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**FORGIVABLE LOAN - GREAT PLAINS REAL ESTATE -**  
**Consideration of the Economic Development Advisory**  
**Committee's recommendation to grant a forgivable loan in the**  
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**initial building costs to locate Gusano's Chicago-Style Pizzeria**  
**in Pittsburg's Meadowbrook Annex.**

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**CONDITIONAL USE PERMIT REQUEST - LIFE CHANGERS**  
**CHURCH - The Planning and Zoning Commission, in its**  
**meeting of May 19, 2014, voted unanimously to recommend**  
**Governing Body approval of a request submitted by Pastor**  
**Roger Brown on behalf of Life Changers Church for a**  
**Conditional Use under the provisions of Article 30 of the**  
**Pittsburg Zoning Ordinance to allow a new church to be located**  
**at 706 North Broadway.**

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**DISPOSITION OF BID - HOMER STREET WIDENING**  
**PROJECT (WEST SIDE) - Approval of staff recommendation to**  
**award the bid for the widening of the west side of Homer Street**  
**to RFB Construction Company, Inc., of Pittsburg, Kansas,**  
**based on their bid of \$69,062.00.**

    Homer Street Widening Bid Disposition Memo . . . . . 83  
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**CITY OF PITTSBURG, KANSAS**  
**COMMISSION AGENDA**  
**Tuesday, June 10, 2014**  
**5:30 PM**

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**CALL TO ORDER BY THE MAYOR:**

- a. Invocation by Don Talent of the Open Door Fellowship Center
- b. Flag Salute Led by the Mayor
- c. Public Input

**CONSENT AGENDA:**

- a. Approval of the May 27, 2014, City Commission Meeting minutes.
- b. Approval of the Economic Development Advisory Committee's recommendation to forgive Ron and Dora Ware's 2014 loan installment in the amount of \$5,458.86, as they have met the requirements for loan forgiveness as stipulated in their loan agreement with the City.
- c. Approval of staff recommendation to enter into a contract with Candy Land Circus of Wonders, of Sarasota, Florida, for two performances on June 13, 2014, with 15% of all ticket sales being placed in the July 4th Fireworks Fund and, if approved, authorize the Mayor to sign the contract on behalf of the City.
- d. Approval of the removal of 2-175 watt Mercury Vapor street lights located at 2904 S. Rouse and 3008 Mill Road; removal of 6-70 watt High Pressure Sodium street lights located at 2705 S. Rouse, 2910 S. Rouse, 3109 S. Rouse, 3312 S. Rouse, 1101 Deer Creek Lane and 3505 South Rouse; and the installation of 12-150 watt High Pressure Sodium street lights at 2904 S. Rouse, 3312 S. Rouse, 3008 Mill Road, 1101 Deer Creek Lane, 2705 S. Rouse, 3505 S. Rouse, 2910 S. Rouse, 2601 S. Rouse, 2809 S. Rouse, 3101 S. Rouse, 3211 S. Rouse and 3109 S. Rouse at a total cost of \$1,066.80 annually and, if approved, authorize City staff to submit the necessary modification order to Westar Energy.
- e. Approval of the bid for the annual purchase of Biological Treatment for use at the Wastewater Treatment Plant to Heussner Company, Inc., of Berryville, Arkansas, on the basis of their low bid meeting specifications of \$5.35 per pound, and authorization to issue the necessary purchase order.

**CITY OF PITTSBURG, KANSAS**  
**COMMISSION AGENDA**  
**Tuesday, June 10, 2014**  
**5:30 PM**

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- f. Approval of the bid for the annual purchase of Polymer for use at the Wastewater Treatment Plant to Biopolymers Chemical Company, of Pittsburg, Kansas, on the basis of their low bid meeting specifications of \$1.15 per pound, and authorization to issue the necessary purchase order.
- g. Approval of the bid for the annual purchase of Hydrated Lime for use at the Wastewater Treatment Plant to U.S. Lime Company-St. Clair, of Dallas, Texas, on the basis of their low bid meeting specifications of \$174.16 per ton, and authorization to issue the necessary purchase order.
- h. Approval of low bids meeting specifications for the annual purchase of chemicals for use at the Water Treatment Plant as follows: Lime (Calcium Oxide) to U.S. Lime Company-St. Clair, of Dallas, Texas, for \$169.01 per ton; Liquid Chlorine to Brenntag Southwest, Inc., of Nowata, Oklahoma, for \$28.50 per 100 lbs.; Liquid Polymeric Phosphate to Brenntag Mid-South, Inc., of Springfield, Missouri, for \$0.582 per lb.; Soda Ash to Thatcher Company of Montana, Inc., of Salt Lake City, Utah, for \$23.60 per 100 lbs.; Aluminum Sulfate to Brenntag Mid-South, Inc., of Springfield, Missouri, for \$34.35 per 100 lbs.; Polymer to Applied Specialties, Inc., of Avon Lake, Ohio, for \$0.865 per lb.; and Liquid Carbon Dioxide to Airgas USA, LLC, of Pittsburg, Kansas, for \$137.60 per ton; and authorize the issuance of the necessary purchase orders.
- i. Approval of the Appropriation Ordinance for the period ending June 10, 2014, subject to the release of HUD expenditures when funds are received.  
**ROLL CALL VOTE.**

**SPECIAL PRESENTATION:**

- a. 2013 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) - Karen Linn of Berberich Trahan & Company, the City's auditing firm, will be present to review the 2013 audit and CAFR. **Receive for file.**

**CITY OF PITTSBURG, KANSAS**  
**COMMISSION AGENDA**  
**Tuesday, June 10, 2014**  
**5:30 PM**

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**CONSIDER THE FOLLOWING:**

- a. REVIEW OF BIDS/AWARD OF SALE - GENERAL OBLIGATION BONDS SERIES 2014A - The City of Pittsburg advertised for bids to be received until 11:00 a.m. on June 10, 2014, for the purchase of \$5,065,000 aggregate principal General Obligation Bonds, Series 2014A, to be acted upon by the Governing Body at its meeting commencing at 5:30 p.m. The City's Director of Finance, along with the City's Financial Advisor, will present a verbal recommendation. **Approve or disapprove verbal recommendation.**
  
- b. ORDINANCE No. S-1014 - Consideration of Ordinance No. S-1014, authorizing the issuance of \$5,065,000 aggregate principal amount of General Obligation Bonds, Series 2014A, of the City of Pittsburg, Kansas, under the authority of K.S.A. 10-101 to 125, inclusive, K.S.A. 12-1736 et seq., K.S.A. 12-685 et seq., K.S.A. 65-163u, and Charter Ordinance No. 25 of the City, all as amended. **Second reading – ROLL CALL VOTE.**
  
- c. RESOLUTION NO. 1157 - Consideration of Resolution No. 1157, prescribing the form and details of the City of Pittsburg, Kansas, General Obligation Bonds, Series 2014A, in the aggregate principal amount of \$5,065,000 the issuance of which was authorized by the City pursuant to its Ordinance No. S-1015 passed and approved June 10, 2014; and authorizing certain other documents and actions in connection with the issuance of the bonds. **Approve or disapprove Resolution No. 1157 and, if approved, authorize the Mayor to sign the appropriate documents on behalf of the City.**
  
- d. FORGIVABLE LOAN - GREAT PLAINS REAL ESTATE - Consideration of the Economic Development Advisory Committee's recommendation to grant a forgivable loan in the amount of \$35,000 to Great Plains Real Estate to help offset the initial building costs to locate Gusano's Chicago-Style Pizzeria in Pittsburg's Meadowbrook Annex. **Approve or disapprove request and, if approved, authorize the Mayor to sign the appropriate documents on behalf of the City.**

**CITY OF PITTSBURG, KANSAS**  
**COMMISSION AGENDA**  
**Tuesday, June 10, 2014**  
**5:30 PM**

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- e.     CONDITIONAL USE PERMIT REQUEST - LIFE CHANGERS CHURCH - The Planning and Zoning Commission, in its meeting of May 19, 2014, voted unanimously to recommend Governing Body approval of a request submitted by Pastor Roger Brown on behalf of Life Changers Church for a Conditional Use under the provisions of Article 30 of the Pittsburg Zoning Ordinance to allow a new church to be located at 706 North Broadway. **Approve or disapprove the recommendation. If the Governing Body is not in agreement with the recommendation as provided, the State Statutes stipulate that the Governing Body, by a simple majority, may deny the request or send it back to the Planning and Zoning Commission for further consideration.**
  
- f.     DISPOSITION OF BID - HOMER STREET WIDENING PROJECT (WEST SIDE) - Approval of staff recommendation to award the bid for the widening of the west side of Homer Street to RFB Construction Company, Inc., of Pittsburg, Kansas, based on their bid of \$69,062.00. **Approve or disapprove staff recommendation and, if approved, authorize the Mayor and City Clerk to execute the contract documents when prepared.**

**NON-AGENDA REPORTS & REQUESTS:**

**ADJOURNMENT**

OFFICIAL MINUTES  
OF THE MEETING OF THE  
GOVERNING BODY OF THE  
CITY OF PITTSBURG, KANSAS  
May 27<sup>th</sup>, 2014

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A Regular Session of the Board of Commissioners was held at 5:35 p.m., on Tuesday, May 27<sup>th</sup>, 2014, in the City Commission Room, located in the Law Enforcement Center, 201 North Pine, with Mayor Monica Murnan presiding and the following members present: Michael Gray, John Ketterman, Chuck Munsell and Patrick O'Bryan.

Mayor Murnan led the flag salute.

PROCLAMATION - Mayor Murnan proclaimed Tuesday, May 27<sup>th</sup>, 2014, as General Machinery Day in Pittsburg.

APPROVAL OF MINUTES – MAY 13<sup>th</sup>, 2014 - On motion of Gray, seconded by Ketterman, the Governing Body approved the May 13<sup>th</sup>, 2014, City Commission Meeting minutes as submitted. Motion carried.

DANCE HALL LICENSE – BOURBON STREET – On motion of Gray, seconded by Ketterman, the Governing Body approved the application submitted by Pierre Monsour for a Dance Hall License for Bourbon Street, located at 516 North Broadway and authorized the City Clerk to issue the license. Motion carried.

WATER SERVICE OUTSIDE CITY LIMITS – LIGHTHOUSE TABERNACLE – On motion of Gray, seconded by Ketterman, the Governing Body approved the application submitted by the Lighthouse Tabernacle for water service to property located outside the City limits at 604 South 200th Street. Motion carried.

CHANGE ORDER PROPOSAL NO. 106 – WASTEWATER TREATMENT PLANT LEGACY CONTROL SYSTEM – On motion of Gray, seconded by Ketterman, the Governing Body approved Change Order Proposal 106 reflecting an increase of \$9,965.00 making a new contract construction amount of \$188,796.00 for the Wastewater Treatment Plant Legacy Control System Upgrade Project. Motion carried.

CHANGER ORDER NO. 1 – LINCOLN SQUARE SIDEWALK PROJECT – On motion of Gray, seconded by Ketterman, the Governing Body approved Change Order No. 1 reflecting an increase of \$29,460.00 making a new contract construction amount of \$98,130.00 and final payment in the amount of \$34,762.50 to Home Center Construction, Inc., of Pittsburg, Kansas, for the Lincoln Square Sidewalk Improvements Project. Motion carried.

APPROPRIATION ORDINANCE – On motion of Gray, seconded by Ketterman, the Governing Body approved the Appropriation Ordinance for the period ending May 27<sup>th</sup>, 2014, subject to the release of HUD expenditures when funds are received, with the following roll call vote: Yea: Gray, Ketterman, Munsell, Murnan, and O'Bryan. Motion carried.

OFFICIAL MINUTES  
OF THE MEETING OF THE  
GOVERNING BODY OF THE  
CITY OF PITTSBURG, KANSAS  
May 27<sup>th</sup>, 2014

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PLAT - LOT 125 - NESCH ADDITION – On motion of O'Bryan, seconded by Gray, the Governing Body approved the recommendation of the The Planning and Zoning Commission to approve the final plat of Nesch Addition (being a Replat of Lots 125 and 126 in the Nesch Addition to Pittsburg) located in the 1700 Block of North Walnut Street and authorized the Mayor and City Clerk to sign the plat on behalf of the City of Pittsburg. Motion carried.

ORDINANCE NO. S-1014 – On motion of Gray, seconded by Ketterman, the Governing Body approved Ordinance No. S-1014, authorizing the issuance of \$5,065,000 aggregate principal amount of General Obligation Bonds, Series 2014A, of the City of Pittsburg, Kansas, under the authority of K.S.A. 10-101 to 125, inclusive, K.S.A. 12-1736 et seq., K.S.A. 12-685 et seq., K.S.A. 65-163u, and Charter Ordinance No. 25 of the City, all as amended, on first and only reading. Motion carried.

NON-AGENDA REPORTS AND REQUESTS:

COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) PRESENTATION - Director of Finance Jamie Clarkson distributed copies of the City's CAFR to Commission members. Mr. Clarkson noted that Karen Linn from the City's auditing firm, Berberich Trahan, will be present at the June 10<sup>th</sup>, 2014, City Commission meeting to present the details of the CAFR.

20<sup>th</sup> AND BROADWAY PROJECT - Director of Public Works William Beasley announced that 20<sup>th</sup> Street from Pine to Broadway will be closed beginning June 2<sup>nd</sup>, 2014, for approximately 150 days for the intersection project.

CENTENNIAL AND BROADWAY PROJECT - Director of Public Works William Beasley provided an update on the Centennial and Broadway Project. Mr. Beasley indicated that the project is currently on schedule.

HANDICAPPED ACCESS TO SHELTER HOUSE - Commissioner Munsell stated that a citizen contacted him regarding a shelter house in the park not being handicapped accessible. City Manager Daron Hall indicated that he would visit with Director of Parks and Recreation Kim Vogel regarding the issue. Mayor Murnan asked Commissioner Munsell to provide the details of the citizen's concerns to City Manager Hall.

ADJOURNMENT: On motion of Ketterman, seconded by Munsell, the Governing Body adjourned the meeting at 5:52 p.m. Motion carried.

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Monica Murnan, Mayor

ATTEST:

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Tammy Nagel, City Clerk



## Memorandum

TO: Daron Hall, City Manager

FROM: Blake Benson, Chamber President/Economic Development Director

DATE: June 4, 2014

SUBJECT: June 10, 2014 Agenda Item  
Ron and Dora Ware loan forgiveness

---

On May 16, 2012, the City of Pittsburg entered into a \$25,000 forgivable loan agreement with Ron and Dora Ware to help renovate and expand their business at 801 W. 20<sup>th</sup> Street. In return, the Wares agreed to the following annual benchmarks required through 2017 in order to qualify for loan forgiveness:

- \*The Wares must invest at least \$101,324 of their own funds in the project
- \*The Wares must enter into and complete a five-year lease agreement with Volvo Construction Equipment Rents, Inc.

The Wares have provided verification that both of these benchmarks have been met, so the Economic Development Advisory Committee has recommended forgiveness for this year's installment of the loan. This amount would be \$5,458.86.

Please place this item on the agenda for the City Commission meeting scheduled for Tuesday, June 10, 2014. Action being requested is the approval or denial of the loan forgiveness recommendation and, if approved, authorize the Mayor to sign the appropriate documents.

## INTEROFFICE MEMORANDUM

To: Daron Hall, City Manager  
From: Kim Vogel, Director of Parks and Recreation  
Cc: Tammy Nagel, City Clerk  
Date: June 4, 2014  
Subject: Agenda Item – June 10, 2014  
Circus Contract

---

The Department of Parks and Recreation has been contacted by the Candy Land Circus of Wonders, Sarasota, FL, to offer two performances in Pittsburg on June 13, 2014. Per the contract they would utilize the premise between the YMCA and the Band Dome for \$300 rental fee plus 15% of the ticket sales. Staff would like the 15% to be allocated to the July 4<sup>th</sup> Fireworks Fund.

The contract has been approved by Henry Menghini, City Attorney.

In this regard would you please place an item on the June 10<sup>th</sup> City Commission agenda. Action necessary will be the approval or disapproval of the contract and approval or disapproval of the 15% of ticket sales being placed in the July 4<sup>th</sup> Fireworks Fund.

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



DEPARTMENT OF PUBLIC WORKS

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

(620) 231-4170

www.pittks.org

## Interoffice Memorandum

**TO:** DARON HALL  
City Manager

**FROM:** WILLIAM A. BEASLEY  
Director of Public Works

**DATE:** June 2, 2014

**SUBJECT:** Agenda Item – June 10, 2014  
Street Light Modification

---

The City staff received comments from several individuals during the neighborhood trail meetings on Rouse Street south of Centennial Drive, about the need for additional light along Rouse. As a result of these concerns the staff has been in communications with Westar Energy with regard to street lighting standards for this area. In this regard, City staff is recommending that the street lighting in this area be improved as follows:

**REMOVE:**

Number and type of light/s: 2 – 175 watt Mercy Vapor street lights  
Physical location of light/s: 2904 S. Rouse  
3008 Mill Road

*Rate 934 base charge \$5.80 per month plus applicable adjustments and surcharges.*

Number and type of light/s: 6 – 70 watt High Pressure Sodium street lights  
Physical location of light/s: 2705 S. Rouse  
2910 S. Rouse  
3109 S. Rouse (light will be located to E. side of Rouse)  
3312 S. Rouse  
1101 Deer Creek Lane  
3505 S. Rouse

*Rate 940 base charge \$6.85 per month plus applicable adjustments and surcharges.*

**MEMO TO: DARON HALL**  
**JUNE 2, 2014**  
**PAGE TWO**

**INSTALL:**

Number and type of light/s: 12 – 150 watt High Pressure Sodium street lights  
Physical location of light/s: 2904 S. Rouse  
3008 Mill Road  
2705 S. Rouse  
2910 S. Rouse  
2809 S. Rouse  
3211 S. Rouse  
3312 S. Rouse  
1101 Deer Creek Lane  
3505 S. Rouse  
2601 S. Rouse  
3101 S. Rouse  
3109 S. Rouse (light will be located on E. side of Rouse)

*Rate 942 – base charge \$10.80 per month plus applicable adjustments and surcharges.*

A majority of these lights are being installed on the East side of Rouse Street to prevent them from having to be relocated should Rouse Street ever be widened in the future. The total cost of the new street light fixtures will be \$1066.80 annually.

Would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, June 10, 2014. Action necessary will be approval or disapproval of this request and, if approved, authorize City staff to submit the necessary Modification Relating to Removals, Additions, or Substitutions in Street Light Equipment to Westar Energy.

Attachment: Map  
Modification Order

Centennial



Install New 150W HPS

Replace 70W HPS  
With 150W HPS

Install New 150W HPS

Replace 175W MV  
With 150W HPS

Replace 70W HPS  
With 150W HPS

Replace 175W MV  
With 150W HPS

Install New 150W HPS

Replace 70W HPS  
With 150W HPS

ROUSE

Install New 150W HPS

Replace 70W HPS  
With 150W HPS

Replace 70W HPS  
With 150W HPS

Replace 70W HPS  
With 150W HPS

**LEGEND**

- 70W HPS 70 Watt High Pressure Sodium
- 150W HPS 150 Watt High Pressure Sodium
- 175W MV 175 Mercury Vapor

MODIFICATION ORDER RELATING TO REMOVALS, ADDITIONS, OR  
SUBSTITUTIONS IN STREET LIGHTING EQUIPMENT TO BE  
FURNISHED BY WESTAR ENERGY, INC A KANSAS CORPORATION

Westar Energy, Inc., a Kansas Corporation, is hereby authorized and requested to make and provide the following additional, removed, or substituted street lighting equipment for supplying street lighting service to the City, the same to be owned and operated by the Company.

**REMOVE:**

Number and type of light/s: 2- 175 watt Mercury Vapor street lights

Physical Location of light/s: 2904 S. Rouse  
3008 Mill Road

Rate 934 base charge \$5.80 per month plus applicable adjustments and surcharges

Number and type of light/s: 6- 70 watt High Pressure Sodium street lights

Physical Location of light/s: 2705 S. Rouse  
2910 S. Rouse  
3109 S. Rouse (light will be located to East side of Rouse  
3312 S. Rouse  
1101 Deer Creek Lane  
3505 S. Rouse

Rate 940 base charge \$6.85 per month plus applicable adjustments and surcharges

**INSTALL:**

Number and type of light/s: 12- 150 watt High Pressure Sodium street light s

Physical Location of light/s: 2904 S. Rouse                      3312 S. Rouse  
3008 Mill Road                      1101 Deer Creek Lane  
2705 S. Rouse                      3505 S. Rouse  
2910 S. Rouse                      2601 S. Rouse  
2809 S. Rouse                      3101 S. Rouse  
3211 S. Rouse                      3109 S. Rouse (light will be located to East side of Rouse

Rate 942 – base charge \$11.80 per month plus applicable adjustments and surcharges

City of Pittsburg

By: \_\_\_\_\_

Title: Director of Public Works

Date: June 10<sup>th</sup>, 2014



DEPARTMENT OF PUBLIC UTILITIES

303 Memorial Drive · Pittsburg KS 66762

(620) 240-5126

www.pittks.org

## Interoffice Memorandum

**TO:** DARON HALL  
City Manager

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

**DATE:** May 28, 2014

**SUBJECT:** Agenda Item – June 10, 2014  
Disposition of Bids  
Biological Treatment (WWTP)

---

Bids were received on Tuesday, May 27, 2014, for the purchase of Biological Treatment to Reduce Oil and Grease in Lift Stations (see attached bid tab sheet). In reviewing the bids, City staff is recommending that the bid be awarded to the low bidder, Heussner Company, Inc., of Berryville, AR, based on their bid of \$5.35 per pound. This company was also the successful bidder last year with a bid of \$5.00 per pound. The unit price for this product is firm for one (1) year and the City orders on an as needed basis.

Would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, June 10, 2014. 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 purchase of the biological treatment on an as needed basis. The Biological Treatment will be purchased with funds from the Wastewater Treatment Operating Supplies Budget.

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

Attachment: Bid Tab Sheet



**City of Pittsburg, Kansas**

**RECAPITULATION OF BIDS FOR PURCHASE OF BIOLOGICAL TREATMENT TO REDUCE OIL & GREASE IN LIFT STATIONS**

**Tuesday, May 27<sup>th</sup>, 2014 – 2:00 p.m.**

<b>NAME/ADDRESS OF BIDDER</b>	<b>Biological Treatment to Reduce Oil &amp; Grease in Lift Stations Per Pound</b>
Brenntag Mid-South, Inc. 2235 W. Battlefield Road Springfield, MO 65807	NO BID
SNF Polydyne One Chemical Plant Road, P.O. Box 250 Riceboro, GA 31323	NO BID
Heussner Company, Inc. 2277 CR 507 Berryville, AR 72616	\$5.35
Nalco Company 1601 West Diehl Road Naperville, IL 60563	NO BID
2013 BIDS <i>Successful Bidder</i> <i>Heussner Company, Inc.</i>	\$5.00 per pound



DEPARTMENT OF PUBLIC UTILITIES

303 Memorial Drive · Pittsburg KS 66762

(620) 240-5126

www.pittks.org

## Interoffice Memorandum

**TO:** DARON HALL  
City Manager

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

**DATE:** May 28, 2014

**SUBJECT:** Agenda Item – June 10, 2014  
Disposition of Bids  
WWTP Polymer

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Bids were received on Tuesday, May 27, 2014, for the purchase of Polymer for use by the Wastewater Treatment Plant (see attached bid tab sheet), which will be used in conjunction with the belt filter press of de-watering biological sludge masses created in the wastewater treatment process. After reviewing the bids received, City staff is recommending that the bid be awarded to the low bidder, Biopolymers Chemical Company, of Pittsburg, Kansas, based on their bid of \$1.15 per pound. Polydyne, Inc., of Riceboro, Georgia, was the successful bidder last year providing a bid of \$1.19 per pound. The unit price for this product is firm for one (1) year and the City orders on an as needed basis.

Would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, June 10, 2014. 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 issuance of the necessary purchase order. The Polymer will be purchased with funds from the Wastewater Treatment Operating Supplies Budget.

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

Attachment: Bid Tab Sheet



**City of Pittsburg, Kansas**

**RECAPITULATION OF BIDS FOR PURCHASE OF WWTP CHEMICAL  
(Polymer)**

**Tuesday, May 27<sup>th</sup>, 2014 – 2:00 p.m.**

<b>NAME/ADDRESS OF BIDDER</b>	<b>Polymer Per Pound</b>
Brenntag Mid-South, Inc. 2235 W. Battlefield Road Springfield, MO 65807	\$1.47
Applied Specialties, Inc. 33555 Pin Oak Parkway Avon Lake, OH 44012	\$1.588
Biopolymers Chemical Company 111 E. 10 <sup>th</sup> Street, P.O. Box 1838 Pittsburg, KS 66762	\$1.15
SNF Polydyne One Chemical Plant Road, P.O. Box 250 Riceboro, GA 31323	\$1.25
Nalco Products 1601 West Diehl Road Naperville, IL 60563	NO BID
2013 BIDS <i>Successful Bidder</i> <i>Polydyne, Inc.</i>	\$1.19



DEPARTMENT OF PUBLIC UTILITIES

303 Memorial Drive · Pittsburg KS 66762

(620) 240-5126

www.pittks.org

## Interoffice Memorandum

**TO:** DARON HALL  
City Manager

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

**DATE:** May 28, 2014

**SUBJECT:** Agenda Item – June 10, 2014  
Disposition of Bids  
WWTP Lime (Calcium Hydrate)

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Bids were received on Tuesday, May 27, 2014, for the purchase of Hydrated Lime for use by the Wastewater Treatment Plant (see attached bid tab sheet). After reviewing the bids received, City staff is recommending that the bid be awarded to the low bidder, U.S. Lime Company-St. Clair, of Dallas, TX, based on their bid of \$174.16 per ton. This company was also the successful bidder last year providing a bid of \$169.25 per ton. The unit price for this product is firm for one (1) year and the City orders on an as needed basis.

Would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, June 10, 2014. 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 issuance of the necessary purchase order. The Hydrated Lime will be purchased with funds from the Wastewater Treatment Operating Supplies Budget.

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

Attachment: Bid Tab Sheet



**City of Pittsburg, Kansas**

**RECAPITULATION OF BIDS FOR PURCHASE OF WWTP CHEMICAL  
(LIME- Calcium Hydrate)  
Tuesday, May 27<sup>th</sup>, 2014 – 2:00 p.m.**

<b>NAME/ADDRESS OF BIDDER</b>	<b>LIME (CALCIUM HYDRATE) Per Ton</b>
US Lime Company – St. Clair 5429 LBJ Freeway, Suite 230 Dallas, TX 75240	\$174.16
Brenntag Mid-South, Inc. 2235 W. Battlefield Road Springfield, MO 65807	NO BID
SNF Polydyne One Chemical Plant Road, P.O. Box 250 Riceboro, GA 31323	NO BID
Mississippi Lime 3870 S. Lindbergh Blvd., Suite 200 St. Louis, MO 63127	\$232.34
Lhoist North America of Missouri, Inc. 20947 White Sands Road Ste. Genevieve, MO 63670	\$286.92 *Plus Truck Fuel Surcharge @ Rate @ Time of Shipment
Nalco Products 1601 West Diehl Road Naperville, IL 60563	NO BID
2013 BIDS <i>Successful Bidder</i> <i>US Lime Company – St. Clair</i>	\$169.25

## Interoffice Memorandum

TO: DARON HALL  
City Manager

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

DATE: May 28, 2014

SUBJECT: Agenda Item – June 10, 2014  
DISPOSITION OF BIDS  
WTP Chemicals

---

Bids were received on Tuesday, May 27, 2014, for the purchase of chemicals for use by the Water Treatment Plant (see attached bid tab sheet). After reviewing the bids received, City staff is recommending that the bids be awarded to the low bidders as follows:

**Lime (Calcium Oxide) \$169.01 Per Ton**

U.S. Lime Company – St. Clair  
5429 LBJ Freeway, Suite 230  
Dallas, TX 75240

[Successful bidder last year with a bid of \$164.25 per ton.]

**Liquid Chlorine \$28.50 Per 100 Lbs.**

Brenntag Southwest, Inc.  
Rt. 2, Box 352-200  
Nowata, OK 74048

[Successful bidder last year with a bid of \$26.50 per 100 lbs.]

**Liquid Polymeric Phosphate \$0.582 Per Lb.**

Brenntag Mid-South, Inc.  
2235 W. Battlefield Road  
Springfield, MO 65810

[Successful bidder last year with a bid of \$0.5625 per lb.]

**MEMO TO: DARON HALL**  
**MAY 28, 2014**  
**PAGE TWO**

**Soda Ash** **\$23.60 Per 100 Lbs.**

Thatcher Company of Montana, Inc.  
P.O. Box 27  
Salt Lake City, UT 84127

[Brenntag Mid-South, Inc., of Springfield, MO, was the successful bidder last year with a bid of \$28.50 per 100 lbs.]

**Aluminum Sulfate** **\$34.35 Per 100 Lbs.**

Brenntag Mid-South, Inc.

[Successful bidder last year with a bid of \$34.50 per 100 lbs.]

**Polymer** **\$0.865 Per Lb.**

Applied Specialties, Inc.  
33555 Pin Oak Parkway  
Avon Lake, OH 44012.

[Brenntag Southwest, Inc., of Nowata, OK, was the successful bidder last year with a bid of \$0.9000 per lb.]

**Liquid Carbon Dioxide** **\$137.60 Per Ton**

Airgas USA, LLC  
697 S. Hwy. 69  
Pittsburg, KS 66762

[The low bid was actually received from Linde LLC, of Stewartsville, NJ, with a bid of \$128.00 per ton, however, they required the signing of an exclusive contract]

[Praxair Distribution, Inc., of Joplin, MO, was the successful bidder last year with a bid of \$125.00 per ton.]

The unit prices for each product are firm for one (1) year and the City orders on an as needed basis.

Would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, June 10, 2014. Action necessary will be approval or disapproval of staff's recommendation to award the bids to the low bidders meeting specifications as stipulated above and, if approved, authorize the purchase of these chemicals on an as needed basis. These chemicals will be purchased with funds from the Water Treatment Operating Supplies Budget.

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

Attachment: Bid Tab Sheet

DEPARTMENT: Public Utilities  
 FUNDING: Water Treatment Plant General Operating



**City of Pittsburg, Kansas**  
**RECAPITULATION OF BIDS FOR PURCHASE OF WTP CHEMICALS**  
**Tuesday, May 27<sup>th</sup>, 2014 – 2:00 p.m.**

<b>Name/Address of Bidder</b>	<b>Lime (Calcium Oxide) (Per Ton)</b>	<b>Liquid Chlorine (Per 100 Lb.)</b>	<b>Liquid Polymeric Phosphate (Per Lb.)</b>	<b>Soda Ash (Per 100 Lb.)</b>	<b>Aluminum Sulfate (Per 100 Lb.)</b>	<b>Polymer (Per Lb.)</b>	<b>Liquid Carbon Dioxide (Per Ton)</b>
Brenntag Southwest Rt. 2, Box 352-200 Nowata, OK 74048	NO BID	\$28.50	NO BID	NO BID	NO BID	\$0.91	NO BID
Brenntag Mid-South, Inc. 2235 W. Battlefield Road Springfield, MO 65810	NO BID	NO BID	\$0.582	\$28.30	\$34.35	NO BID	NO BID
Kemira Water Solutions 4321 W. 6 <sup>th</sup> Street Lawrence, KS 66049	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
Applied Specialties, Inc. 33555 Pin Oak Parkway Avon Lake, OH 44012	NO BID	NO BID	NO BID	NO BID	NO BID	\$0.865	NO BID
Shannon Chemical Corporation P.O. Box 376 Malvern, PA 19355	NO BID	NO BID	\$0.777	NO BID	NO BID	NO BID	NO BID

DEPARTMENT: Public Utilities  
 FUNDING: Water Treatment Plant General Operating



**City of Pittsburg, Kansas**  
**RECAPITULATION OF BIDS FOR PURCHASE OF WTP CHEMICALS**  
**Tuesday, May 27<sup>th</sup>, 2014 – 2:00 p.m.**

Name/Address of Bidder	Lime (Calcium Oxide) (Per Ton)	Liquid Chlorine (Per 100 Lb.)	Liquid Polymeric Phosphate (Per Lb.)	Soda Ash (Per 100 Lb.)	Aluminum Sulfate (Per 100 Lb.)	Polymer (Per Lb.)	Liquid Carbon Dioxide (Per Ton)
SNF Polydyne One Chemical Plant Road, P.O. Box 250 Riceboro, GA 31323	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
Continental Carbonic Products, Inc. 3985 E. Harrison Ave. Decatur, IL 62526	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	\$155.00
Mississippi Lime Company 3870 S. Lindbergh Blvd., Suite 200 St. Louis, MO 63127	\$207.92	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
Lhoist North America of Missouri, Inc. 20947 White Sands Road Ste. Genevieve, MO 63670	\$230.30 *Plus Truck Fuel Surcharge @ Rate @ Time of Shipment	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
Linde, LLC One Greenwich Street Stewartsville, NJ 08886	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	\$128.00 *requires exclusive contract

DEPARTMENT: Public Utilities  
 FUNDING: Water Treatment Plant General Operating



**City of Pittsburg, Kansas**

**RECAPITULATION OF BIDS FOR PURCHASE OF WTP CHEMICALS**

**Tuesday, May 27<sup>th</sup>, 2014 – 2:00 p.m.**

Name/Address of Bidder	Lime (Calcium Oxide) (Per Ton)	Liquid Chlorine (Per 100 Lb.)	Liquid Polymeric Phosphate (Per Lb.)	Soda Ash (Per 100 Lb.)	Aluminum Sulfate (Per 100 Lb.)	Polymer (Per Lb.)	Liquid Carbon Dioxide (Per Ton)
Airgas USA, LLC 697 S. Highway 69 Pittsburg, KS 66762	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	\$137.60
Thatcher Company of Montana, Inc. P.O. Box 27 Salt Lake City, UT 84127	NO BID	NO BID	NO BID	\$23.60 *with delivery requirements	\$34.40 *with delivery requirements	NO BID	\$155.00
Nalco Products 1601 West Diehl Road Naperville, IL 60563	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
Praxair, Inc. 7000 High Grove Blvd. Burr Ridge, IL 60527	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
US Lime Company – St. Clair 5429 LBJ Freeway, Suite 230 Dallas, TX 75240	\$169.01	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
2013 BIDS <i>Successful Bidder</i>	\$164.25 <i>US Lime</i>	\$26.50 <i>Brenntag Southwest</i>	\$0.5625 <i>Brenntag Mid-South</i>	\$28.50 <i>Brenntag Mid-South</i>	\$34.50 <i>Brenntag Mid-South</i>	\$0.9000 <i>Brenntag Southwest</i>	\$125.00 <i>Praxair, Joplin, MO</i>

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
C-CHECK	VOID CHECK	V	5/23/2014			172871		

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
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:	1 VOID DEBITS	0.00		
	VOID CREDITS	0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 99 BANK: *	TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
		1	0.00	0.00	0.00
BANK: *	TOTALS:	1	0.00	0.00	0.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
3516	CITY OF PITTSBURG	R	5/22/2014			172865		400.00
7185	AMANDA ALT	R	5/23/2014			172866		1,000.00
1	BURNS, JACI	R	5/23/2014			172867		375.00
6545	CENTER POINT INC	R	5/23/2014			172868		24.02
1616	CITY OF PITTSBURG	R	5/23/2014			172869		5.57
4263	COX COMMUNICATIONS KANSAS LLC	R	5/23/2014			172870		1,552.48
1	FULLER-ROSE, NATALIE ELAINE	R	5/23/2014			172872		178.00
1991	KANSAS OFFICE OF STATE FIRE MA	R	5/23/2014			172873		30.00
1	PITTSBURG USD 250 FOUNDATION	R	5/23/2014			172874		500.00
0175	REGISTER OF DEEDS	R	5/23/2014			172875		16.00
0175	REGISTER OF DEEDS	R	5/23/2014			172876		24.00
0175	REGISTER OF DEEDS	R	5/23/2014			172877		61.50
0349	UNITED WAY OF CRAWFORD COUNTY	R	5/23/2014			172878		88.25
1108	WESTAR ENERGY	R	5/23/2014			172879		571.00
7183	SHERRY WILSON	R	5/23/2014			172880		60.00
5371	PITTSBURG FAMILY YMCA	R	5/23/2014			172881		129.44
3516	CITY OF PITTSBURG	R	5/29/2014			172883		60.00
1	BLOOMCAMP, RUTH	R	5/30/2014			172884		600.00
5506	MIKE E BROWN	R	5/30/2014			172885		180.00
4263	COX COMMUNICATIONS KANSAS LLC	R	5/30/2014			172886		28.68
7155	N.R.C CHEMICAL ENTERPRISES, IN	R	5/30/2014			172887		379.94
0175	REGISTER OF DEEDS	R	5/30/2014			172888		8.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
6716	SID BOEDEKER SAFETY SHOE SERVI	R	5/30/2014			172889		219.99
5904	TASC	R	5/30/2014			172890		1,830.15
1108	WESTAR ENERGY	R	5/30/2014			172891		120.46
2004	AIRE-MASTER OF AMERICA, INC.	R	6/03/2014			172903		15.91
1222	ALL SEASONS CARPET, LLC	R	6/03/2014			172904		1,345.30
5966	BOBCAT OF SPRINGFIELD, INC	R	6/03/2014			172905		20,627.33
6956	BSN SPORTS, INC	R	6/03/2014			172906		66.84
7182	CITY OF OVERLAND PARK	R	6/03/2014			172907		150.00
0497	CRAWFORD COUNTY DISTRICT COURT	R	6/03/2014			172908		150.00
1072	CUSIP GLOBAL SERVICES	R	6/03/2014			172909		397.00
0020	FRANK FLETCHER, LLC	R	6/03/2014			172910		534.00
0033	LOU'S GLOVES	R	6/03/2014			172911		174.00
6697	PITTSBURG EMERGENCY PHYSICIAN,	R	6/03/2014			172912		216.73
0066	PITTSBURG PAINT	R	6/03/2014			172913		18.99
0188	SECRETARY OF STATE	R	6/03/2014			172914		112.00
6716	SID BOEDEKER SAFETY SHOE SERVI	R	6/03/2014			172915		1,585.92
6811	SYMBOL ARTS LLC	R	6/03/2014			172916		1,730.00
7186	RICK ALLEN	R	6/03/2014			172917		40.00
7053	U.S. PEROXIDE, LLC	R	6/03/2014			172918		950.00
0011	AMERICAN ELECTRIC INC	E	5/28/2014			999999		187.00
0026	STANDARD INSURANCE COMPANY	D	6/02/2014			999999		1,287.75
0034	CRONISTER BROTHERS, INC	E	5/28/2014			999999		39.99

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0044	CRESTWOOD COUNTRY CLUB	E	5/28/2014			999999		267.67
0046	ETTINGERS OFFICE SUPPLY	E	5/28/2014			999999		883.20
0054	JOPLIN SUPPLY COMPANY	E	5/28/2014			999999		164.22
0055	JOHN'S SPORT CENTER	E	5/28/2014			999999		1,059.00
0063	LOCKE WHOLESALE SUPPLY	E	5/28/2014			999999		817.51
0064	MATADORE CO	E	5/28/2014			999999		46.25
0068	BROOKS PLUMBING LLC	E	5/28/2014			999999		946.37
0078	SUPERIOR LINEN SERVICE	E	5/28/2014			999999		291.18
0084	INTERSTATE EXTERMINATOR, INC.	E	5/28/2014			999999		152.00
0087	FORMS ONE	E	5/28/2014			999999		108.63
0088	D & H LEASING INC	E	5/28/2014			999999		322.96
0101	BUG-A-WAY INC	E	5/28/2014			999999		60.00
0105	PITTSBURG AUTOMOTIVE INC	E	5/28/2014			999999		2,970.61
0112	MARRONES INC	E	5/28/2014			999999		238.90
0128	VIA CHRISTI HOSPITAL	E	5/28/2014			999999		1,580.00
0133	JIM RADELL CONSTRUCTION INC	E	5/28/2014			999999		39,616.30
0145	BROADWAY LUMBER COMPANY, INC.	E	5/28/2014			999999		948.23
0154	BLUE CROSS & BLUE SHIELD	D	5/23/2014			999999		24,995.59
0154	BLUE CROSS & BLUE SHIELD	D	5/30/2014			999999		16,436.89
0154	BLUE CROSS & BLUE SHIELD	D	6/02/2014			999999		30,536.94
0163	O'REILLY AUTOMOTIVE INC	E	5/28/2014			999999		138.75
0181	INGRAM	E	5/28/2014			999999		49.07

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0199	KIRKLAND WELDING SUPPLIES	E	5/28/2014			999999		81.31
0200	SHERWIN WILLIAMS COMPANY	E	5/28/2014			999999		207.56
0203	GADES SALES CO INC	E	5/28/2014			999999		436.00
0207	PEPSI-COLA BOTTLING CO OF PITT	E	5/28/2014			999999		976.05
0272	BO'S 1 STOP INC	E	5/28/2014			999999		597.90
0276	JOE SMITH COMPANY, INC.	E	5/28/2014			999999		359.02
0294	COPY PRODUCTS, INC.	E	5/28/2014			999999		971.76
0300	PITTSBURG FORD-MERCURY, INC.	E	5/28/2014			999999		253.01
0306	CASTAGNO OIL CO INC	E	5/28/2014			999999		280.80
0317	KUNSHEK CHAT & COAL CO, INC.	E	5/28/2014			999999		27,697.42
0321	KP&F	D	5/23/2014			999999		38,643.50
0329	O'MALLEY IMPLEMENT CO INC	E	5/28/2014			999999		322.69
0332	PITTCRAFT PRINTING	E	5/28/2014			999999		365.00
0339	GENERAL MACHINERY	E	5/28/2014			999999		3,026.89
0375	CONVENIENT WATER COMPANY	E	5/28/2014			999999		138.94
0429	LORD ELECTRIC	E	5/28/2014			999999		367.32
0516	AMERICAN CONCRETE CO INC	E	5/28/2014			999999		541.50
0571	WILBERT MFG. & SUPPLY	E	5/28/2014			999999		102.00
0695	BERBERICH TRAHAN & CO PA	E	5/28/2014			999999		6,250.00
0711	HAYNES EQUIPMENT CO INC	E	5/28/2014			999999		4,324.28
0728	ICMA	D	5/23/2014			999999		948.93
0746	CDL ELECTRIC COMPANY INC	E	5/28/2014			999999		650.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0805	BROADWAY ANIMAL HOSPITAL PA	E	5/28/2014			999999		284.00
0823	TOUCHTON ELECTRIC INC	E	5/28/2014			999999		64.00
0844	HY-FLO EQUIPMENT CO	E	5/28/2014			999999		143.43
0853	AMERICAN WATER WORKS ASSOC	E	5/28/2014			999999		635.00
1050	KPERS	D	5/23/2014			999999		35,250.13
1238	SEWARD ELECTRIC, INC.	E	5/28/2014			999999		1,270.31
1299	STRUKEL ELECTRIC INC	E	5/28/2014			999999		458.33
1478	KANSASLAND TIRE OF PITTSBURG	E	5/28/2014			999999		116.40
1490	ESTHERMAE TALENT	E	5/28/2014			999999		50.00
2025	SOUTHERN UNIFORM & EQUIPMENT L	E	5/28/2014			999999		1,610.51
2035	O'BRIEN ROCK CO., INC.	E	5/28/2014			999999		8,221.96
2111	DELL MARKETING L.P.	E	5/28/2014			999999		522.27
2186	PRODUCERS COOPERATIVE ASSOCIAT	E	5/28/2014			999999		880.80
2825	KANSAS DEPT OF ADMINISTRATION	E	5/28/2014			999999		636.31
2960	PACE ANALYTICAL SERVICES INC	E	5/28/2014			999999		788.00
3079	COMMERCE BANK	D	5/29/2014			999999		26,128.92
3248	AIRGAS USA LLC	E	5/28/2014			999999		765.04
3802	BRENNTAG MID-SOUTH INC	E	5/28/2014			999999		6,345.00
3971	FASTENAL COMPANY	E	5/28/2014			999999		1.43
4133	T.H. ROGERS HOMECENTER	E	5/28/2014			999999		248.57
5049	CRH COFFEE INC	E	5/28/2014			999999		42.80
5185	FERGUSON ENTERPRISES INC	E	5/28/2014			999999		2,181.50

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
5420	AQUIONICS INC	E	5/28/2014			999999		604.61
5590	HD SUPPLY WATERWORKS, LTD.	E	5/28/2014			999999		1,936.00
5635	TONER CONNECTION LLC	E	5/28/2014			999999		84.00
5668	COUNTRYSIDE ANIMAL HOSPITAL OF	E	5/28/2014			999999		137.25
5725	RED THE UNIFORM TAILOR INC	E	5/28/2014			999999		204.16
5904	TASC	D	5/23/2014			999999		7,486.26
6175	HENRY C MENGHINI	E	5/28/2014			999999		231.60
6341	INDUSTRIAL SEALING & LUBRICATI	E	5/28/2014			999999		887.96
6402	BEAN'S TOWING & AUTO BODY	E	5/28/2014			999999		2,550.38
6415	ING FINANCIAL ADVISORS	D	5/23/2014			999999		3,765.00
6524	ELLIOTT EQUIPMENT COMPANY	E	5/28/2014			999999		1,252.77
6952	ADP INC	D	5/23/2014			999999		1,892.51
6952	ADP INC	D	5/30/2014			999999		3,298.80
7050	KRIZ-DAVIS CO.	E	5/28/2014			999999		17.84

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	41	36,556.50	0.00	36,556.50
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	12	190,671.22	0.00	190,671.22
EFT:	71	132,071.74	62.22CR	132,009.52
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0 VOID DEBITS	0.00		
	VOID CREDITS	0.00	0.00	

TOTAL ERRORS: 0

VENDOR SET: 99 BANK: 80144	TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
		124	359,299.46	62.22CR	359,237.24
BANK: 80144	TOTALS:	124	359,299.46	62.22CR	359,237.24

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0011	AMERICAN ELECTRIC INC	E	5/27/2014			999999		63.51
0011	AMERICAN ELECTRIC INC	E	6/02/2014			999999		200.00
0046	ETTINGERS OFFICE SUPPLY	E	5/27/2014			999999		207.13
0105	PITTSBURG AUTOMOTIVE INC	E	6/02/2014			999999		78.87
0129	PROFESSIONAL ENGINEERING CONSU	E	5/27/2014			999999		15,260.50
0200	SHERWIN WILLIAMS COMPANY	E	6/02/2014			999999		78.36
0231	JAMES CLARKSON	E	5/27/2014			999999		89.04
0253	TAMARA N NAGEL	E	5/27/2014			999999		230.00
0332	PITTCRAFT PRINTING	E	5/27/2014			999999		110.00
0337	CROSS-MIDWEST TIRE	E	5/27/2014			999999		392.00
0650	HOME CENTER CONSTRUCTION	E	5/27/2014			999999		4,364.00
0650	HOME CENTER CONSTRUCTION	E	6/02/2014			999999		34,762.50
0806	JOHN L CUSSIMANIO	E	6/02/2014			999999		253.00
0866	AVFUEL CORPORATION	E	5/27/2014			999999		26,346.98
0870	PENNINGTON SEED INC	E	5/27/2014			999999		630.00
0961	KANSAS JUDICIAL COUNCIL	E	6/02/2014			999999		150.00
0969	SEK-CAP INC	E	5/27/2014			999999		9,702.89
1619	MIDWEST TAPE, LLC	E	5/27/2014			999999		92.96
2186	PRODUCERS COOPERATIVE ASSOCIAT	E	6/02/2014			999999		28,419.91
4452	RYAN INSURANCE	E	6/02/2014			999999		4,629.00
6508	JOHN H BAILEY	E	5/27/2014			999999		157.58
6528	GALE GROUP/CENGAGE	E	5/27/2014			999999		23.99

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
6666	NEWARK CORPORATION	E	6/02/2014			999999		152.93
6816	DEFFENBAUGH OF ARKANSAS LLC	E	5/27/2014			999999		872.00
7028	MATTHEW L. FRYE	E	6/02/2014			999999		400.00
7029	ELISABETH GORDON	E	5/27/2014			999999		168.00

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
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:	26	127,835.15	0.00	127,835.15
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:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
	26	127,835.15	0.00	127,835.15
BANK: EFT TOTALS:	26	127,835.15	0.00	127,835.15

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
7106	GEORGIA BATES	R	6/02/2014			172893		113.00
6266	KENNETH JOSEPH BRADY	R	6/02/2014			172894		274.00
6585	CLASS HOMES 1 LLC	R	6/02/2014			172895		31.00
6972	TAVARRA HORN	R	6/02/2014			172896		15.00
6168	K AND B RENTALS LLC	R	6/02/2014			172897		380.00
6517	STACE MORRIS	R	6/02/2014			172898		365.00
1800	DAN RODABAUGH	R	6/02/2014			172899		59.00
6451	NAZAR SAMAN	R	6/02/2014			172900		449.00
4897	JOHN VINARDI	R	6/02/2014			172901		441.00
4636	WESTAR ENERGY, INC. (HAP)	R	6/02/2014			172902		667.00
0140	A&M RENTALS	E	6/03/2014			999999		780.00
0266	JOHN S KUTZ	E	6/03/2014			999999		265.00
0855	CHARLES HOSMAN	E	6/03/2014			999999		371.00
1008	BENJAMIN M BEASLEY	E	6/03/2014			999999		245.00
1231	JOHN LOVELL	E	6/03/2014			999999		266.00
1609	PHILLIP H O'MALLEY	E	6/03/2014			999999		5,160.00
1638	VERNON W PEARSON	E	6/03/2014			999999		545.00
1688	DORA WARE	E	6/03/2014			999999		592.00
1961	DUSTIN D MAJOR	E	6/03/2014			999999		315.00
1982	KENNETH STOTTS	E	6/03/2014			999999		776.00
1985	RICK A MOORE	E	6/03/2014			999999		795.00
2304	DENNIS HELMS	E	6/03/2014			999999		216.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
2542	CHARLES YOST	E	6/03/2014			999999		1,009.00
2624	JAMES ZIMMERMAN	E	6/03/2014			999999		1,357.00
2718	KENNETH B DUTTON	E	6/03/2014			999999		277.00
2850	VENITA STOTTS	E	6/03/2014			999999		480.00
2913	KENNETH N STOTTS JR	E	6/03/2014			999999		315.00
3067	STEVE BITNER	E	6/03/2014			999999		5,003.00
3114	PATRICIA BURLESON	E	6/03/2014			999999		769.00
3142	COMMUNITY MENTAL HEALTH CENTER	E	6/03/2014			999999		582.00
3193	WILLIAM CROZIER	E	6/03/2014			999999		1,091.00
3218	CHERYL L BROOKS	E	6/03/2014			999999		315.00
3272	DUNCAN HOUSING LLC	E	6/03/2014			999999		4,847.00
3273	RICHARD F THENIKL	E	6/03/2014			999999		1,379.00
3294	JOHN R SMITH	E	6/03/2014			999999		664.00
3593	REMINGTON SQUARE	E	6/03/2014			999999		5,406.00
3668	MID AMERICA PROPERTIES OF PITT	E	6/03/2014			999999		1,596.00
3708	GILMORE BROTHERS RENTALS	E	6/03/2014			999999		73.00
3724	YVONNE L. ZORNES	E	6/03/2014			999999		698.00
3746	JAROLD BONBRAKE	E	6/03/2014			999999		324.00
4054	MICHAEL A SMITH	E	6/03/2014			999999		1,064.00
4218	MEADOWLARK TOWNHOUSES	E	6/03/2014			999999		2,184.00
4308	KENNETH BATEMAN	E	6/03/2014			999999		542.00
4492	PITTSBURG SENIORS	E	6/03/2014			999999		3,329.00

VENDOR SET: 99 City of Pittsburg, KS  
BANK: HAP BMO HARRIS BANK-HAP  
DATE RANGE: 5/21/2014 THRU 6/03/2014

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
4546	C & M PROPERTIES LLC	E	6/03/2014			999999		76.00
4564	TERRY L SIMPSON	E	6/03/2014			999999		491.00
4752	S & N MANAGEMENT, LLC	E	6/03/2014			999999		185.00
4786	JENNIFER STANLEY	E	6/03/2014			999999		341.00
4928	PITTSBURG STATE UNIVERSITY	E	6/03/2014			999999		943.00
5039	VANETA MATHIS	E	6/03/2014			999999		276.00
5393	CARLOS ANGELES	E	6/03/2014			999999		1,215.00
5508	BUTLER RENTALS INC	E	6/03/2014			999999		131.00
5549	DELBERT BAIR	E	6/03/2014			999999		271.00
5583	ROBERT L NANKIVELL SR	E	6/03/2014			999999		195.00
5653	PEGGY HUNT	E	6/03/2014			999999		225.00
5656	EARL HARTMAN	E	6/03/2014			999999		366.00
5658	DEANNA J HIGGINS	E	6/03/2014			999999		191.00
5660	HERBERT WARING	E	6/03/2014			999999		355.00
5676	BARBARA TODD	E	6/03/2014			999999		39.00
5817	JAMA ENTERPRISES LLP	E	6/03/2014			999999		412.00
5854	ANTHONY A SNYDER	E	6/03/2014			999999		758.00
5885	CHARLES T GRAVER	E	6/03/2014			999999		449.00
5896	HORIZON INVESTMENTS GROUP INC	E	6/03/2014			999999		276.00
5906	JOHN HINRICHS	E	6/03/2014			999999		189.00
5939	EDNA R TRENT	E	6/03/2014			999999		216.00
5957	PASTEUR PROPERTIES LLC	E	6/03/2014			999999		388.00

VENDOR SET: 99 City of Pittsburg, KS  
BANK: HAP BMO HARRIS BANK-HAP  
DATE RANGE: 5/21/2014 THRU 6/03/2014

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
5961	LARRY VANBECELAERE	E	6/03/2014			999999		276.00
6032	TIM J. RIDGWAY	E	6/03/2014			999999		778.00
6073	REBECCA FOSTER	E	6/03/2014			999999		256.00
6108	TILDEN BURNS, LLC	E	6/03/2014			999999		380.00
6130	T & K RENTALS LLC	E	6/03/2014			999999		1,355.00
6150	JAMES L COX	E	6/03/2014			999999		388.00
6161	MICHAEL J STOTTS	E	6/03/2014			999999		162.00
6172	ANDREW A WACHTER	E	6/03/2014			999999		217.00
6186	TROY ROSENSTIEL	E	6/03/2014			999999		109.00
6294	RONALD E WUERDEMAN	E	6/03/2014			999999		244.00
6295	DAVID L PETERSON	E	6/03/2014			999999		646.00
6298	KEVAN L SCHUPBACH	E	6/03/2014			999999		6,411.00
6317	RONALD L EMERSON	E	6/03/2014			999999		170.00
6380	WAYNE E THOMPSON	E	6/03/2014			999999		582.00
6391	DOWNTOWN PITTSBURG HOUSING PAR	E	6/03/2014			999999		1,917.00
6441	HEATHER D MASON	E	6/03/2014			999999		835.00
6507	MARTHA E MOORE	E	6/03/2014			999999		223.00
6628	SEAN HALL	E	6/03/2014			999999		400.00
6647	MICHAEL A SMITH	E	6/03/2014			999999		689.00
6657	OZARKS AREA COMMUNITY ACTION C	E	6/03/2014			999999		1,141.72
6673	JUDITH A COLLINS	E	6/03/2014			999999		491.00
6753	REBECCA SPONSEL	E	6/03/2014			999999		412.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
6763	JEFFREY M WARY	E	6/03/2014			999999		345.00
6799	KEVIN KITTERMAN	E	6/03/2014			999999		255.00
6868	DAVID SIMPSON (308)	E	6/03/2014			999999		222.00
6886	DELBERT BAIR	E	6/03/2014			999999		560.00
6916	STILWELL HERITAGE & EDUCATIONA	E	6/03/2014			999999		5,609.00
6966	CHARLOTTE BURGESS	E	6/03/2014			999999		357.00
7012	RICKY R STEVENS	E	6/03/2014			999999		207.00
7022	STEVE HEFLEY	E	6/03/2014			999999		253.00
7024	KIMBERLY GRISSOM	E	6/03/2014			999999		614.00
7027	CALVIN THOMAS	E	6/03/2014			999999		222.00
7083	PITTSBURG HEIGHTS, LP	E	6/03/2014			999999		3,172.00
7150	JOE W JONES	E	6/03/2014			999999		599.00

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	10	2,794.00	0.00	2,794.00
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	90	82,115.72	0.00	82,115.72
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0 VOID DEBITS	0.00		
	VOID CREDITS	0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 99 BANK: HAP TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
	100	84,909.72	0.00	84,909.72
BANK: HAP TOTALS:	100	84,909.72	0.00	84,909.72

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
2519	EAGLE BEVERAGE CO INC	R	5/21/2014			172864		177.30
2519	EAGLE BEVERAGE CO INC	R	5/28/2014			172882		116.50
7124	GOINS ENTERPRISES	R	5/30/2014			172892		20,637.60

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	3	20,931.40	0.00	20,931.40
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:	0	VOID DEBITS 0.00		
		VOID CREDITS 0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 99	BANK: MAN	TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
			3	20,931.40	0.00	20,931.40
BANK: MAN	TOTALS:		3	20,931.40	0.00	20,931.40
REPORT TOTALS:			254	592,975.73	62.22CR	592,913.51

Passed and approved this 10<sup>th</sup> day of June, 2014.

---

Monica Murnan, Mayor

ATTEST:

---

Tammy Nagel, City Clerk



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

(620) 231-4100  
[www.pittks.org](http://www.pittks.org)

## Interoffice Memorandum

**TO:** Daron Hall, City Manager

**FROM:** Jamie Clarkson, Director of Finance

**DATE:** May 19, 2014

**SUBJECT:** Fiscal year 2013 audit report and acceptance of Comprehensive Annual Financial Report (CAFR)

---

Please place this item on the June 10, 2014 City Commission agenda. Karen Linn of Berberich Trahan & Co., P.A., will be attending the meeting to provide an overview and answer questions.

cc: Tammy Nagel, City Clerk



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

(620) 231-4100  
www.pittks.org

## Interoffice Memorandum

**TO:** Daron Hall, City Manager

**FROM:** Jamie Clarkson, Director of Finance

**DATE:** June 4, 2014

**SUBJECT:** Review of Bids / Award of Sale - General Obligation Bonds Series 2014A

---

The City of Pittsburg advertised for bids to be received until 11:00 a.m. on June 10, 2014, for the purchase of \$5,065,000 aggregate principal amount of General Obligations Bonds, Series 2014A, to be acted upon by the Governing body.

The general obligation bonds are being issued to finance the following City projects:

- Quincy Street Improvements
- 20<sup>th</sup> & Broadway Intersection Improvements
- S. Broadway KLINK and Water Line
- E. Madison Water Line
- Auditorium Stage Lifts
- Aquatic Center Improvements
- City Facility Security Improvements

Tom Kaleko of Springsted, the City's financial advisor will be present to discuss the bids received and answer questions.

cc: Tammy Nagel, City Clerk

(Published in The Morning Sun on June 13<sup>th</sup>, 2014.)

**ORDINANCE NO. S-1014**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$5,065,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2014A, OF THE CITY OF PITTSBURG, KANSAS, UNDER THE AUTHORITY OF K.S.A. 10-101 to 125, INCLUSIVE, K.S.A. 12-1736 ET SEQ., K.S.A. 12-685 ET SEQ., K.S.A. 65-163u, AND CHARTER ORDINANCE NO. 25 OF THE CITY, ALL AS AMENDED.**

**WHEREAS**, the Governing Body of the **City of Pittsburg, Kansas**, (the “City”) has authorized pursuant to Resolution No. 1099, as amended by Resolution No. 1134, of the City passed and approved February 23, 2010, and March 26, 2013, respectively, Resolution No. 1119 of the City passed April 24, 2012, and Resolution No. 1120 of the City passed April 24, 2012, the construction of certain main trafficway improvements (the “Main Trafficway Improvements”) in the City at the estimated total cost of \$5,782,300 under the authority of K.S.A. 12-685 et seq., as amended; and

**WHEREAS**, the City has authorized pursuant to Resolution No. 1133 of the City passed and approved March 12, 2013, the construction of certain water line improvements (the “Water Line Improvements”) in the City at the estimated total cost of \$250,000 under the authority of Charter Ordinance No. 25 of the City and K.S.A. 65-163u, as amended; and

**WHEREAS**, the City has authorized pursuant to Resolution No. 1153 and Resolution No. 1154 of the City both passed and approved May 13, 2014, the construction of certain public building improvements (the “Public Building Improvements”) in the City at the estimated cost of \$405,000 under the authority of K.S.A. 12-1736 et seq., as amended; and

**WHEREAS**, the City has authorized pursuant to Resolution No. 1155 of the City passed and approved May 13, 2014, the construction of certain aquatic center improvements (the “Aquatic Center Improvements”) (the Main Trafficway Improvements, Water Line Improvements, Public Building Improvements and Aquatic Center Improvements are collectively referred to as the “Improvements”) in the City at the estimated cost of \$100,000 under the authority of Charter Ordinance No. 25 of the City; and

**WHEREAS**, all legal requirements pertaining to the Improvements have been complied with and the total cost of that portion of the Improvements to be financed with proceeds of the Bonds, hereinafter described, has been ascertained to be \$5,659,193.73 (the “Project Cost”); and

**WHEREAS**, \$514,623.00 of the Project Cost will be paid by legally available funds of the City; and

**WHEREAS**, \$79,570.73 of the Project Cost will be paid by the expenditure of unspent temporary note proceeds of the City, leaving unpaid the balance of the Project Cost in the amount of \$5,065,000.00 for which general obligation bonds of the City may be issued; and

**WHEREAS**, the City deems it necessary and advisable to issue its general obligation bonds in the aggregate principal amount of Five Million Sixty-five Thousand Dollars (\$5,065,000) for the purpose of paying the balance of the Project Costs; and

**WHEREAS**, the City has, in accordance with K.S.A. 10-106, published notice (the “Sale Notice”) of the City’s intent to sell the Bonds; and

**WHEREAS**, the City does, in accordance with the terms and conditions of the Sale Notice, hereby authorize the issuance and sale of the bonds to the best bidder.

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

**Section 1.** That for the purpose of providing funds to pay the cost of making the Improvements hereinbefore described, there is hereby authorized and directed to be issued General Obligation Bonds of the City in the aggregate principal amount Five Million Sixty-five Thousand Dollars (\$5,065,000) (the “Bonds”) as provided by K.S.A. 12-1736 et seq., K.S.A. 12-685 et seq., K.S.A. 65-163u, Charter Ordinance No. 25 of the City and Article 1 of Chapter 10, Kansas Statutes Annotated, all as amended. The Bonds shall be dated and bear interest, shall mature and be payable at such times, shall be in such form, shall be subject to redemption and payment prior to the maturity thereof and shall be issued in the manner prescribed and subject to the provisions, covenants and agreements set forth in a resolution of the Governing Body of the City adopted the same date as the date of the passage and approval of this Ordinance (the “Resolution”).

**Section 2.** That the Mayor and City Clerk are hereby authorized to prepare and execute the Bonds and when so executed, the Bonds shall be registered as required by law and the Governing Body shall annually make provisions for the payment of the principal of, redemption premium, if any, and interest on the Bonds as the same shall become due by levying a tax upon all the taxable property of the City.

**Section 3.** That the City shall, and the officers, agents and employees of the City are hereby authorized and directed to, take such action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with and perform the duties of the City with respect to the Bonds and the Resolution all as necessary to carry out and give effect to the transaction contemplated hereby and thereby.

**Section 4.** That if any portion or provision of this Ordinance or the Bonds shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such portion or provisions shall not effect any of the remaining provisions of this Ordinance or the Bonds but this Ordinance and said Bonds shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

**Section 5.** That the Bonds shall be issued and sold to the purchaser thereof in accordance with both their bid for the purchase thereof and the terms and conditions of this Ordinance.

**Section 6.** That this Ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

**PASSED** by the Governing Body and approved by the Mayor this 10th day of June 2014.

**CITY OF PITTSBURG, KANSAS**

\_\_\_\_\_  
Monica Murnan, Mayor

ATTEST:

\_\_\_\_\_  
Tammy Nagel, City Clerk

(SEAL)

\*\*\*\*\*

RESOLUTION

OF

CITY OF PITTSBURG, KANSAS

PASSED

JUNE 10, 2014

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\$5,065,000  
GENERAL OBLIGATION BONDS  
SERIES 2014A

\*\*\*\*\*

RESOLUTION

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Exhibit A: Form of Bond  
Exhibit B: Letter of Representations

**RESOLUTION NO. 1157**

**A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF THE CITY OF PITTSBURG, KANSAS, GENERAL OBLIGATION BONDS, SERIES 2014A, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$5,065,000 THE ISSUANCE OF WHICH WAS AUTHORIZED BY THE CITY PURSUANT TO ITS ORDINANCE NO. S-1014 PASSED AND APPROVED JUNE 10, 2014; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.**

**WHEREAS**, the Governing Body of the **City of Pittsburg, Kansas**, (the “City”) has authorized pursuant to Resolution No. 1099, as amended by Resolution No. 1134, of the City passed and approved February 23, 2010, and March 26, 2013, respectively, Resolution No. 1119 of the City passed and approved April 24, 2012, and Resolution No. 1120 of the City passed and approved April 24, 2012, the construction of certain main trafficway improvements (the “Main Trafficway Improvements”) in the City at the estimated total cost of \$5,782,300 under the authority of K.S.A. 12-685 et seq., as amended; and

**WHEREAS**, the City has authorized pursuant to Resolution No. 1133 of the City passed and approved March 12, 2013, the construction of certain water line improvements (the “Water Line Improvements”) in the City at the estimated total cost of \$250,000 under the authority of Charter Ordinance No. 25 of the City and K.S.A. 65-163u, as amended; and

**WHEREAS**, the City has authorized pursuant to Resolution No. 1153 and Resolution No. 1154 of the City both passed and approved May 13, 2014, the construction of certain public building improvements (the “Public Building Improvements”) in the City at the estimated cost of \$400,000 under the authority of K.S.A. 12-1736 et seq., as amended; and

**WHEREAS**, the City has authorized pursuant to Resolution No. 1155 of the City passed and approved May 13, 2014, the construction of certain aquatic center improvements (the “Aquatic Center Improvements”) (the Main Trafficway Improvements, Water Line Improvements, Public Building Improvements and Aquatic Center Improvements are collectively referred to as the “Improvements”) in the City at the estimated cost of \$100,000 under the authority of Charter Ordinance No. 25 of the City; and

**WHEREAS**, the City has by its Ordinance No. S-1014 passed and approved June 10, 2014, (the "Ordinance") authorized the issuance of its General Obligation Bonds, Series 2014A, in the aggregate principal amount of \$5,065,000 (the "Bonds") under the authority of K.S.A. 12-1736 et seq., K.S.A. 12-685 et seq., K.S.A. 65-163u, Charter Ordinance No. 25 of the City and Article 1 of Chapter 10, Kansas Statutes Annotated, all as amended; and

**WHEREAS**, in accordance with the City's notice of the sale of the Bonds published in accordance with the requirements of law the Bonds have been sold to and purchased by \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; and

**WHEREAS**, in accordance with the terms and conditions of the Ordinance, the City hereby intends to both prescribe the form and details of the Bonds and authorize certain other documents and actions in connection with the issuance of the Bonds.

## ARTICLE I

### DEFINITIONS

**Section 101. Definitions of Words and Terms.** In addition to words and terms identified elsewhere herein, the following words and terms as used in this Resolution shall have the following meanings:

**"Arbitrage Instructions"** means the Arbitrage Instructions in the City's Federal Tax Certificate dated as of the date of issuance and delivery of the Bonds, as the same may be amended or supplemented in accordance with the provisions thereof.

**"Bond and Interest Fund"** means the Bond and Interest Fund of the City for its general obligation bonds.

**"Bond Counsel"** means the firm of Nichols and Wolfe Chartered, or any other attorney or firm of attorneys with a nationally recognized standing in the field of municipal bond financing as selected by the City.

**"Bond Payment Date"** means any date on which principal of or interest on any Bond is payable.

**"Bond Register"** means the books for the registration, transfer and exchange of Bonds kept at the office of the Bond Registrar.

**"Bond Registrar"** means the Treasurer of the State of Kansas, Topeka, Kansas, and its successors and assigns.

**"Bonds"** means the General Obligation Bonds, Series 2014A, authorized and issued by the City pursuant to the Ordinance.

**"Business Day"** means a day other than a Saturday, Sunday or holiday on which the Paying Agent is scheduled in the normal course of its operations to be open to the public for conduct of its operations.

**"Cede & Co."** means Cede & Co., as nominee name of The Depository Trust Company, New York, New York.

**"City"** means the City of Pittsburg, Kansas, the issuer of the Bonds.

**"Clerk"** means the duly appointed and/or elected Clerk of the City or, in the Clerk's absence, the duly appointed Deputy Clerk or Acting Clerk of the City.

**"Code"** means the Internal Revenue Code of 1986, as amended.

**"Costs of Issuance"** means all costs of issuing the Bonds, including all publication, printing, signing and mailing expenses in connection therewith, registration fees, financial advisory fees, all legal fees and expenses of Bond Counsel and other legal counsel, expenses incurred in connection with compliance with the Code and with the Disclosure Certificate, all expenses, if any, incurred in connection with receiving ratings on the Bonds.

**"Dated Date"** means June 26, 2014.

**"Defaulted Interest"** means interest on any Bond which is payable but not paid on any Interest Payment Date.

**"Defeasance Obligations"** means any of the following obligations:

(a) United States Government Obligations that are not subject to redemption in advance of their maturity dates; or

(b) obligations of any state or political subdivision of any state, the interest on which is excluded from gross income for federal income tax purposes and which meet the following conditions:

(1) the obligations are (i) not subject to redemption prior to maturity or (ii) the trustee for such obligations has been given irrevocable instructions concerning their calling and redemption and the City of such obligations has covenanted not to redeem such obligations other than as set forth in such instructions;

(2) the obligations are secured by cash or United States Government Obligations that may be applied only to principal of, premium, if any, and interest payments on such obligations;

(3) such cash and the principal of and interest on such United States Government Obligations (plus any cash in the escrow fund) are sufficient to meet the liabilities of the obligations;

(4) such cash and United States Government Obligations serving as security for the obligations are held in an escrow fund by an escrow agent or a trustee irrevocably in trust; and

(5) such cash and United States Government Obligations are not available to satisfy any other claims, including those against the trustee or escrow agent.

**"Disclosure Certificate"** means the Continuing Disclosure Certificate attached to the City's Final Certificate as Exhibit D and included in the transcript of proceedings pertaining to the issuance of the Bonds.

**"Event of Default"** means each of the following occurrences or events:

(a) Payment of the principal or the Redemption Price of any of the Bonds shall not be made when the same shall become due and payable, either at Stated Maturity or by proceedings for redemption or otherwise; or

(b) Payment of any installment of interest on any of the Bonds shall not be made when the same shall become due; or

(c) The City shall default in the due and punctual performance of any other of the covenants, conditions, agreements and provisions contained in the Bonds or in this Resolution on the part of the City to be performed (other than relating to Rule 15c2-12 as defined in the Disclosure Certificate), and such default shall continue for thirty (30) days after written notice specifying such default and requiring same to be remedied shall have been given to the City by the Owner of any of the Bonds then Outstanding.

**"Federal Tax Certificate"** means the certificate so named and included in the transcript of proceedings pertaining to the issuance of the Bonds describing the investment and use of the proceeds of the Bonds.

**"Fiscal Year"** means the twelve month period ending on December 31.

**"Funds and Accounts"** means funds and accounts created or referred to in **Section 501** hereof.

**"Improvements"** mean certain main trafficway, water line, public building, and aquatic center improvements constructed in the City in accordance with the legal authority as described in the recitals to this Resolution.

**"Interest Payment Date(s)"** means the Stated Maturity of an installment of interest on any Bond which shall be March 1 and September 1 of each year, commencing March 1, 2015.

**"Maturity"** when used with respect to any Bond means the date on which the principal of such Bond becomes due and payable as therein and herein provided, whether at the Stated Maturity thereof or call for redemption or otherwise.

**"Mayor"** means the duly appointed and/or elected Mayor of the City or, in the Mayor's absence, the duly appointed Deputy Mayor or Acting Mayor of the City.

**"Ordinance"** means Ordinance No. S-1014 passed and approved June 10, 2013, and published as required by law, pursuant to which the issuance of the Bonds has been authorized.

**"Outstanding"** means, when used with reference to the Bonds, as of a particular date of determination, all Bonds theretofore authenticated and delivered, except the following Bonds:

(a) Bonds theretofore canceled by the Paying Agent or delivered to the Paying Agent for cancellation;

(b) Bonds deemed to be paid in accordance with the provisions of **Section 701** hereof; and

(c) Bonds in exchange for or in lieu of which other Bonds have been authenticated and delivered hereunder.

**"Owner"** when used with respect to any Bond means the Person in whose name such Bond is registered on the Bond Register.

**"Participants"** means those financial institutions for whom the Securities Depository effects book-entry transfers and pledges of securities deposited with the Securities Depository, as such listing of Participants exists at the time of such reference.

**"Paying Agent"** means the State Treasurer, and any successors and assigns.

**"Permitted Investments"** means: (a) investments authorized by K.S.A. 12-1675 and amendments thereto; (b) the municipal investment pool established pursuant to K.S.A. 12-1677a, and amendments thereto; (c) direct obligations of the United States Government or any agency thereof; (d) the City's temporary notes issued pursuant to K.S.A. 10-123 and amendments thereto; (e) interest-bearing time deposits in commercial banks located in the county or counties in which the City is located; (f) obligations of the federal national mortgage association, federal home loan banks or the federal home loan mortgage corporation; (g) repurchase agreements for

securities described in (c) or (f); (h) investment agreements with or other obligations of a financial institution the obligations of which at the time of investment are rated in either of the three highest rating categories by Moody's, Inc. or Standard & Poor's; (i) investments in shares or units of a money market fund or trust the portfolio of which is comprised entirely of securities described in (c) or (f); (j) receipts evidencing ownership interests in securities or portions thereof described in (c) or (f); (k) municipal bonds or other obligations issued by any municipality of the State as defined in K.S.A. 10-1101 which are general obligations of the municipality issuing the same; or (l) bonds of any municipality of the States as defined in K.S.A. 10-1101 which have been refunded in advance of their maturity and are fully secured as to payment of principal and interest thereon by deposit in trust, under escrow agreement with a bank, of securities described in (c) or (f). No Permitted Investment shall include any derivative investment instrument whose market price is derived from the fluctuating value of an underlying asset, index, currency, futures contract, including futures, options and collateralized mortgage obligations.

**"Person"** means any natural person, corporation, partnership, joint venture, association, firm, joint-stock company, trust, unincorporated organization, or government or any agency or political subdivision thereof or other public body.

**"Principal and Interest Account"** means the Principal and Interest Account for the City of Pittsburg, Kansas, General Obligation Bonds, Series 2014A, created herein within the City's Bond and Interest Fund.

**"Project Account"** means the Project Account in the treasury of the City, created herein.

**"Purchase Price"** means the purchase price of the Bonds as set forth in the Bid Proposal for Purchase of Bonds as submitted by the Original Purchaser and accepted by the City.

**"Purchaser"** means \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, the original purchaser of the Bonds.

**"Rebate Fund"** means the Rebate Fund for the City of Pittsburg, Kansas, General Obligation Bonds, Series 2014A, created herein.

**"Record Dates"** for the interest payable on any Interest Payment Date means the fifteenth day (whether or not a Business Day) of each month preceding such Interest Payment Date.

**"Redemption Date"** when used with respect to any Bond to be redeemed means the date fixed for the redemption of such Bond pursuant to the terms of this Resolution.

**"Redemption Price"** when used with respect to any Bond to be redeemed means the price at which such Bond is to be redeemed pursuant to the terms of this Resolution, including the applicable redemption premium, if any, but excluding installments of interest whose Stated Maturity is on or before the Redemption Date.

**"Replacement Bonds"** means Bonds issued to the beneficial owners of the Bonds in accordance with **Section 211** hereof.

**"Representation Letter"** means the Blanket Issuer Letter of Representations from the City to the Securities Depository with respect to the Bonds, substantially in the form attached to this Resolution as Exhibit B.

**"Resolution"** means this resolution relating to the Bonds.

**"Securities Depository"** means, initially, The Depository Trust Company, New York, New York, and its successors and assigns.

**"Special Record Date"** means the date fixed by the Paying Agent pursuant to **Section 204** hereof for the payment of Defaulted Interest.

**"State"** means the State of Kansas.

**"State Treasurer"** means the duly elected Treasurer or, in the Treasurer's absence, the duly appointed Deputy Treasurer or acting Treasurer of the State of Kansas.

**"Stated Maturity"** when used with respect to any Bond or any installment of interest thereon means the date specified in such Bond and this Resolution as the fixed date on which the principal of such Bond or such installment of interest is due and payable.

**"Treasurer"** means the duly appointed and/or elected Treasurer of the City or, in the Treasurer's absence, the duly appointed Deputy Treasurer or acting Treasurer of the City.

**"United States Government Obligations"** means bonds, notes, certificates of indebtedness, treasury bills or other securities consisting of direct obligations of, or obligations the principal of and interest on which are fully and unconditionally guaranteed as to full and timely payment by, the United States of America, including evidences of a direct ownership interest in the future interest or principal payment on obligations issued by the United States of America (including the interest component of obligations of the Resolution Funding Corporation).

## ARTICLE II

### AUTHORIZATION AND DETAILS OF THE BONDS

**Section 201. Authorization of the Bonds.** There shall be issued and hereby are authorized and directed to be issued the General Obligation Bonds, Series 2014A, of the City in the aggregate principal amount of \$5,065,000 for the purpose of providing funds to pay the costs of the Improvements.

**Section 202. Description of the Bonds.** The Bonds shall consist of fully registered bonds in the denominations of \$5,000 or any integral multiple thereof and shall be numbered in such manner as the Bond Registrar shall determine. All of the Bonds shall be dated June 26, 2014, shall become due in the amounts on the Stated Maturities (subject to redemption and payment prior to their Stated Maturities as provided in Article III hereof), and shall bear interest at the rates per annum as follows:

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SERIAL BONDS

MATURITY (SEPTEMBER 1)	PRINCIPAL AMOUNT	INTEREST RATE
2015	\$250,000	___%
2016	480,000	___
2017	480,000	___
2018	490,000	___
2019	495,000	___
2020	505,000	___
2021	510,000	___
2022	520,000	___
2023	530,000	___
2024	545,000	___
2025	260,000	___

The Bonds shall bear interest at the above specified rates (computed on the basis of a 360-day year of twelve 30-day months) from the later of the Dated Date or the most recent Interest Payment Date to which interest has been paid, payable on the Interest Payment Dates in the manner set forth in **Section 204** hereof.

Each of the Bonds, as originally issued or issued upon transfer, exchange or substitution, shall be typed or printed in accordance with the format required by the Attorney General of the State and shall be substantially in the form attached hereto as Exhibit A or as may be required by the Attorney General pursuant to the Notice of Systems of Registration for Kansas Municipal Bonds, 2 Kan. Reg. 921 (1983), in accordance with the Kansas Bond Registration Law, K.S.A. 10-620 et seq.

**Section 203. Designation of Paying Agent and Bond Registrar.** The State Treasurer, Topeka, Kansas, is hereby designated as the Paying Agent for the payment of principal of and interest on the Bonds and Bond Registrar with respect to the registration, transfer and exchange of Bonds. The Mayor and Clerk of the City are hereby authorized and empowered to execute on behalf of the City an agreement with the Bond Registrar and Paying Agent for the Bonds.

The City will at all times maintain a Paying Agent and Bond Registrar meeting the qualifications herein described for the performance of the duties hereunder. The City reserves the right to appoint a successor Paying Agent or Bond Registrar by (1) filing with the Paying Agent or Bond Registrar then performing such function a certified copy of the proceedings giving notice of the termination of such Paying Agent or Bond Registrar and appointing a successor, and (2) causing notice of appointment of the successor Paying Agent and Bond Registrar to be given by first class mail to each Owner. No resignation or removal of the Paying Agent or Bond Registrar shall become effective until a successor has been appointed and has accepted the duties of Paying Agent or Bond Registrar.

Every Paying Agent or Bond Registrar appointed hereunder shall at all times meet the requirements of K.S.A. 10-501 et seq. and K.S.A. 10-620 et seq., respectively.

**Section 204. Method and Place of Payment of the Bonds.** The principal or Redemption Price of and interest on the Bonds shall be payable in any coin or currency which, on the respective dates of payment thereof, is legal tender for the payment of public and private debts.

The principal or Redemption Price of each Bond shall be paid at Maturity to the Person in whose name such Bond is registered on the Bond Register at the Maturity thereof, upon presentation and surrender of such Bond at the principal corporate trust office of the Paying Agent.

The interest payable on each Bond on any Interest Payment Date shall be paid to the Owner of such Bond as shown on the Bond Register at the close of business on the Record Date for such interest (a) by check or draft mailed by the Paying Agent to the address of such Owner shown on the Bond Register or (b) in the case of an interest payment to any Owner of \$500,000 or more in aggregate principal amount of Bonds, by electronic transfer to such Owner upon written notice given to the Bond Registrar by such Owner, not less than 15 days prior to the Record Date for such interest, containing the electronic transfer instructions including the bank (which shall be in the continental United States) ABA routing number and account number to which such Owner wishes to have such transfer directed.

Notwithstanding the foregoing provisions of this Section, any Defaulted Interest with respect to any Bond shall cease to be payable to the Owner of such Bond on the relevant Record Date and shall be payable to the Owner in whose name such Bond is registered at the close of business on the Special Record Date for the payment of such Defaulted Interest, which Special Record Date shall be fixed as hereinafter specified in this paragraph. The City shall notify the Paying Agent in writing of the amount of Defaulted Interest proposed to be paid on each Bond and the date of the proposed payment (which date shall be at least 30 days after receipt of such notice by the Paying Agent) and shall deposit with the Paying Agent at the time of such notice an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest or shall make arrangements satisfactory to the Paying Agent for such deposit prior to the date of the proposed payment. Following receipt of such funds the Paying Agent shall fix a Special Record Date for the payment of such Defaulted Interest which shall be not more than 15 nor less than 10 days prior to the date of the proposed payment. The Paying Agent shall promptly notify the City of such Special Record Date and, in the name and at the expense of the City, shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefore to be mailed, by first class mail, postage prepaid, to each Owner of a Bond entitled to such notice at the address of such Owner as it appears on the Bond Register not less than 10 days prior to such Special Record Date.

The Paying Agent shall keep a record of payment of principal and Redemption Price of and interest on all Bonds and at least annually shall forward a copy or summary of such records to the City.

**Section 205. Registration, Transfer and Exchange of Bonds.** The City covenants that, as long as any of the Bonds remain Outstanding, it will cause the Bond Register to be kept at the office of the Bond Registrar as herein provided. Each Bond when issued shall be registered in the name of the Owner thereof on the Bond Register.

Bonds may be transferred and exchanged only on the Bond Register as provided in this Section. Upon surrender of any Bond at the principal corporate trust office of the Bond Registrar, the Bond Registrar shall transfer or exchange such Bond for a new Bond or Bonds in any authorized denomination of the same Stated Maturity and in the same aggregate principal amount as the Bond that was presented for transfer or exchange.

Bonds presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in a form and with guarantee of signature satisfactory to the Bond Registrar, duly executed by the Owner thereof or by the Owner's duly authorized agent.

In all cases in which the privilege of transferring or exchanging Bonds is exercised, the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Resolution. The City shall pay the fees and expenses of the Bond Registrar for the registration, transfer and exchange of Bonds provided for by this Resolution and the cost of printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Bond Registrar, are the responsibility of the Owners of the Bonds. In the event any Owner fails to provide a correct taxpayer identification number to the Paying Agent, the Paying Agent may make a charge against such Owner sufficient to pay any governmental charge required to be paid as a result of such failure. In compliance with Section 3406 of the Code, such amount may be deducted by the Paying Agent from amounts otherwise payable to such Owner hereunder or under the Bonds.

The City and the Bond Registrar shall not be required (a) to register the transfer or exchange of any Bond that has been called for redemption after notice of such redemption has been mailed by the Paying Agent pursuant to **Section 303** hereof and during the period of 15 days next preceding the date of mailing of such notice of redemption; or (b) to register the transfer or exchange of any Bond during a period beginning at the opening of business on the day after receiving written notice from the City of its intent to pay Defaulted Interest and ending at the close of business on the date fixed for the payment of Defaulted Interest pursuant to **Section 204** hereof.

The City and the Paying Agent may deem and treat the Person in whose name any Bond is registered on the Bond Register as the absolute Owner of such Bond, whether such Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal or Redemption Price of and interest on said Bond and for all other purposes. All payments so made to any such Owner or upon the Owner's order shall be valid and effective to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the City nor the Paying Agent shall be affected by any notice to the contrary.

At reasonable times and under reasonable regulations established by the Bond Registrar, the Bond Register may be inspected and copied by the Owners of 10% or more in principal amount of the Bonds then Outstanding or any designated representative of such Owners whose authority is evidenced to the satisfaction of the Bond Registrar.

**Section 206. Execution, Registration, Authentication and Delivery of Bonds.** Each of the Bonds, including any Bonds issued in exchange or as substitutions for the Bonds initially delivered, shall be executed for and on behalf of the City by the manual or facsimile signature of the Mayor, attested by the manual or facsimile signature of the Clerk and the seal of the City shall be affixed thereto or imprinted thereon. The Mayor and Clerk are hereby authorized and directed to prepare and execute the Bonds in the manner herein specified, and to cause the Bonds to be registered in the office of the Clerk, which registration shall be evidenced by the manual or facsimile signature of the Clerk with the seal of the City affixed thereto or imprinted thereon. The Bonds shall also be registered in the office of the State Treasurer, which registration shall be evidenced by the manual or facsimile signature of the State Treasurer with the seal of the State Treasurer affixed thereto or imprinted thereon. In case any officer whose signature appears on any Bonds ceases to be such officer before the delivery of such Bonds, such signature shall nevertheless be valid and sufficient for all purposes, as if such person had remained in office until delivery. Any Bond may be signed by such persons who at the actual time of the execution of such Bond are the proper officers to sign such Bond although at the date of such Bond such persons may not have been such officers.

The Bonds shall have endorsed thereon a certificate of authentication substantially in the form attached hereto as Exhibit A hereof, which shall be manually executed by an authorized officer or employee of the Bond Registrar, but it shall not be necessary that the same officer or

employee sign the certificate of authentication on all of the Bonds that may be issued hereunder at any one time. No Bond shall be entitled to any security or benefit under this Resolution or be valid or obligatory for any purpose unless and until such certificate of authentication has been duly executed by the Bond Registrar. Such executed certificate of authentication upon any Bond shall be conclusive evidence that such Bond has been duly authenticated and delivered under this Resolution. Upon authentication, the Bond Registrar shall deliver the Bonds to the Purchaser upon instructions of the City or its representative.

**Section 207. Mutilated, Lost, Stolen or Destroyed Bonds.** If (a) any mutilated Bond is surrendered to the Bond Registrar or the Bond Registrar receives evidence to its satisfaction of the destruction, loss or theft of any Bond, and (b) there is delivered to the City and the Bond Registrar such security or indemnity as may be required by each of them, then, in the absence of notice to the City or the Bond Registrar that such Bond has been acquired by a bona fide purchaser, the City shall execute and, upon the City's request, the Bond Registrar shall authenticate and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost or stolen Bond, a new Bond of the same Stated Maturity and of like tenor and principal amount.

If any such mutilated, destroyed, lost or stolen Bond has become or is about to become due and payable, the City, in its discretion, may pay such Bond instead of issuing a new Bond.

Upon the issuance of any new Bond under this Section, the City may require the payment by the Owner of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses (including the fees and expenses of the Paying Agent) connected therewith.

Every new Bond issued pursuant to this Section shall constitute a replacement of the prior obligation of the City, and shall be entitled to all the benefits of this Resolution equally and ratably with all other Outstanding Bonds.

**Section 208. Cancellation and Destruction of Bonds Upon Payment.** All Bonds that have been paid or redeemed or that otherwise have been surrendered to the Paying Agent, either at or before Maturity, shall be cancelled by the Paying Agent immediately upon the payment, redemption and surrender thereof to the Paying Agent and subsequently destroyed in accordance with the customary practices of the Paying Agent. The Paying Agent shall execute a certificate in duplicate describing the Bonds so cancelled and destroyed and shall file an executed counterpart of such certificate with the City.

**Section 209. Preliminary and Final Official Statement.** The preliminary Official Statement dated May 20, 2014, is hereby ratified and approved. For the purpose of enabling the Purchaser to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission, the City hereby deems the information regarding the City contained in the preliminary Official Statement to be "final" as of its date, except for the omission of such information as is permitted by Rule 15c2-12(b)(1), and the appropriate officers of the City are hereby authorized, if requested, to provide the Purchaser a letter or certification to such effect and to take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary to enable the Purchaser to comply with the requirement of such Rule.

The final Official Statement is hereby authorized to be prepared by supplementing, amending and completing the preliminary Official Statement, with such changes and additions thereto as are necessary to conform to and describe the transaction. The Mayor is hereby authorized to execute the final Official Statement as so supplemented, amended and completed, and the use and public distribution of the final Official Statement by the Purchaser in connection with the reoffering of the Bonds is hereby authorized. The proper officials of the City are hereby

authorized to execute and deliver a certificate pertaining to such Official Statement as prescribed therein, dated as of the date of payment for and delivery of the Bonds.

The City agrees to provide to the Purchaser within seven business days of the date of the sale of Bonds sufficient copies of the final Official Statement to enable the Purchaser to comply with the requirements of Rule 15c2-12(b)(4) of the Securities and Exchange Commission and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

**Section 210. Sale of the Bonds.** The sale of the Bonds to the Purchaser is hereby ratified and confirmed. Delivery of the Bonds shall be made to the Purchaser as soon as practicable after the passage of this Resolution, upon payment of the Purchase Price.

**Section 211. Book-Entry Bonds; Securities Depository.**

(a) The Bonds shall initially be registered to Cede & Co., the nominee for the Securities Depository, and no beneficial owner will receive certificates representing their respective interests in the Bonds, except in the event the Bond Registrar issues Replacement Bonds as provided in subsection (b) hereof. It is anticipated that during the term of the Bonds, the Securities Depository will make book-entry transfers among its Participants and receive and transmit payment of principal of, premium, if any, and interest on, the Bonds to the Participants until and unless the Bond Registrar authenticates and delivers Replacement Bonds to the beneficial owners as described in subsection (b).

(b) (1) If the City determines (A) that the Securities Depository is unable to properly discharge its responsibilities, or (B) that the Securities Depository is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, or (C) that the continuation of a book-entry system to the exclusion of any Bonds being issued to any Owner other than Cede & Co. is no longer in the best interests of the beneficial owners of the Bonds, or (2) if the Bond Registrar receives written notice from Participants having interests in not less than 50% of the Bonds Outstanding, as shown on the records of the Securities Depository (and certified to such effect by the Securities Depository), that the continuation of a book-entry system to the exclusion of any Bonds being issued to any Owner other than Cede & Co. is no longer in the best interests of the beneficial owners of the Bonds, then the Bond Registrar shall notify the Owners of such determination or such notice and of the availability of certificates to Owners requesting the same, and the Bond Registrar shall register in the name and authenticate and deliver Replacement Bonds to the beneficial owners or their nominees in principal amounts representing the interest of each, making such adjustments as it may find necessary or appropriate as to accrued interest and previous calls for redemption; provided, that in the case of a determination under (1)(A) or (1)(B) of this subsection (b), the City, with the consent of the Bond Registrar, may select a successor securities depository in accordance with **Section 211(c)** hereof to effect book-entry transfers. In such event, all references to the Securities Depository herein shall relate to the period of time when the Securities Depository has possession of at least one Bond. Upon the issuance of Replacement Bonds, all references herein to obligations imposed upon or to be performed by the Securities Depository shall be deemed to be imposed upon and performed by the Bond Registrar, to the extent applicable with respect to such Replacement Bonds. If the Securities Depository resigns and the City, the Bond Registrar or Owners are unable to locate a qualified successor of the Securities Depository in accordance with **Section 211(c)** hereof, then the Bond Registrar shall authenticate and cause delivery of Replacement Bonds to Owners, as provided herein. The Bond Registrar may rely on information from the Securities Depository and its Participants as to the names of the beneficial owners of the Bonds. The cost of printing, registration, authentication and delivery of Replacement Bonds shall be paid for by the City.

(c) In the event the Securities Depository resigns, is unable to properly discharge its responsibilities, or is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, the City may appoint a successor Securities Depository provided the Bond Registrar and the City receive written evidence with respect to the ability of the successor Securities Depository to discharge its responsibilities. Any such successor Securities Depository shall be a securities depository which is a registered clearing agency under the Securities and Exchange Act of 1934, as amended, or other applicable statute or regulation that operates a securities depository upon reasonable and customary terms. The Bond Registrar upon its receipt of a Bond or Bonds for cancellation shall cause the delivery of Bonds to the successor Securities Depository in appropriate denominations and form as provided herein.

(d) The execution and delivery of the Representation Letter to DTC by the Mayor of the City in the form attached hereto as Exhibit B with such changes, omissions, insertions and revisions as the Mayor shall deem advisable, is hereby authorized, and execution of the Representation Letter by the Mayor shall be conclusive evidence of such approval. The Representation Letter shall set forth certain matters with respect to, among other things, notices, consents and approvals by Registered Owners of the Bonds and beneficial Owners and payments on the Bonds. The Paying Agent shall have the same rights with respect to its actions thereunder as it has with respect to its actions under this Resolution.

ARTICLE III

REDEMPTION OF BONDS

**Section 301. Optional and Mandatory Redemption by City.**

(a) **Optional Redemption.** At the option of the City, the Bonds or portions thereof maturing on September 1, 2023, and thereafter may be called for redemption and payment prior to their Stated Maturity on September 1, 2022, and thereafter as a whole or in part at any time (selection of maturities and the amount of Bonds of each maturity to be redeemed to be determined by the City), at the Redemption Price of 100% (expressed as a percentage of the principal amount), plus accrued interest thereon to the Redemption Date.

(b) **Mandatory Redemption.** The Term Bonds shall be subject to mandatory redemption and payment prior to Stated Maturity pursuant to the mandatory redemption requirements of this Section at a Redemption Price equal to 100% of the principal amount thereof plus accrued interest to the Redemption Date. The taxes levied in Article IV hereof which are to be deposited into the Principal and Interest Account shall be sufficient to redeem, and the City shall redeem on September 1 in each year, the following principal amounts of such Term Bonds:

<u>Principal Amount</u>	<u>Year</u>
\$ _____	20____
_____	20____

(leaving \$\_\_\_\_\_ to mature September 1, 20\_\_\_\_)

At its option, to be exercised on or before the 45th day next preceding any mandatory Redemption Date, the City may: (1) deliver to the Paying Agent for cancellation Term Bonds subject to mandatory redemption on said mandatory Redemption Date, in any aggregate principal amount desired; or (2) furnish the Paying Agent funds, together with appropriate instructions, for the purpose of purchasing any Term Bonds subject to mandatory redemption on

said mandatory Redemption Date from any Owner thereof whereupon the Paying Agent shall expend such funds for such purpose to such extent as may be practical; or (3) receive a credit with respect to the mandatory redemption obligation of the City under this Section for any Term Bonds subject to mandatory redemption on said mandatory Redemption Date which, prior to such date, have been redeemed (other than through the operation of the mandatory redemption requirements of this subsection (b)) and cancelled by the Paying Agent and not theretofore applied as a credit against any redemption obligation under this subsection (b). Each Term Bond so delivered or previously purchased or redeemed shall be credited at 100% of the principal amount thereof on the obligation of the City to redeem Term Bonds of the same Stated Maturity on such mandatory Redemption Date, and any excess of such amount shall be credited on future mandatory redemption obligations for Term Bonds of the same Stated Maturity in chronological order, and the principal amount of Term Bonds to be redeemed by operation of the requirements of this Section shall be accordingly reduced. If the City intends to exercise any option granted by the provisions of clauses (1), (2) or (3) above, the City will, on or before the 45th day next preceding each mandatory Redemption Date, furnish the Paying Agent a written certificate indicating to what extent the provisions of said clauses (1), (2) and (3) are to be complied with, with respect to such mandatory redemption payment.

**Section 302. Selection of Bonds to be Redeemed.** Bonds shall be redeemed only in the principal amount of \$5,000 or any integral multiple thereof. When less than all of the Bonds of the same maturity are to be redeemed and paid prior to their Stated Maturity, the Bonds to be redeemed shall be selected by the Bond Registrar in \$5,000 units of principal amount in such equitable manner as the Bond Registrar may determine.

In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then Outstanding, then for all purposes in connection with such redemption each \$5,000 of face value shall be treated as though it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of face value represented by any Bond is selected for redemption, then upon notice of intention to redeem such \$5,000 unit or units, the Owner or the Owner's duly authorized agent shall forthwith present and surrender such Bond to the Bond Registrar: (1) for payment of the Redemption Price and interest to the Redemption Date of such \$5,000 unit or units of face value called for redemption, and (2) for exchange, without charge to the Owner thereof, for a new Bond or Bonds of the aggregate principal amount of the unredeemed portion of the principal amount of such Bond. If the Owner of any such Bond fails to present such Bond to the Paying Agent for payment and exchange as aforesaid, such Bond shall, nevertheless, become due and payable on the redemption date to the extent the \$5,000 unit or units of face value called for redemption (and to that extent only).

**Section 303. Notice and Effect of Call for Redemption.** In the event the City desires to call the Bonds for redemption prior to maturity, written notice of such intent shall be provided to the Bond Registrar in accordance with K.S.A. 10-129, as amended, not less than 45 days prior to the Redemption Date. The Bond Registrar shall call Bonds for redemption and payment and shall give notice of such redemption as herein provided upon receipt by it of the City's written notice. If the Bonds are refunded more than 90 days in advance of such Redemption Date, any escrow agreement entered into by the City in connection with such refunding shall provide that such written instructions to the Paying Agent shall be given by the escrow agent on behalf of the City not more than 90 days prior to the Redemption Date. The Paying Agent may in its discretion waive such notice period so long as the notice requirements set forth in **Section 303** are met.

Unless waived by any Owner of Bonds to be redeemed, the Bond Registrar shall give written notice of the redemption of said Bonds on a specified date, the same being described by maturity, said notice to be mailed by United States first class mail addressed to the Owners of

said Bonds to be redeemed and to the Original Purchaser of the Bonds, each of said notices to be mailed not less than 30 days prior to the date fixed for redemption. The City and Bond Registrar shall also give such additional notice as may be required by Kansas law or regulations of the Securities and Exchange Commission in effect as of the date of such notice.

All official notices of redemption shall be dated and shall contain the following information:

- (a) the Redemption Date;
- (b) the Redemption Price;
- (c) if less than all Outstanding Bonds are to be redeemed, the identification (and, in the case of partial redemption of any Bonds, the respective principal amounts) of the Bonds to be redeemed;
- (d) a statement that on the Redemption Date the Redemption Price will become due and payable upon each such Bond or portion thereof called for redemption and that interest thereon shall cease to accrue from and after the Redemption Date; and
- (e) the place where such Bonds are to be surrendered for payment of the Redemption Price, which shall be the principal office of the Paying Agent.

The failure of any Owner to receive notice given as heretofore provided or an immaterial defect therein shall not invalidate any redemption.

Prior to any Redemption Date, the City shall deposit with the Paying Agent an amount of money sufficient to pay the Redemption Price of all the Bonds or portions of Bonds that are to be redeemed on such Redemption Date.

Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds to be redeemed shall become due and payable on the Redemption Date, at the Redemption Price therein specified, and from and after the Redemption Date (unless the City defaults in the payment of the Redemption Price) such Bonds or portion of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with such notice, the Redemption Price shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the Owner a new Bond or Bonds of the same Stated Maturity in the amount of the unpaid principal as provided herein. All Bonds that have been surrendered for redemption shall be cancelled and destroyed by the Paying Agent as provided herein and shall not be reissued.

The Paying Agent is also directed to comply with any mandatory or voluntary standards then in effect for processing redemptions of municipal securities established by the State or the Securities Exchange Commission. Failure to comply with such standards shall not affect or invalidate the redemption of any Bond.

#### ARTICLE IV

#### SECURITY FOR AND PAYMENT OF BONDS

**Section 401. Security for the Bonds.** The Bonds shall be general obligations of the City payable as to both principal and interest from ad valorem taxes which may be levied without limitation upon all the taxable tangible property, real and personal, within the territorial limits of

the City. The full faith, credit and resources of the City are hereby irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

**Section 402. Levy and Collection of Annual Tax.** The governing body of the City shall annually make provision for the payment of principal of, premium, if any, and interest on the Bonds as the same become due by levying and collecting the necessary taxes upon all of the taxable tangible property within the City in the manner provided by law.

The taxes referred to above shall be extended upon the tax rolls in each of the several years, respectively, and shall be levied and collected at the same time and in the same manner as the other ad valorem taxes of the City are levied and collected. The proceeds derived from said taxes shall be deposited in the Principal and Interest Account, shall be kept separate and apart from all other funds of the City and shall be used solely for the payment of the principal of, premium, if any, and interest on the Bonds as and when the same become due, taking into account the fees and expenses of the Bond Registrar and Paying Agent.

If at any time said taxes are not collected in time to pay the principal of or interest on the Bonds when due, the Treasurer is hereby authorized and directed to pay said principal or interest out of the general funds of the City and to reimburse said general funds for money so expended when said taxes are collected.

## ARTICLE V

### ESTABLISHMENT OF FUNDS AND ACCOUNTS DEPOSIT AND APPLICATION OF MONEYS

**Section 501. Establishment of Funds and Accounts.** Simultaneously with the issuance of the Bonds, there shall be created within the treasury of the City the following funds and accounts:

- (a) In the treasury of the City, the "Project Account";
- (b) In the City's Bond and Interest Fund, the "Principal and Interest Account for the City of Pittsburg, Kansas, General Obligation Bonds, Series 2014A (the "Principal and Interest Account"); and
- (c) Rebate Fund for the City of Pittsburg, Kansas, General Obligation Bonds, Series 2014A (the "Rebate Fund").

The Funds and Accounts established herein shall be administered in accordance with the provisions of this Resolution so long as the Bonds are Outstanding.

**Section 502. Disposition of Bond Proceeds.** The proceeds of the Bonds in the amount of \$\_\_\_\_\_ upon issuance and delivery thereof, shall be deposited in the Project Account.

**Section 503. Withdrawals from the Project Account.** The Treasurer shall make withdrawals from the Project Account solely for the purpose of permanently financing the costs of the Improvements and paying the costs of issuing the Bonds. Such withdrawals shall be made only on due authorization by the governing body of the City.

**Section 504. Surplus in the Project Account.** All moneys remaining in the Project Account after the completion of the Improvements, as determined by the governing body of the City, shall be transferred immediately to the Principal and Interest Account and applied to the next installment of principal due on the series of Bond from which surplus moneys remain.

**Section 505. Application of Moneys in Principal and Interest Account.** All amounts paid and credited to the Principal and Interest Account shall be expended and used by the City for the sole purpose of paying the principal or Redemption Price of and interest on the Bonds as and when the same become due and the usual and customary fees and expenses of the Bond Registrar and Paying Agent. The Treasurer is authorized and directed to withdraw from the Principal and Interest Account sums sufficient to pay both principal or Redemption Price of and interest on the Bonds and the fees and expenses of the Bond Registrar and Paying Agent as and when the same become due, and to forward such sums to the Paying Agent in a manner which ensures that the Paying Agent will receive immediately available funds in such amounts on or before the Business Day immediately preceding the dates when such principal, interest and fees of the Bond Registrar and Paying Agent will become due. If, through the lapse of time or otherwise, the Owners of Bonds are no longer entitled to enforce payment of the Bonds or the interest thereon, the Paying Agent shall return said funds to the City. All moneys deposited with the Paying Agent shall be deemed to be deposited in accordance with and subject to all of the provisions contained in this Resolution and shall be held in trust by the Paying Agent for the benefit of the Owners of the Bonds and entitled to payment from such moneys.

Any moneys or investments remaining in the Principal and Interest Account after the retirement of the indebtedness for which the Bonds were issued shall be transferred and paid into the Bond and Interest Fund of the City.

**Section 506. Application of Moneys in the Rebate Fund.**

(a) There shall be deposited in the Rebate Fund such amounts as are required to be deposited therein pursuant to the Arbitrage Instructions. All money at any time deposited in the Rebate Fund shall be held in trust, to the extent required to pay rebatable arbitrage to the United States of America, and neither the City nor the Owner of any Bonds shall have any rights in or claim to such money. All amounts deposited into or on deposit in the Rebate Fund shall be governed by this Section and the Arbitrage Instructions.

(b) The City shall periodically determine the rebatable arbitrage, if any, under Section 148(f) of the Code in accordance with the Arbitrage Instructions, and the City shall make payments to the United States of America at the times and in the amounts determined under the Arbitrage Instructions. Any moneys remaining in the Rebate Fund after redemption and payment of all of the Bonds and payment and satisfaction of any rebatable arbitrage, or provision made therefor, shall be deposited into the Bond and Interest Fund of the City.

(c) Notwithstanding any other provision of this Resolution, including in particular Article VII hereof, the obligation to pay rebatable arbitrage to the United States of America and to comply with all other requirements of this Section and the Arbitrage Instructions shall survive the defeasance or payment in full of the Bonds.

(d) The Arbitrage Instructions may be amended or replaced if, in the opinion of Bond Counsel, such amendment or replacement will not adversely affect the exclusion from gross income for federal income tax purposes of interest on the Bonds.

**Section 507. Deposits and Investment of Moneys.** Moneys in each of the Funds and Accounts shall be deposited in accordance with the requirements of K.S.A. 10-131, as amended. All such deposits shall be continuously and adequately secured by the financial institutions holding such deposits as provided by the laws of the State. All moneys held in the Funds and Accounts shall be kept separate and apart from all other funds of the City so that there shall be no commingling of such funds with any other funds of the City.

Moneys held in the funds and accounts herein created or established in conjunction with the issuance of the Bonds may be invested by the City in Permitted Investments or in other investments allowed by Kansas law in such amounts and maturing at such times as shall reasonably provide for moneys to be available when required in said accounts or funds; provided, however, that no such investment shall be made for a period extending longer than to the date when the moneys invested may be needed for the purpose for which such fund or account was created. All interest on any Permitted Investment held in any fund or account (except amounts required to be deposited in the Rebate Fund in accordance with the Arbitrage Instructions) shall accrue to and become a part of such fund or account; provided, however, that interest earned on investments of moneys held in the Project Account may, at the direction of the governing body of the City, be paid and credited to the Principal and Interest Account and used to pay interest on the Bonds. In determining the amount held in any fund or account under the provisions of the Resolution, Permitted Investments shall be valued at their par value or at their then redemption value, whichever is lower.

**Section 508. Nonpresentment of Bonds.** If any Bond is not presented for payment when the principal thereof becomes due at Maturity, if funds sufficient to pay such Bond have been made available to the Paying Agent all liability of the City to the Owner thereof for the payment of such Bond shall forthwith cease, determine and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the Owner of such Bond, who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Resolution or on, or with respect to, said Bond. If such funds shall have remained unclaimed for five (5) years after such principal or interest has become due and payable, such funds shall be paid to the City; and all liability of the Paying Agent to the owner thereof for the payment of such Bond shall forthwith cease, terminate and be completely discharged. The obligations of the Paying Agent under this Section to pay any such funds to the City shall be subject to any provisions of law applicable to the Paying Agent or to such funds providing other requirements for disposition of unclaimed property.

## ARTICLE VI

### DEFAULT AND REMEDIES

**Section 601. Remedies.** The provisions of the Resolution, including the covenants and agreements herein contained, shall constitute a contract between the City and the Owners of the Bonds. If an Event of Default occurs and shall be continuing, the Owner or Owners of not less than 10% in principal amount of the Bonds at the time Outstanding shall have the right for the equal benefit and protection of all Owners of Bonds similarly situated:

(a) by mandamus or other suit, action or proceedings at law or in equity to enforce the rights of such Owner or Owners against the City and its officers, agents and employees, and to require and compel duties and obligations required by the provisions of the Resolution or by the Constitution and laws of the State;

(b) by suit, action or other proceedings in equity or at law to require the City, its officers, agents and employees to account as if they were the trustees of an express trust; and

(c) by suit, action or other proceedings in equity or at law to enjoin any acts or things which may be unlawful or in violation of the rights of the Owners of the Bonds.

**Section 602. Limitation on Rights of Owners.** The covenants and agreements of the City contained herein and in the Bonds shall be for the equal benefit, protection, and security of the Owners of any or all of the Bonds, all of which Bonds shall be equal rank and without

preference or priority of one Bond over any other Bond in the application of the funds herein pledged to the payment of the principal of and the interest on the Bonds, or otherwise, except as to rate of interest, date of maturity and right of prior redemption as provided in this Resolution. No one or more Owners secured hereby shall have any right in any manner whatever by his or their action to affect, disturb or prejudice the security granted and provided for herein, or to enforce any right hereunder, except in the manner herein provided, and all proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all Outstanding Bonds.

**Section 603. Remedies Cumulative.** No remedy conferred herein upon the Owners is intended to be exclusive of any other remedy, but each such remedy shall be cumulative and in addition to every other remedy and may be exercised without exhausting and without regard to any other remedy conferred herein. No waiver of any default or breach of duty or contract by the Owner of any Bond shall extend to or affect any subsequent default or breach of duty or contract or shall impair any rights or remedies thereon. No delay or omission of any Owner to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein. Every substantive right and every remedy conferred upon the Owners of the Bonds by this Resolution may be enforced and exercised from time to time and as often as may be deemed expedient. If action or proceedings taken by any Owner on account of any default or to enforce any right or exercise any remedy has been discontinued or abandoned for any reason, or shall have been determined adversely to such Owner, then, and in every such case, the City and the Owners of the Bonds shall be restored to their former positions and rights hereunder, respectively, and all rights, remedies, powers and duties of the Owners shall continue as if no such suit, action or other proceedings had been brought or taken.

## ARTICLE VII

### DEFEASANCE

**Section 701. Defeasance.** When any or all of the Bonds or scheduled interest payments thereon have been paid and discharged, then the requirements contained in this Resolution and the pledge of the City's faith and credit hereunder and all other rights granted hereby shall terminate with respect to the Bonds or scheduled interest payments thereon so paid and discharged. Bonds or scheduled interest payments thereon shall be deemed to have been paid and discharged within the meaning of this Resolution if there has been deposited with the Paying Agent, or other commercial bank or trust company located in the State and having full trust powers, at or prior to the Stated Maturity or Redemption Date of said Bonds or the interest payments thereon, in trust for and irrevocably appropriated thereto, moneys and/or Defeasance Obligations which, together with the interest to be earned on any such Defeasance Obligations, will be sufficient for the payment of the principal of said Bonds and/or interest accrued to the Stated Maturity or Redemption Date, or if default in such payment has occurred on such date, then to the date of the tender of such payments; provided, however, that if any such Bonds are to be redeemed prior to their Stated Maturity, (1) the City has elected to redeem such Bonds, and (2) either notice of such redemption has been given, or the City has given irrevocable instructions, or shall have provided for an escrow agent to give irrevocable instructions, to the Bond Registrar to give such notice of redemption in compliance with **Section 303** of this Resolution. Any money and Defeasance Obligations that at any time shall be deposited with the Paying Agent or other commercial bank or trust company by or on behalf of the City, for the purpose of paying and discharging any of the Bonds, shall be and are hereby assigned, transferred and set over to the Paying Agent or other bank or trust company in trust for the respective Owners of the Bonds, and such moneys shall be and are hereby irrevocably appropriated to the payment and discharge thereof. All money and Defeasance Obligations deposited with the Paying Agent or such bank or trust company shall be deemed to be deposited in accordance with and subject to all of the provisions of this Resolution.

ARTICLE VIII  
TAX COVENANTS

**Section 801. General Covenants.**

(a) The City covenants and agrees that (1) it will comply with all applicable provisions of the Code, including Sections 103 and 141 through 150, necessary to maintain the exclusion from gross income for federal income tax purposes of the interest on the Bonds and (2) it will not use or permit the use of any proceeds of Bonds or any other funds of the City, will not take or permit any other action, or fail to take any action, if any such action or failure to take action would adversely effect the exclusion from gross income of the interest on the Bonds. The City will, in addition, adopt such other ordinances or resolutions and take such other actions as may be necessary to comply with the Code and with all other applicable future laws, regulations, published rulings and judicial decisions, in order to ensure that the interest on the Bonds will remain excluded from federal gross income, to the extent any such actions can be taken by the City.

(b) The City covenants and agrees that (1) it will use the proceeds of the Bonds as soon as practicable and with all reasonable dispatch for the purposes for which the Bonds are issued, and (2) it will not invest or directly or indirectly use or permit the use of any proceeds of the Bonds or any other funds of the City in any manner, to take or omit to take any action, that would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148(a) of the Code.

(c) The City covenants and agrees that it will not use any portion of the proceeds of the Bonds, including any investment income earned on such proceeds, directly or indirectly, in a manner that would cause any Bond to be a "private activity bond" within the meaning of Section 141(a) of the Code.

**Section 802. Rebate Covenant.** The City covenants and agrees that it will pay or provide for the payment from time to time all amounts required to be rebated to the United States pursuant to Section 148(f) of the Code and the Arbitrage Instructions. This covenant shall survive payment in full or defeasance of the Bonds. The Arbitrage Instructions may be amended or replaced if, in the opinion of Bond Counsel such amendment or replacement will not adversely affect the exclusion from gross income for federal income tax purposes of interest on the Bonds.

**Section 803. Survival of Covenants.** The covenants contained in this Article shall remain in full force and effect notwithstanding the defeasance of the Bonds pursuant to Article VII hereof or any other provision of this Resolution until the final maturity date of all Bonds Outstanding.

**Section 804. Qualified Tax-exempt Obligations.** The Bonds are designated as "qualified tax-exempt obligations" for the purposes of Section 265(b)(3) of the Code.

ARTICLE IX  
CONTINUING DISCLOSURE REQUIREMENTS

**Section 901. Disclosure Requirements.** The City hereby covenants with the Purchaser and the Beneficial Owners (as defined in the Disclosure Certificate) to provide and disseminate

such information as is required by Rule 15c2-12 (as defined in the Disclosure Certificate) and is further set forth in the Disclosure Certificate. Such covenant shall be for the benefit of and enforceable by the Purchaser and such Beneficial Owners.

**Section 902. Failure to Comply with Continuing Disclosure Requirements.** In the event the City fails to comply in a timely manner with its covenants contained in the preceding section, the Purchaser and/or any such Beneficial Owner may make demand for such compliance by written notice to the City. In the event the City does not remedy such noncompliance within 10 days of receipt of such written notice, the Purchaser or any such Beneficial Owner may in its discretion, without notice or demand, proceed to enforce compliance by a suit or suits in equity for the specific performance of such covenant or agreement contained in the preceding section or for the enforcement of any other appropriate legal or equitable remedy as the Purchaser and/or any such Beneficial Owner shall deem effectual to protect and enforce any of the duties of the City under such preceding section.

## ARTICLE X

### MISCELLANEOUS PROVISIONS

**Section 1001. Annual Audit.** Annually, promptly after the end of the Fiscal Year, the City will cause an audit to be made of its Funds and Accounts for the preceding Fiscal Year by a certified public accountant or firm of certified public accountants.

Within 30 days after the completion of each such audit, a copy thereof shall be filed in the office of the Clerk. Such audit shall at all times during the usual business hours of the City be open to the examination and inspection by any taxpayer, any Owner of the Bonds or by anyone acting for or on behalf of such taxpayer or Owner. Upon payment of the reasonable cost of preparing and mailing the same, a copy of any annual audit will, upon request, be sent to any Owner or prospective Owner.

As soon as possible after the completion of the annual audit, the governing body of the City shall review such audit, and if the audit discloses that proper provision has not been made for all of the requirements of this Resolution, the City shall promptly cure such deficiency.

**Section 1002. Amendments.** The rights and duties of the City and the Owners, and the terms and provisions of the Bonds or of this Resolution, may be amended or modified at any time in any respect by resolution of the City with the written consent of the Owners of not less than a majority in principal amount of the Bonds then Outstanding, such consent to be evidenced by an instrument or instruments executed by such Owners and duly acknowledged or proved in the manner of a deed to be recorded, and such instrument or instruments shall be filed with the Clerk, but no such modification or alteration shall:

- (a) extend the maturity of any payment of principal or interest due upon any Bond;
- (b) effect a reduction in the amount which the City is required to pay as principal of or interest on any Bond;
- (c) permit preference or priority of any Bond over any other Bond; or
- (d) reduce the percentage in principal amount of Bonds required for the written consent to any modification or alteration of the provisions of this Resolution.

Any provision of the Bonds or of this Resolution may, however, be amended or modified by resolution duly adopted by the governing body of the City at any time in any legal respect with the written consent of the Owners of all of the Bonds at the time Outstanding.

Without notice to or the consent of any Owners, the City may amend or supplement this Resolution for the purpose of curing any formal defect, omission, inconsistency or ambiguity therein or in connection with any other change therein which is not materially adverse to the interests of the Owners.

Every amendment or modification of the provisions of the Bonds or of this Resolution, to which the written consent of the Owners is given, as above provided, shall be expressed in a resolution adopted by the governing body of the City amending or supplementing the provisions of this Resolution and shall be deemed to be a part of this Resolution. A certified copy of every such amendatory or supplemental resolution, if any, and a certified copy of this Resolution shall always be kept on file in the office of the Clerk, and shall be made available for inspection by the Owner of any Bond or a prospective purchaser or owner of any Bond authorized by this Resolution, and upon payment of the reasonable cost of preparing the same, a certified copy of any such amendatory or supplemental resolution or of this Resolution will be sent by the Clerk to any such Owner or prospective Owner.

Any and all modifications made in the manner hereinabove provided shall not become effective until there has been filed with the Clerk a copy of the resolution of the City hereinabove provided for, duly certified, as well as proof of any required consent to such modification by the Owners of the Bonds then Outstanding. It shall not be necessary to note on any of the Outstanding Bonds any reference to such amendment or modification.

The City shall furnish to the Paying Agent a copy of any amendment to the Bonds or this Resolution which affects the duties or obligations of the Paying Agent under this Resolution.

**Section 1003. Notices, Consents and Other Instruments by Owners.** Any notice, consent, request, direction, approval or other instrument to be signed and executed by the Owners may be in any number of concurrent writings of similar tenor and may be signed or executed by such Owners in person or by agent appointed in writing. Proof of the execution of any such instrument or of the writing appointing any such agent and of the ownership of Bonds, if made in the following manner, shall be sufficient for any of the purposes of this Resolution, and shall be conclusive in favor of the City and the Paying Agent with regard to any action taken, suffered or omitted under any such instrument, namely:

(a) The fact and date of the execution by any person of any such instrument may be proved by a certificate of any officer in any jurisdiction who by law has power to make acknowledgements within such jurisdiction that the person signing such instrument acknowledged before such officer the execution thereof, or by affidavit of any witness to such execution.

(b) The fact of ownership of Bonds, the amount or amounts, numbers and other identification of Bonds, and the date of holding the same shall be proved by the Bond Register.

In determining whether the Owners of the requisite principal amount of Bonds Outstanding have given any request, demand, authorization, direction, notice, consent or waiver under this Resolution, Bonds owned by the City shall be disregarded and deemed not to be Outstanding under this Resolution, except that, in determining whether the Owners shall be protected in relying upon any such request, demand, authorization, direction, notice, consent or waiver, only Bonds which the Owners know to be so owned shall be so disregarded. Notwithstanding the foregoing, Bonds so owned which have been pledged in good faith shall not

be disregarded as aforesaid if the pledgee establishes to the satisfaction of the Owners the pledgee's rights so to act with respect to such Bonds and that the pledgee is not the City.

**Section 1004. Further Authority.** The officers and officials of the City, including the Mayor and Clerk, are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Resolution and to make ministerial alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

**Section 1005. Severability.** If any section or other part of this Resolution is for any reason held invalid, the invalidity thereof shall not affect the validity of the other provisions of this Resolution.

**Section 1006. Governing Law.** This Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State.

**Section 1007. Effective Date.** This Resolution shall take effect and be in full force from and after its passage by the governing body of the City.

(REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK)

**PASSED** by the governing body of the City on June 10, 2014.

CITY OF PITTSBURG, KANSAS

(SEAL)

\_\_\_\_\_  
Monica Murnan, Mayor

ATTEST:

\_\_\_\_\_  
Tammy Nagel, City Clerk

CERTIFICATE

I, the undersigned, hereby certify that the above and foregoing is a true and correct copy of the Resolution of the governing body of the City of Pittsburg, Kansas, adopted by the governing body at a regularly scheduled meeting held on June 10, 2014, as the same appears of record in my office, and that the Resolution has not been modified, amended or repealed and is in full force and effect as of this date.

DATED: June 10, 2014.

\_\_\_\_\_  
Tammy Nagel, City Clerk

(SEAL)

EXHIBIT A  
(FORM OF BOND)

Unless this certificate is presented by an authorized representative of The Depository Trust Company to the issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of The Depository Trust Company and any payment is made to Cede & Co., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered owner hereof, Cede & Co., has an interest herein.

UNITED STATES OF AMERICA  
STATE OF KANSAS  
COUNTY OF CRAWFORD  
CITY OF PITTSBURG  
GENERAL OBLIGATION BOND  
SERIES 2014A

No. R-\_\_\_\_\_ \$\_\_\_\_\_

Rate of Interest: \_\_\_\_\_ Maturity Date: September 1, 20\_\_ Dated Date: June 26, 2014 CUSIP \_\_\_\_\_

Registered Owner:

PRINCIPAL AMOUNT \_\_\_\_\_

The City of Pittsburg, in the County of Crawford, State of Kansas, (the "City") for value received acknowledges itself to be indebted to and promises to pay, but solely from the sources hereinafter pledged, to the registered owner identified above, or registered assigns as hereinafter provided, on the maturity date identified above, the principal amount identified above, and in like manner to pay, as of the Record Dates as hereinafter provided, interest on such principal amount from the date of this Bond or from the most recent interest payment date to which interest has been paid prior to the registration date set forth below at the rate of interest per annum set forth above semiannually on March 1 and September 1 of each year (the "Interest Payment Dates") commencing March 1, 2015, until said principal amount is paid.

The principal of and premium, if any, on this Bond shall be payable in lawful money of the United States of America at the office of the Treasurer of the State of Kansas, Topeka, Kansas, (the "Paying Agent" and "Bond Registrar") upon presentation of this Bond for payment and cancellation. The interest on this Bond shall be payable in lawful money of the United States of America by check or draft of the Paying Agent by mailing to the registered owner thereof at the address appearing on the registration books of the City maintained by the Bond Registrar or at such other address as is furnished in writing by such registered owner to the Bond Registrar at the close of business on the 15th day of February or August next preceding the applicable interest payment date (the "Record Dates"). The full faith, credit and resources of the City are hereby pledged for the payment of the principal of and interest on this Bond and the issue of which it is a part as the same respectively become due.

THE TERMS AND PROVISIONS OF THIS BOND ARE CONTINUED ON THE REVERSE HEREOF AND SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS THOUGH FULLY SET FORTH AT THIS PLACE.

It is hereby certified and declared that all acts, conditions and things required to be done and to exist precedent to and in the issuance of this Bond have been properly done and

performed and do exist in due and regular form and manner as required by the Constitution and Laws of the State of Kansas, and that the total indebtedness of said City, including this series of bonds, does not exceed any constitutional or statutory limitation.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication and Registration hereon shall have been lawfully executed by the Bond Registrar.

IN WITNESS WHEREOF, the said City of Pittsburg, in the State of Kansas, by its governing body, has caused this Bond to be executed by its Mayor and attested by its City Clerk by their manual or facsimile signatures with its corporate seal to be affixed or imprinted hereon, all as of the 26th day of June, 2014.

CITY OF PITTSBURG, KANSAS

(manual or facsimile)

\_\_\_\_\_  
Mayor

ATTEST: (manual or facsimile)

\_\_\_\_\_  
City Clerk

(SEAL)

\*\*\*\*\*

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This Bond is one of the City of Pittsburg, Kansas, General Obligation Bonds, Series 2014A described in the within mentioned Resolution.

Registration Date: \_\_\_\_\_

OFFICE OF THE STATE TREASURER  
Topeka, Kansas,  
as Bond Registrar and Paying Agent

By \_\_\_\_\_

I.D.#: \_\_\_\_\_

\*\*\*\*\*

FURTHER TERMS AND PROVISIONS

This Bond is one of a duly authorized series of Bonds of the City aggregating the principal amount of \$5,065,000 (the "Bonds") issued for the purposes set forth in Ordinance No. S-1014 of the City (the "Ordinance"). This Bond and the series of Bonds of which it is a part are issued by the authority of and in full compliance with the provisions, restrictions and limitations of the Constitution and Laws of the State of Kansas, including K.S.A. 10-101 to 125, inclusive, as amended by K.S.A. 10-620 to 10-632, inclusive, K.S.A. 12-1736 et seq., K.S.A. 12-685 et seq., K.S.A. 65-163u, Charter Ordinance No. 25 of the City and all amendments thereof, acts supplemental thereto, the Ordinance, Resolution No. 1157 of the City (the "Resolution") and all other provisions of the laws of the State of Kansas applicable thereto.

The Bonds are issued in fully registered form in the denomination of \$5,000 each or authorized integral multiples thereof. This Bond may be exchanged at the principal office of the Bond Registrar for a like aggregate principal amount of Bonds of the same maturity of other authorized denominations upon the terms set forth in the authorizing Ordinance and the Resolution.

At the option of the City, the Bonds maturing in the years 2023 and thereafter may be called for redemption and payment prior to maturity on September 1, 2022, and thereafter in whole or in part at any time in such order as may be determined by the City (selection of Bonds within the same maturity to be by lot by the Bond Registrar in such manner as it shall determine) at a redemption price of 100% of the principal amount redeemed, plus accrued interest to date of redemption.

Each of the Bonds maturing on September 1, 20\_\_, (the "Term Bonds") shall also be subject to mandatory redemption and payment prior to maturity beginning on September 1, 20\_\_, and on each September 1 thereafter to and including September 1, 20\_\_, pursuant to the redemption schedule set forth in the Resolution at the Redemption Price of 100% (expressed as a percentage of the principal amount) plus accrued interest thereon to the Redemption Date.

Bonds will be redeemed in integral multiples of \$5,000. If less than all Bonds are called for redemption, the Bond Registrar will, in the case of Bonds in denominations greater than \$5,000, treat each \$5,000 of face value as though it were a separate Bond.

In the event of any such redemption, the Paying Agent shall give notice of such call by mailing a copy of the redemption notice by first class mail, postage prepaid, not less than thirty (30) days prior to the date of such redemption to the registered owner of each Bond to be redeemed at the address shown on the registration books maintained by the Bond Registrar. Failure to give such notice by mailing to the registered owner of any Bond, or any defect therein, shall not affect the validity of any proceedings for the redemption of other Bonds. Any notice mailed as provided herein shall be conclusively presumed to have been duly given, whether or not the owner of such Bonds received the notice.

The City and the Bond Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal hereof, or redemption price hereof and interest due hereon and for all other purposes.

This Bond is transferable by the registered owner hereof in person or by his attorney duly authorized in writing at the principal office of the Bond Registrar, but only in the manner, subject to the limitations and upon payment of the charges provided in the Resolution, and upon surrender and cancellation of this Bond. The City shall pay out of the proceeds of the Bonds or from other funds all costs incurred in connection with the issuance, transfer, exchange, registration, redemption or payment of the Bonds except (a) the reasonable fees and expenses in connection with the replacement of a Bond or Bonds mutilated, stolen, lost or destroyed or (b) any tax or other governmental charge imposed in relation to the transfer, exchange, registration, redemption or payment of the Bonds. Upon such transfer a replacement Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefore.

\*\*\*\*\*

BOND ASSIGNMENT

FOR VALUE RECEIVED, the undersigned does (do) hereby sell, assign and transfer to

\_\_\_\_\_  
(Name and Address)

\_\_\_\_\_

\_\_\_\_\_  
(Social Security or Taxpayer Identifying No.)

the Bond to which this assignment is affixed in the outstanding principal amount of \$\_\_\_\_\_ standing in the name of the undersigned on the books of the Treasurer of the State of Kansas (the "Bond Registrar"). The undersigned does (do) hereby irrevocably constitute and appoint \_\_\_\_\_ as attorney to transfer said Bond on the books of said Bond Registrar with full power of substitution in the premises.

Dated \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Social Security or Taxpayer  
Identifying No.

\_\_\_\_\_  
Signature (Sign Here Exactly as  
Name(s) Appear on Face of  
Certificate)

Signature guaranty:

By \_\_\_\_\_

\*\*\*\*\*

CERTIFICATE OF CITY CLERK

I, the undersigned, City Clerk of the City of Pittsburg, Kansas, do hereby certify that this Bond has been duly registered in my office according to law as of June 26, 2014.

WITNESS my hand and official seal.

\_\_\_\_\_  
(manual or facsimile)  
City Clerk

(SEAL)

\*\*\*\*\*

CERTIFICATE OF STATE TREASURER

OFFICE OF THE TREASURER, STATE OF KANSAS

I, RON ESTES, Treasurer of the State of Kansas, do hereby certify that a full and complete transcript of the proceedings leading up to the issuance of this Bond has been filed in my office and that this Bond was registered in my office according to law this \_\_\_\_\_.

WITNESS my hand and official seal.

RON ESTES  
TREASURER OF THE STATE OF KANSAS

By \_\_\_\_\_  
Assistant State Treasurer

(SEAL)

\*\*\*\*\*

EXHIBIT B  
(DTC LETTERS OF REPRESENTATIONS)



## Memorandum

TO: Daron Hall, City Manager

FROM: Blake Benson, Chamber President/Economic Development Director

DATE: June 5, 2014

SUBJECT: June 10, 2014 Agenda Item  
Meadowbrook Annex restaurant improvements

---

Officials with Great Plains Real Estate (owners of Pittsburg's Meadowbrook Mall) have been working with representatives of Little Rock – based Gusano's Chicago-Style Pizzeria to open a new Gusano's location at Pittsburg's Meadowbrook Annex. These discussions have been successful, as Great Plains and Gusano's have reached an agreement that will enable Gusano's to open in the former Blockbuster/Verizon location on the northwest corner of the Meadowbrook Annex. This will be the ninth location of Gusano's and the company's first in Kansas. Officials hope to begin construction soon with plans to open this fall. More information on Gusano's is available via the company's website, [www.gusanospizza.com](http://www.gusanospizza.com).

This will be a sizeable investment for both Great Plains and Gusano's that is expected to exceed \$350,000 initially and could create as many as 30 new jobs. Given the restaurant's proximity to Meadowbrook Mall, Pittsburg State University and several other major employers, Gusano's is also expected to be a significant tax generator for our community.

The Economic Development Advisory Committee (EDAC) recently considered a request from Great Plains to help offset some of these initial building costs given the considerable investment by Great Plains and Gusano's. After a thorough discussion, the EDAC voted unanimously to recommend a forgivable loan to Great Plains Real Estate in the amount of \$35,000 with forgiveness contingent on the following:

- Verification of at least \$350,000 in building improvements by Great Plains Real Estate and Gusano's Chicago-Style Pizzeria;
- The opening of Gusano's Chicago-Style Pizzeria in the proposed location no later than December 31, 2014; and
- The continuous operation of a restaurant facility in the proposed location for at least twelve consecutive months.

Please place this item on the agenda for the City Commission meeting scheduled for Tuesday, June 10, 2014. Action being requested is the approval or denial of the EDAC recommendation and, if approved, authorize the Mayor to sign the appropriate documents.



DEPARTMENT OF PUBLIC WORKS

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

(620) 231-4170

www.pittks.org

## Interoffice Memorandum

**TO:** DARON HALL  
City Manager

**FROM:** TROY GRAHAM  
Director of Planning and Community Services

**DATE:** June 3, 2014

**SUBJECT:** Agenda Item – June 10, 2014  
Recommendation of the Planning and Zoning Commission  
Request for a Conditional Use to Allow a Church to be located at 706  
North Broadway (formerly Ryan's Cleaners)

---

The Planning and Zoning Commission, in its meeting of May 19, 2014, considered a request submitted by Pastor Roger Brown on behalf of Life Changers Church for a Conditional Use under the provisions of Article 30 of the Pittsburg Zoning Ordinance to allow a new church to be located at 706 North Broadway. A Conditional Use will be required for this church due to its location in an area that is currently zoned as CP-4 Planned Central Business District.

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

1. Character of the neighborhood. The property is located in downtown Pittsburg on North Broadway in an area, which is mostly commercial properties and currently contains other churches
2. Zoning and uses of nearby properties. The zoning of this area is CP-4, which is Planned Central Business District. This zoning is the least restrictive of all the commercially zoned areas.

**MEMO TO: DARON HALL**  
**JUNE 3, 2014**  
**PAGE TWO**

3. Suitability of the subject property for the uses to which it is being considered. The properties surrounding this structure are commercial in nature. Like other churches in Pittsburg, this church will be located next to other commercial properties in the downtown area.
4. Length of time the subject property has remained vacant as zoned. Property is not vacant and was a dry cleaning business until recently.
5. The extent to which removal of the restrictions will detrimentally affect the nearby property. The effect should be minimal with this conditional use since there are currently other churches in the downtown area.
6. Relative gain to public health, safety and welfare. Health, safety and welfare should not be affected.
7. Recommendation of professional staff. APPROVE
8. Conformance to Master Plan. While the master plan does not cover every specific use for an area, a church will function similar to a commercial property and will have auto and pedestrian traffic like other businesses in the area. CP-4 zoning does not require off street parking for a property's patrons and/or customers.

After reviewing all the evidence presented, the Planning and Zoning Commission voted unanimously to recommend to the Governing Body **APPROVAL** of this request. In this regard, would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, June 10, 2014. Action necessary will be for the Governing Body to consider the recommendation of the Planning and Zoning Commission and, if they are in agreement with the recommendation as provided, approve the request. If the Governing Body is not in agreement with the recommendation as provided, the State Statutes stipulate that the Governing Body, by a simple majority, may deny the request or send it back to the Planning and Zoning Commission for further consideration.



DEPARTMENT OF PUBLIC WORKS

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

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## Interoffice Memorandum

**TO:** DARON HALL  
City Manager

**FROM:** WILLIAM A. BEASLEY  
Director of Public Works

**DATE:** June 3, 2014

**SUBJECT:** Agenda Item – June 10, 2014  
DISPOSITION OF BIDS  
Street Widening  
West Side of Homer Street, North of Ford Street

---

The City received bids on Tuesday, June 3<sup>rd</sup>, 2014 for the street widening of the west side of Homer Street north of Ford Street. Homer Street is being widened in conjunction with the construction of the Performing Arts Center to allow for a turn lane on Homer Street at the intersection of Ford Street. Six bids were received (see attached bid tab sheet). After reviewing the bids received, City staff is recommending that the bid be awarded to the low bidder meeting specs, RFB Construction Company, Inc., of rural Pittsburg, Kansas, based on their bid of \$69,062.00.

Would you please place this item on the agenda for the City Commission meeting scheduled for Tuesday, June 10<sup>th</sup>, 2014. 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 and City Clerk to execute the contract documents when prepared.

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

Attachment: Bid Tab Sheet

BID TABULATION: CITY OF PITTSBURG, KANSAS  
 Street Widening West Side of Homer Street  
 North of Ford Street  
 Bid Opening: June 3, 2014; 2:00 PM

ITEM NO.	DESCRIPTION	UNIT	NO. OF UNITS	ENGINEERS ESTIMATE				UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
				UNIT COST	TOTAL COST	UNIT COST	TOTAL COST								
1	Mobilization	Lump Sum	1	\$ 15,000	\$ 15,000	\$ 3,000.00	\$ 3,000.00	\$ 3,500.00	\$ 3,500.00	\$ 6,000.00	\$ 6,000.00	\$ 3,800.00	\$ 3,800.00	\$ 6,000.00	\$ 6,000.00
2	Erosion Control	Lump Sum	1	\$ 1,000	\$ 1,000	1,500.00	1,500.00	1,500.00	1,500.00	3,500.00	3,500.00	3,500.00	3,500.00	3,500.00	3,500.00
3	Site Restoration	Lump Sum	1	\$ 2,400	\$ 2,400	6,000.00	6,000.00	2,000.00	2,000.00	3,500.00	3,500.00	3,500.00	3,500.00	3,500.00	3,500.00
4	Traffic Control	Lump Sum	1	\$ 2,500	\$ 2,500	1,500.00	1,500.00	1,500.00	1,500.00	3,500.00	3,500.00	3,500.00	3,500.00	3,500.00	3,500.00
5	Remove Concrete Pavement	Sq. Yd.	237	\$ 15	\$ 3,579	24.00	5,688.00	10.00	2,370.00	25.00	5,925.00	4.00	2,724.00	250.00	59,250.00
6	Remove Curb and Gutter	Ln.Ft.	681	\$ 3	\$ 2,077	6.00	4,086.00	3.50	2,383.50	250.00	172,500.00	2.00	1,360.00	400.00	158,000.00
7	Remove Structures	Each	2	\$ 1,000	\$ 2,000	2,200.00	4,400.00	500.00	1,000.00	250.00	250.00	70.00	31,640.00	20.00	13,620.00
8	7" Concrete Pavement	Sq. Yd.	452	\$ 70	\$ 31,640	57.00	25,764.00	60.00	27,120.00	70.00	31,640.00	20.00	13,620.00	250.00	113,620.00
9	2'-6" Curb and Gutter	Ln. Ft.	681	\$ 40	\$ 27,240	14.00	9,534.00	30.00	20,430.00	250.00	170,000.00	40.00	28,000.00	400.00	272,000.00
10	Adjust Sanitary Sewer Manhole Lid Elevation	Each	1	\$ 1,500	\$ 1,500	950.00	950.00	450.00	450.00	500.00	500.00	400.00	400.00	400.00	400.00
11	12" RCP	Ln. Ft.	10	\$ 75	\$ 750	64.00	640.00	50.00	500.00	1,500.00	15,000.00	40.00	400.00	400.00	400.00
12	Type 22 Curb Inlet	Each	2	\$ 6,000	\$ 12,000	3,000.00	6,000.00	4,000.00	8,000.00	1,500.00	3,000.00	1,500.00	3,000.00	1,500.00	3,000.00
				PROJECT TOTAL		\$ 101,685.00		\$ 69,062.00		\$ 70,753.50		\$ 74,859.00			

ITEM NO.	DESCRIPTION	UNIT	NO. OF UNITS	Sprouls Construction				Home Center Construction, Inc.				Goins Enterprises			
				UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
1	Mobilization	Lump Sum	1	\$ 8,000.00	\$ 8,000.00	\$ 5,500.00	\$ 5,500.00	\$ 13,000.00	\$ 13,000.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
2	Erosion Control	Lump Sum	1	500.00	500.00	2,500.00	2,500.00	2,500.00	2,500.00	1,800.00	1,800.00	1,800.00	1,800.00	1,800.00	1,800.00
3	Site Restoration	Lump Sum	1	2,500.00	2,500.00	2,500.00	2,500.00	3,500.00	3,500.00	2,800.00	2,800.00	2,800.00	2,800.00	2,800.00	2,800.00
4	Traffic Control	Lump Sum	1	2,000.00	2,000.00	2,000.00	2,000.00	30.00	7,110.00	41.50	9,835.50	9.50	6,469.50	41.50	9,835.50
5	Remove Concrete Pavement	Sq. Yd.	237	18.00	4,266.00	5.00	3,405.00	9.50	2,251.50	2.00	4,701.00	2.00	4,701.00	2.00	4,701.00
6	Remove Curb and Gutter	Ln.Ft.	681	15.00	10,215.00	500.00	1,000.00	1,200.00	2,400.00	58.00	26,216.00	58.00	26,216.00	58.00	26,216.00
7	Remove Structures	Each	2	1,200.00	2,400.00	63.00	28,476.00	32.50	22,132.50	24.00	16,344.00	24.00	16,344.00	24.00	16,344.00
8	7" Concrete Pavement	Sq. Yd.	452	54.00	24,408.00	32.50	22,132.50	24.00	16,344.00	24.00	16,344.00	24.00	16,344.00	24.00	16,344.00
9	2'-6" Curb and Gutter	Ln. Ft.	681	25.00	17,025.00	750.00	750.00	800.00	800.00	800.00	800.00	800.00	800.00	800.00	800.00
10	Adjust Sanitary Sewer Manhole Lid Elevation	Each	1	2,500.00	2,500.00	1,000.00	1,000.00	1,000.00	1,000.00	1,900.00	1,900.00	1,900.00	1,900.00	1,900.00	1,900.00
11	12" RCP	Ln. Ft.	10	100.00	1,000.00	4,000.00	4,000.00	4,800.00	4,800.00	4,800.00	4,800.00	4,800.00	4,800.00	4,800.00	4,800.00
12	Type 22 Curb Inlet	Each	2	4,000.00	8,000.00	4,000.00	8,000.00	4,800.00	9,600.00	4,800.00	9,600.00	4,800.00	9,600.00	4,800.00	9,600.00
				PROJECT TOTAL		\$ 82,814.00		\$ 85,873.50		\$ 93,665.00		\$ 93,665.00			