVICE	D	7/08/2011			000000		64,900.03
6415	ING FINANCIAL ADVISORS	D	7/08/2011			000000		4,891.47
6627	AMERICAN FUNDS SERVICE COMPANY	D	7/08/2011			000000		230.77
0349	UNITED WAY OF CRAWFORD COUNTY	R	7/08/2011			165785		83.42
1503	FAMILY SUPPORT PAYMENT CENTER	R	7/08/2011			165786		347.74
2228	KANSAS PAYMENT CENTER	R	7/08/2011			165787		1,988.14
2577	OK CENTRALIZED SUPPORT RE	R	7/08/2011			165788		314.06
5385	NCO FINANCIAL SYSTEMS, INC.	R	7/08/2011			165789		215.86
6135	MCNEARNEY & ASSOCIATES LLC	R	7/08/2011			165790		218.01
6136	US DEPARTMENT OF EDUCATION	R	7/08/2011			165791		158.18
6521	FIRST MUTUAL BANK	R	7/08/2011			165792		221.23
6699	US TREASURY	R	7/08/2011			165793		50.00
6700	KDOR	R	7/08/2011			165794		50.00
0028	PAYROLL CLEARING	E	7/08/2011			999999		84,597.74
1050	KPERS	D	7/08/2011			999999		43.02
3147	INTERNAL REVENUE SERVICE	D	7/08/2011			999999		44.92

VENDOR SET: 99 City of Pittsburg, KS
BANK: PY PAYROLL PAYABLES
DATE RANGE: 7/06/2011 THRU 7/19/2011

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
* * T O T A L S * *								
		NO		CHECK AMOUNT		DISCOUNTS		TOTAL APPLIED
	REGULAR CHECKS:	10		3,646.64		0.00		3,646.64
	HAND CHECKS:	0		0.00		0.00		0.00
	DRAFTS:	9		139,451.28		0.00		139,451.28
	EFT:	1		84,597.74		0.00		84,597.74
	NON CHECKS:	0		0.00		0.00		0.00
	VOID CHECKS:	0	VOID DEBITS	0.00				
			VOID CREDITS	0.00		0.00		0.00
TOTAL ERRORS: 0								
VENDOR SET: 99	BANK: PY	TOTALS:	20	227,695.66		0.00		227,695.66
BANK: PY	TOTALS:	20		227,695.66		0.00		227,695.66
REPORT TOTALS:		207		1,843,067.87		98.90		1,842,968.97

Passed and approved this 26th day of July, 2011.

Marty Beezley, Mayor

ATTEST:

Tammy Nagel, City Clerk

Interoffice Memorandum

TO: JOHN D. VANGORDEN
Interim City Manager

FROM: TODD KENNEMER
Assistant Director of Public Works

DATE: July 18, 2011

SUBJECT: Agenda Item – July 26, 2011
PUBLIC HEARING
Request to Vacate Portion of a Utility Easement

The City of Pittsburg has received a request from Habitat for Humanity to vacate the North 96 feet of the 15 foot wide utility easement between Lots 14 and 15, Block 2, North Joplin Heights Addition to the City Pittsburg, Crawford County, Kansas (see attached map). Habitat for Humanity has purchased the vacant property located in the 200 Block of East 25th Street and has plans to construct a home on one of the two lots. However, there is a platted utility easement in the way that needs to be vacated before construction can begin. The easement is located on the boundary line of platted Lots 14 and 15, North Joplin Heights Addition. There are no utilities located inside this easement. Only the north 96 feet of this 106 foot easement is to be vacated. The south 10 feet of the easement is to remain.

The Planning and Zoning Commission will be considering this request at their July 25th meeting and will forward a recommendation of either approval or disapproval to the City Commission for their consideration during a **PUBLIC HEARING** scheduled for Tuesday, July 26, 2011. Action necessary will be approval or disapproval of this request and, if approved, direct the City Attorney to prepare the necessary Order.

Attachment: Map

cc: Tammy Nagel, City Clerk
William A. Beasley, Director of Public Works
Planning and Zoning Commission File
Memo File

Pittsburg, Kansas, Code of Ordinances >> - CITY CODE >> Chapter 54 - OFFENSES AND MISCELLANEOUS PROVISIONS >> ARTICLE IV. - OFFENSES AGAINST PUBLIC PEACE AND PUBLIC ORDER >> DIVISION 2. - NOISE >>

DIVISION 2. - NOISE

[Sec. 54-131. - Findings.](#)

[Sec. 54-132. - Unlawful noise generally.](#)

[Sec. 54-133. - Specific noises prohibited; standards.](#)

[Sec. 54-134. - Loud sound amplification systems.](#)

[Sec. 54-135. - Loudspeakers; amplifiers; permit.](#)

Sec. 54-131. - Findings.

It is hereby found:

- (1) The making and creation of excessive, unnecessary or unusually loud noises within the limits of the City is a condition which has existed for some time in certain areas of the City;
- (2) The making, creation or maintenance of such excessive, unnecessary, or unusually loud noises which are prolonged and unusual in their time, place and use affect and are a detriment to public health, comfort, convenience, safety, welfare and prosperity of the residents of the City; and
- (3) It is necessary and in the public interest for the provisions and prohibitions contained in this division to be enacted, and it is further declared that the provisions and prohibitions contained in this division and enacted are in pursuance of and for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare and prosperity and the peace and quiet of the City and its inhabitants.

(Code 1975, § 15-404A)

Sec. 54-132. - Unlawful noise generally.

It shall be unlawful for any person to be in charge of any premises, or to participate in or be in any party or gathering of people from which any unusually loud, excessive or unnecessary noise emanates so as to annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others inside the limits of the City. A police officer may order all persons present at such a party or gathering to immediately disperse from the vicinity of the party or gathering in lieu of being charged under this division; provided, however, that owners or tenants are not required to leave their own dwelling unit. Owners or tenants residing in a dwelling unit from which such noise emanates or where the party or gathering occurs shall, upon request of a police officer, cooperate fully in abating the disturbance and failing to do so shall be in violation of this division.

(Code 1975, § 15-404B)

Sec. 54-133. - Specific noises prohibited; standards.

The following acts, among others, are declared to be loud, excessive and unnecessary noises in violation of this division, but such enumeration shall not be deemed to be exclusive, namely:

- (1) The playing, using, operating, or permitting to be played, used or operated, any radio, receiving set, musical instrument, phonograph, tape player, television, VCR, compact disc player, loudspeaker, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet, repose, and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the persons who are in the hotel, motel, residence, office, or upon the premises, in which such machine or device is operated. The operation of any such set, instrument, phonograph, tape player, television, VCR, compact disc player, loudspeaker, machine or device between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the hotel, motel, residence, office, or premises in or on which it is emanates shall be prima facie evidence of a violation of this Section. Measurement standards for plainly

audible at a distance of 50 feet shall be by the auditory senses, based upon direct line of sight. Words and phrases need not be discernible and bass reverberations are included.

- (2) Yelling, shouting, whistling or singing on the public streets, highways, alleys or sidewalks, or while on a private or public parking area or parking lot, or while in or upon a private residence, lot or driveway, so as to annoy or disturb the peace, quiet, comfort or repose of the persons in any residence, premises, office, hotel or motel. Such yelling, shouting, hooting, whistling or singing between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the boundary of such street, highway, alley, sidewalk, parking area or parking lot shall be prima facie evidence of a violation of this Section.

(Code 1975, § 15-404C)

Sec. 54-134. - Loud sound amplification systems.

- (a) It shall be unlawful for any person operating or occupying a motor vehicle on a street, highway, alley, parking lot or driveway to operate or permit the operation of any sound amplification system from within the vehicle so that the sound is plainly audible at a distance of 100 or more feet from the vehicle.
- (b) The term "sound amplification system" means any radio, tape player, compact disc player, loudspeaker, or other electronic device used for the amplification of sound.
- (c) The term "plainly audible" means any sound produced by a sound amplification system from within the vehicle, which clearly can be heard at a distance of 100 feet or more. Measurement standards shall be by the auditory senses, based upon direct line of sight. Words or phrases need not be discernible and bass reverberations are included. The motor vehicle may be stopped, standing, parked or moving on a street, highway, alley, parking lot or driveway.
- (d) It is an affirmative defense to a charge under this Section that the operator or occupier was not otherwise prohibited by law from operating the sound amplification systems, and that any of the following apply:
- (1) The system was being operated to request medical or vehicular assistance or to warn of a hazardous road condition;
 - (2) The vehicle was an emergency or public safety vehicle;
 - (3) The vehicle was owned and operated by the City or a gas, electric, communications or refuse company;
 - (4) The system was used for the purpose of giving instructions, directions, talks, addresses, lectures or transmitting music to any persons or assemblages of persons in compliance with ordinances of the City; or
 - (5) The vehicle was used in authorized public activities, such as parades, fireworks, sports events, musical productions and other activities which have the approval of the department of the City authorized to grant such approval.

(Code 1975, § 15-404F)

Sec. 54-135. - Loudspeakers; amplifiers; permit.

It shall be unlawful for any person, either as principal, agent or employee, to play, use or operate for personal enjoyment, for purpose of attracting attention, or for advertising purposes on the streets or alleys of the City, or upon any private property any device known as a loudspeaker, or sound amplifier, or an instrument known as a calliope, or any other musical instrument of similar character, without first procuring permission therefor from the City Commission. The permission shall be granted at the discretion of the City Commission.

(Code 1975, § 12-301)