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CITY OF PITTSBURG, KANSAS
COMMISSION AGENDA
Tuesday, September 26, 2017
5:30 PM

CALL TO ORDER BY THE MAYOR:

- a. Invocation
- b. Flag Salute Led by the Mayor
- c. Proclamation - Project Warmth - Received by LouAnn Colyer
- d. Proclamation - Constitution Week - Received by Francis Smith
- e. Public Input

CONSENT AGENDA:

- a. Approval of the September 12, 2017, City Commission Meeting minutes.
- b. Approval of the Appropriation Ordinance for the period ending September 26, 2017 subject to the release of HUD expenditures when funds are received. **ROLL CALL VOTE.**

CONSIDER THE FOLLOWING:

- a. **OPTION AGREEMENT FOR THE PURCHASE OF REAL ESTATE** - Consider an Option Agreement for the Purchase of Real Estate between the City of Pittsburg and Sugar Creek Packing Company. **Approve or disapprove of Option Agreement for the Purchase of Real Estate and, if approved, authorize the Mayor to sign the Agreement on behalf of the City.**

NON-AGENDA REPORTS & REQUESTS:

ADJOURNMENT

Office of the Mayor
CITY OF PITTSBURG, KANSAS

Proclamation

Whereas: Project Warmth is a community effort that has been in existence for 30 years; and

Whereas: On Thursday, October 5th, 2017, from 11:00 a.m. to 2:00 p.m. and from 4:00 p.m. to 5:30 p.m., citizens may visit the lower level of the Memorial Auditorium & Convention Center and enjoy a bowl of chili or soup and a slice of homemade pie to support this worthy cause; and

Whereas: Reaching the annual goal would not be possible without the generous support of local businesses who donate their time and products to make this event successful; and

Whereas: We ask our community to support this effort and assist our neighbors in Crawford County with utility payments during the winter months.

Now, Therefore, I, Michael Gray, Mayor of the City of Pittsburg, Kansas, do hereby proclaim Thursday, October 5th, 2017, as

PROJECT WARMTH DAY IN PITTSBURG

and urge all citizens to attend this important fundraiser to help our fellow citizens.

Dated this 26th day of September, 2017.

ATTEST:

CITY CLERK

MAYOR

Office of the Mayor

CITY OF PITTSBURG, KANSAS

Proclamation

Whereas: September 17th, 2017, marks the two hundred thirtieth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

Whereas: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

Whereas: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17th through 23rd, as Constitution Week.

Now, Therefore, I, Michael Gray, Mayor of the City of Pittsburg, Kansas, do hereby proclaim the week of September 17 – 23, 2017, as

CONSTITUTION WEEK IN PITTSBURG

and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

Dated this 26th day of September, 2017.

ATTEST:

CITY CLERK

MAYOR

OFFICIAL MINUTES
OF THE MEETING OF THE
GOVERNING BODY OF THE
CITY OF PITTSBURG, KANSAS
September 12th, 2017

A Regular Session of the Board of Commissioners was held at 5:30 p.m. on Tuesday, September 12th, 2017, in the City Commission Room, located in the Law Enforcement Center, 201 North Pine, with Mayor Michael Gray presiding and the following members present: Jeremy Johnson, John Ketterman, Chuck Munsell, and Patrick O'Bryan.

A moment of silence was observed in memory of the late Dr. Jim AuBuchon.

Mayor Gray led the flag salute.

APPROVAL OF MINUTES – AUGUST 22nd, 2017 - On motion of O'Bryan, seconded by Johnson, the Governing Body approved the August 22nd, 2017, City Commission Meeting minutes as submitted. Motion carried.

AUDITING CONTRACT – MIZE HOUSER & COMPANY – On motion of O'Bryan, seconded by Johnson, the Governing Body approved the 2017 auditing contract with Mize Houser & Company P.A. in an amount not to exceed \$35,535 to perform auditing services for the City's 2017 fiscal year end and authorized the Mayor to sign the appropriate documents on behalf of the City. Motion carried.

APPROPRIATION ORDINANCE – On motion of O'Bryan, seconded by Johnson, the Governing Body approved the Appropriation Ordinance for the period ending September 12th, 2017, subject to the release of HUD expenditures when funds are received with the following roll call vote: Yea: Gray, Johnson, Ketterman, Munsell and O'Bryan. Motion carried.

DISPOSITION OF BIDS – 2017 ASPHALT REJUVENATION PROJECT – On motion of Ketterman, seconded by Gray, the Governing Body approved staff recommendation to award the bid for the 2017 Asphalt Rejuvenation Project to Proseal, Inc., of El Dorado, Kansas, based on their low bid of \$1.07 per square yard, and authorized the Mayor to sign the contract agreement once prepared. Motion carried.

POINTE ROYALE LOAN – On motion of Johnson, seconded by O'Bryan, the Governing Body approved staff recommendation to modify the loan previously granted to Pointe Royale Development, Inc. in the amount of \$300,000 to replace Pointe Royale Development, Inc. with the newly created entity for the development, Pittsburg Highlands, LP, with the terms and conditions of the loan to remain unmodified, and authorized the Mayor to sign the necessary documents on behalf of the City. Motion carried.

RESOLUTION NO. 1197 – On motion of Ketterman, seconded by Gray, the Governing Body adopted Resolution No. 1197, determining that the City is considering establishing a Rural Housing Incentive District within the City and adopting a plan for the development of housing and public facilities in such proposed district; establishing the date and time of a public hearing on such matter, and providing for the giving of notice of such public hearing, and authorized the Mayor to sign Resolution No. 1197 on behalf of the City. Motion carried.

OFFICIAL MINUTES
OF THE MEETING OF THE
GOVERNING BODY OF THE
CITY OF PITTSBURG, KANSAS
September 12th, 2017

ENGINEERING SERVICES AGREEMENT - WASTEWATER TREATMENT PLANT PRELIMINARY STUDY – On motion of Munsell, seconded by Ketterman, the Governing Body approved the Engineering Services Agreement between the City of Pittsburg and Earles Engineering & Inspection, Inc., in an amount not to exceed \$80,000, in which Earles Engineering & Inspection, Inc. will develop a Preliminary Engineering Study of the Wastewater Treatment Plant and authorized the City Manager to sign the engineering services agreement on behalf of the City. Motion carried.

DISPOSITION OF BIDS – 2017 STREET IMPROVEMENTS PROJECT – Following a verbal recommendation by Director of Public Utilities Matt Bacon, on motion of O’Bryan, seconded by Johnson, the Governing Body approved the low bid submitted by Heckert Construction Co., Inc. of Pittsburg, Kansas, in the amount of \$498,322.74, for the 2017 Street Improvements Project and authorized the Mayor and City Clerk to execute the contract documents once they are prepared. Motion carried.

NON-AGENDA REPORTS & REQUESTS - Director of Finance Jamie Clarkson provided the August 31, 2017, bi-monthly budget review.

NON-AGENDA REPORTS & REQUESTS – City Manager Daron Hall stated that he appreciated Dr. AuBuchon’s friendship and dedication to the City of Pittsburg.

ADJOURNMENT: On motion of Johnson, seconded by O’Bryan, the Governing Body adjourned the meeting at 6:02 p.m. Motion carried.

Michael Gray, Mayor

ATTEST:

Tammy Nagel, City Clerk

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
C-CHECK	VOID CHECK	V	9/08/2017			180503		
C-CHECK	VOID CHECK	V	9/08/2017			180504		
C-CHECK	VOID CHECK	V	9/08/2017			180505		
C-CHECK	VOID CHECK	V	9/08/2017			180506		
C-CHECK	VOID CHECK	V	9/08/2017			180507		
C-CHECK	VOID CHECK	V	9/08/2017			180515		
C-CHECK	VOID CHECK	V	9/08/2017			180543		
C-CHECK	VOID CHECK	V	9/08/2017			180544		
C-CHECK	VOID CHECK	V	9/08/2017			180545		
C-CHECK	VOID CHECK	V	9/15/2017			180591		
C-CHECK	VOID CHECK	V	9/15/2017			180592		
C-CHECK	VOID CHECK	V	9/15/2017			180624		
C-CHECK	VOID CHECK	V	9/15/2017			180625		
C-CHECK	VOID CHECK	V	9/15/2017			180626		

* * 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:	14	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
		14	0.00	0.00	0.00
BANK: *	TOTALS:	14	0.00	0.00	0.00

VENDOR SET: 99 City of Pittsburg, KS
 BANK: 80144 BMO HARRIS BANK
 DATE RANGE: 9/06/2017 THRU 9/19/2017

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1208	KANSAS CITY SOUTHERN RAILWAY C	V	8/18/2017			180420		1.00
1208	KANSAS CITY SOUTHERN RAILWAY C							
1208	KANSAS CITY SOUTHERN RAILWAY C							
M-CHECK	KANSAS CITY SOUTHERN RAILUNPOST	V	9/14/2017			180420		1.00CR
4373	CHILDREN'S ADVOCACY CENTER	R	9/06/2017			180500		30.00
2004	AIRE-MASTER OF AMERICA, INC.	R	9/08/2017			180501		16.40
0523	AT&T	R	9/08/2017			180502		7,235.65
6865	MICHAEL S COLE	R	9/08/2017			180508		115.83
4263	COX COMMUNICATIONS KANSAS LLC	R	9/08/2017			180509		77.23
4263	COX COMMUNICATIONS KANSAS LLC	R	9/08/2017			180510		90.31
4263	COX COMMUNICATIONS KANSAS LLC	R	9/08/2017			180511		33.61
4263	COX COMMUNICATIONS KANSAS LLC	R	9/08/2017			180512		13.23
4263	COX COMMUNICATIONS KANSAS LLC	R	9/08/2017			180513		95.98
4263	COX COMMUNICATIONS KANSAS LLC	R	9/08/2017			180514		1,941.05
4263	COX COMMUNICATIONS KANSAS LLC	R	9/08/2017			180516		29.40
4263	COX COMMUNICATIONS KANSAS LLC	R	9/08/2017			180517		18.91
1	COX, KRISTY	R	9/08/2017			180518		65.00
7517	CRAW-KAN TELEPHONE COOPERATIVE	R	9/08/2017			180519		150.00
5857	CREATIVE PRODUCT SOURCING INC	R	9/08/2017			180520		159.20
7784	GAGE DILLINGHAM	R	9/08/2017			180521		100.55
6088	EMERGENCY RESPONSE SOLUTIONS,	R	9/08/2017			180522		104.75
6358	FIRE X INC	R	9/08/2017			180523		26.00
7785	FRISCO EVENT CENTER	R	9/08/2017			180524		200.00

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VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
7151	TOTALFUNDS BY HASLER	R	9/08/2017			180525		500.00
6923	HUGO'S INDUSTRIAL SUPPLY INC	R	9/08/2017			180526		2,827.84
7299	INTOXIMETERS, INC	R	9/08/2017			180527		62.85
6656	KNIPP EQUIPMENT INC	R	9/08/2017			180528		643.00
1554	LITTLE BALKANS FESTIVAL	R	9/08/2017			180529		2,902.00
4121	MCANANY, VAN CLEAVE & PHILLIPS	R	9/08/2017			180530		2,058.00
7716	JORDAN MEADOWS	R	9/08/2017			180531		2,265.00
7697	MARTIN MEDINA	R	9/08/2017			180532		250.00
7287	JASON MIORI	R	9/08/2017			180533		660.00
7480	RODGER PETRAIT	R	9/08/2017			180534		115.83
1	PIECE OF CAKE NUTRITION	R	9/08/2017			180535		36.00
1	SCOTT, NANCY	R	9/08/2017			180536		30.00
1	SHAW, GREG	R	9/08/2017			180537		204.38
0349	UNITED WAY OF CRAWFORD COUNTY	R	9/08/2017			180538		75.77
2916	US CELLULAR	R	9/08/2017			180539		88.07
5589	VERIZON WIRELESS SERVICES, LLC	R	9/08/2017			180540		392.22
2350	WASTE CORPORATION OF MISSOURI	R	9/08/2017			180541		35.52
1108	WESTAR ENERGY	R	9/08/2017			180542		113,047.27
5371	PITTSBURG FAMILY YMCA	R	9/08/2017			180546		294.20
1	GORILLA TOASTMASTERS	R	9/12/2017			180558		85.00
6154	4 STATE MAINTENANCE SUPPLY INC	R	9/15/2017			180581		83.35
2876	A-PLUS CLEANERS & LAUNDRY	R	9/15/2017			180582		757.00

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2004	AIRE-MASTER OF AMERICA, INC.	R	9/15/2017			180583		16.40
7681	BACKGROUND INVESTIGATION BUREA	R	9/15/2017			180584		203.40
2089	CHALLENGER SPORTS CORP	R	9/15/2017			180585		632.00
7451	CITY OF ARMA	R	9/15/2017			180586		250.00
1616	CITY OF PITTSBURG	R	9/15/2017			180587		75.00
5283	CLASS LTD	R	9/15/2017			180588		83.40
6865	MICHAEL S COLE	R	9/15/2017			180589		190.78
7657	COPY PRODUCTS, INC.	R	9/15/2017			180590		1,994.00
7517	CRAW-KAN TELEPHONE COOPERATIVE	R	9/15/2017			180593		71.20
0095	CRAWFORD COUNTY TREASURER	R	9/15/2017			180594		1,784.33
0375	WICHITA WATER CONDITIONING, IN	R	9/15/2017			180595		33.00
0118	FED EX	R	9/15/2017			180596		22.77
7603	MICHAEL FLOYD	R	9/15/2017			180597		105.00
7597	CHRISTOPHER HOLCOMB	R	9/15/2017			180598		105.00
6923	HUGO'S INDUSTRIAL SUPPLY INC	R	9/15/2017			180599		27.50
7680	IMA, INC.	R	9/15/2017			180600		3,125.00
1	KANSAS ANIMAL CONTROL ASSOC	R	9/15/2017			180601		200.00
1208	KANSAS CITY SOUTHERN RAILWAY C	R	9/15/2017			180602		1.00
0226	KDOR LIQUOR TAX	R	9/15/2017			180603		53.18
7773	KLINEFELTER'S ENFORCEMENT & EM	R	9/15/2017			180604		7,755.00
6656	KNIPP EQUIPMENT INC	R	9/15/2017			180605		747.00
7190	LEXISNEXIS RISK DATA MANAGEMEN	R	9/15/2017			180606		393.38

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7305	TAYLOR MARTIN	R	9/15/2017			180607		140.00
7697	MARTIN MEDINA	R	9/15/2017			180608		1,000.00
7711	TAYLOR MITCHELL	R	9/15/2017			180609		120.00
6942	MULBERRY LIMESTONE QUARRY	R	9/15/2017			180610		99.98
7392	ASSURECO RISK MANAGEMENT & REG	R	9/15/2017			180611		350.00
7480	RODGER PETRAIT	R	9/15/2017			180612		173.74
1	REINKE, BRAXTON BRENT	R	9/15/2017			180613		1,000.00
7771	D & M RYAN, INC	R	9/15/2017			180614		11.25
6352	SAK CONSTRUCTION LLC	R	9/15/2017			180615		45,857.25
7789	ROBERT E SAYRE	R	9/15/2017			180616		560.00
7270	SECURITY 1ST TITLE, LLC	R	9/15/2017			180617		780.00
7790	ABBY SHELTON	R	9/15/2017			180618		120.00
7532	CRAIG TAYLOR	R	9/15/2017			180619		120.00
7325	TODD A FISHER	R	9/15/2017			180620		169.35
7053	U.S. PEROXIDE, LLC	R	9/15/2017			180621		950.00
6893	DAVID VANBECELAERE	R	9/15/2017			180622		105.00
5589	VERIZON WIRELESS SERVICES, LLC	R	9/15/2017			180623		7,758.21
2350	WASTE CORPORATION OF MISSOURI	R	9/15/2017			180627		229.43
4636	WESTAR ENERGY, INC. (HAP)	R	9/15/2017			180628		379.27
7710	SHELBY DALTON WHITE	R	9/15/2017			180629		105.00
7497	JOSEPH ZOGG	R	9/15/2017			180630		105.00
0397	PITTSBURG POLICE DEPT	R	9/19/2017			180631		1,000.00

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0044	CRESTWOOD COUNTRY CLUB	E	9/11/2017			999999		344.68
0046	ETTINGERS OFFICE SUPPLY	E	9/11/2017			999999		592.04
0046	ETTINGERS OFFICE SUPPLY	E	9/18/2017			999999		283.11
0054	JOPLIN SUPPLY COMPANY	E	9/11/2017			999999		864.32
0054	JOPLIN SUPPLY COMPANY	E	9/18/2017			999999		1,500.68
0055	JOHN'S SPORT CENTER, INC.	E	9/11/2017			999999		1,685.00
0084	INTERSTATE EXTERMINATOR, INC.	E	9/11/2017			999999		934.00
0087	FORMS ONE, LLC	E	9/11/2017			999999		84.75
0087	FORMS ONE, LLC	E	9/18/2017			999999		3,526.69
0094	BMO HARRIS BANK	D	9/15/2017			999999		145.00
0101	BUG-A-WAY INC	E	9/11/2017			999999		160.00
0105	PITTSBURG AUTOMOTIVE INC	E	9/11/2017			999999		325.97
0105	PITTSBURG AUTOMOTIVE INC	E	9/18/2017			999999		1,301.74
0109	RANDY VILELA TRUCKING & HAULIN	E	9/11/2017			999999		2,283.00
0112	MARRONES INC	E	9/11/2017			999999		42.70
0128	VIA CHRISTI HOSPITAL	E	9/11/2017			999999		3,027.29
0135	PITTSBURG AREA CHAMBER OF COMM	E	9/18/2017			999999		105.00
0142	HECKERT CONSTRUCTION CO INC	E	9/11/2017			999999		670.00
0142	HECKERT CONSTRUCTION CO INC	E	9/18/2017			999999		26,048.85
0194	KANSAS STATE TREASURER	E	9/12/2017			999999		7,050.00
0199	KIRKLAND WELDING SUPPLIES	E	9/11/2017			999999		60.00
0207	PEPSI-COLA BOTTLING CO OF PITT	E	9/11/2017			999999		72.90

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0224	KDOR	D	9/08/2017			999999		2,040.25
0224	KDOR	D	9/11/2017			999999		7,059.34
0272	BO'S 1 STOP INC	E	9/11/2017			999999		904.97
0276	JOE SMITH COMPANY, INC.	E	9/11/2017			999999		279.24
0289	TITLEIST	E	9/11/2017			999999		1,501.04
0289	TITLEIST	E	9/18/2017			999999		202.91
0292	UNIFIRST CORPORATION	E	9/11/2017			999999		37.60
0294	COPY PRODUCTS, INC.	E	9/18/2017			999999		31.00
0312	HACH COMPANY, INC	E	9/18/2017			999999		171.54
0321	KP&F	D	9/08/2017			999999		41,229.79
0328	KANSAS ONE-CALL SYSTEM, INC	E	9/11/2017			999999		383.00
0329	O'MALLEY IMPLEMENT CO INC	E	9/11/2017			999999		76.68
0329	O'MALLEY IMPLEMENT CO INC	E	9/18/2017			999999		132.56
0335	CUSTOM AWARDS, LLC	E	9/18/2017			999999		390.33
0372	CONNER REALTY	E	9/18/2017			999999		750.00
0409	WISEMAN'S DISCOUNT TIRE INC	E	9/18/2017			999999		339.26
0516	AMERICAN CONCRETE CO INC	E	9/11/2017			999999		4,335.53
0516	AMERICAN CONCRETE CO INC	E	9/18/2017			999999		1,404.80
0530	THYSSENKRUPP CORPORATION	E	9/18/2017			999999		854.67
0583	DICKINSON INDUSTRIES INC	E	9/11/2017			999999		2,550.00
0610	THOMAS VACCA	E	9/11/2017			999999		198.00
0728	ICMA	D	9/08/2017			999999		777.30

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VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0746	CDL ELECTRIC COMPANY INC	E	9/18/2017			999999		20,343.33
0806	JOHN L CUSSIMANIO	E	9/18/2017			999999		278.00
0823	TOUCHTON ELECTRIC INC	E	9/18/2017			999999		20.00
0866	AVFUEL CORPORATION	E	9/11/2017			999999		18,834.01
0968	LEE ENTERPRISES	E	9/11/2017			999999		439.20
1030	FREDDY VAN'S INC	E	9/18/2017			999999		400.00
1050	KPERS	D	9/08/2017			999999		35,040.60
1097	BARCO MUNICIPAL PRODUCTS INC	E	9/11/2017			999999		372.00
1141	THE G W VAN KEPPEL COMPANY	E	9/18/2017			999999		386.70
1478	KANSASLAND TIRE OF PITTSBURG	E	9/18/2017			999999		348.50
1490	ESTHERMAE TALENT	E	9/11/2017			999999		25.00
1490	ESTHERMAE TALENT	E	9/18/2017			999999		25.00
1792	B&L WATERWORKS SUPPLY, LLC	E	9/18/2017			999999		2,128.80
2025	SOUTHERN UNIFORM & EQUIPMENT L	E	9/11/2017			999999		2,878.54
2025	SOUTHERN UNIFORM & EQUIPMENT L	E	9/18/2017			999999		1,801.65
2137	VAN WALL GROUP	E	9/18/2017			999999		137.07
2161	RECORDED BOOKS, LLC	E	9/18/2017			999999		31.49
2186	PRODUCERS COOPERATIVE ASSOCIAT	E	9/11/2017			999999		3,246.32
2186	PRODUCERS COOPERATIVE ASSOCIAT	E	9/18/2017			999999		1,281.06
2398	WILLIAM E SAMSON	E	9/18/2017			999999		1,282.50
2433	THE MORNING SUN	E	9/18/2017			999999		1,423.57
2707	THE LAWNSCAPE COMPANY, INC.	E	9/18/2017			999999		738.15

VENDOR SET: 99 City of Pittsburg, KS
 BANK: 80144 BMO HARRIS BANK
 DATE RANGE: 9/06/2017 THRU 9/19/2017

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
2921	DP2 BILLING SOLUTIONS, LLC	E	9/18/2017			999999		4,581.18
2960	PACE ANALYTICAL SERVICES INC	E	9/18/2017			999999		3,376.00
3248	AIRGAS USA LLC	E	9/18/2017			999999		1,986.78
3261	PITTSBURG AUTO GLASS	E	9/11/2017			999999		900.00
3463	CONTROLS & ELECTRIC MOTOR	E	9/18/2017			999999		2,265.90
3706	GERALD PERRY TENNIS CO INC	E	9/11/2017			999999		800.00
4126	EMERGENCY MEDICAL PRODUCT INC	E	9/11/2017			999999		104.75
4307	HENRY KRAFT, INC.	E	9/11/2017			999999		504.79
4307	HENRY KRAFT, INC.	E	9/18/2017			999999		87.05
4354	LIFESTYLE LEASING INC	E	9/11/2017			999999		1,800.00
4572	KANSAS RURAL WATER ASSOCIATION	E	9/18/2017			999999		360.00
5275	US LIME COMPANY-ST CLAIR	E	9/18/2017			999999		4,395.76
5420	AQUIONICS INC	E	9/18/2017			999999		774.25
5482	JUSTIN HART	E	9/11/2017			999999		98.57
5590	HD SUPPLY WATERWORKS, LTD.	E	9/18/2017			999999		101.49
5623	CRAWFORD COUNTY CLERK	E	9/11/2017			999999		6.50
5648	LAW OFFICE OF JASON WISKE LLC	E	9/18/2017			999999		375.00
5713	SODEXO INC	E	9/18/2017			999999		253.40
5825	DEAN M DAVIED	E	9/18/2017			999999		1,575.00
5904	TASC	D	9/08/2017			999999		7,219.54
6016	SCHOLASTIC LIBRARY PUBLISHING	E	9/18/2017			999999		156.00
6175	HENRY C MENGHINI	E	9/11/2017			999999		180.00

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VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
6203	THE SOUTHWEST PAPER CO INC	E	9/11/2017			999999		540.38
6402	BEAN'S TOWING & AUTO BODY	E	9/18/2017			999999		2,455.18
6415	GREAT WEST TANDEM KPERS 457	D	9/08/2017			999999		3,946.00
6528	GALE GROUP/CENGAGE	E	9/18/2017			999999		22.49
6846	GREENWAY ELECTRIC, INC.	E	9/11/2017			999999		4,905.00
6952	ADP INC	D	9/15/2017			999999		753.32
7028	MATTHEW L. FRYE	E	9/18/2017			999999		400.00
7038	SIGNET COFFEE ROASTERS	E	9/11/2017			999999		127.50
7118	SP DESIGN & MFG, INC	E	9/11/2017			999999		241.92
7240	JAY HATFIELD CERTIFIED USED CA	E	9/11/2017			999999		296.00
7283	CORESOURCE, INC	D	9/07/2017			999999		16,084.57
7283	CORESOURCE, INC	D	9/14/2017			999999		24,769.07
7290	DELTA DENTAL OF KANSAS INC	D	9/08/2017			999999		2,037.35
7290	DELTA DENTAL OF KANSAS INC	D	9/15/2017			999999		2,085.80
7319	LASHAWNDRRA LAWSON	E	9/18/2017			999999		1,667.50
7400	BECKY GRAY	E	9/18/2017			999999		177.94
7401	JAMI L CROWDER	E	9/18/2017			999999		1,840.17
7420	AZTECA SYSTEMS, INC	E	9/11/2017			999999		40,000.00
7611	STEVENSONS BUSINESS PRODUCTS	E	9/11/2017			999999		320.00
7652	DEANNA GOERING	E	9/18/2017			999999		221.33
7655	HW ACQUISITIONS, PA	E	9/11/2017			999999		310.00
7676	YANJU CHEN	E	9/18/2017			999999		21.00

VENDOR SET: 99 City of Pittsburg, KS
 BANK: 80144 BMO HARRIS BANK
 DATE RANGE: 9/06/2017 THRU 9/19/2017

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
7677	ANNA M SWEANEY	E	9/18/2017			999999		56.00
7731	LINDA C BAKER	E	9/11/2017			999999		217.00
7735	ELIZABETH KING	E	9/11/2017			999999		362.00
7743	JACKIE D COLTRANE	E	9/11/2017			999999		96.00
7744	DARREN L SWARTZ	E	9/11/2017			999999		150.00
7745	SANDY L GOLAY	E	9/11/2017			999999		178.00
7748	TENA TYLER	E	9/11/2017			999999		10.00
7749	CHARLIE PHILLIPS	E	9/11/2017			999999		51.00
7750	WILLIAM E STANGE	E	9/11/2017			999999		24.00
7751	MATTHEW DEMOSS	E	9/11/2017			999999		135.00
7758	MR PUMP LLC	E	9/11/2017			999999		29,632.00
7761	DANA PARSONS	E	9/11/2017			999999		34.00
7763	ROSAMARY A GILLIGAN	E	9/11/2017			999999		68.00
7786	COLEMAN EQUIPMENT, INC	E	9/18/2017			999999		17.46
7787	EWT HOLDINGS III CORP	E	9/18/2017			999999		6,043.52

* * T O T A L S * *		NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:		85	216,917.22	0.00	216,918.22
HAND CHECKS:		0	0.00	0.00	0.00
DRAFTS:		13	143,187.93	0.00	143,187.93
EFT:		112	237,235.01	5.46CR	237,229.55
NON CHECKS:		0	0.00	0.00	0.00
VOID CHECKS:	1 VOID DEBITS		1.00		
	VOID CREDITS		1.00CR	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 99 BANK: 80144	TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
		211	597,341.16	5.46CR	597,335.70
BANK: 80144	TOTALS:	211	597,341.16	5.46CR	597,335.70

VENDOR SET: 99 City of Pittsburg, KS
BANK: MAN MANUAL CKS
DATE RANGE: 9/06/2017 THRU 9/19/2017

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
2519	EAGLE BEVERAGE CO INC	R	9/06/2017			180499		109.62
7651	K & D'S LIQUORS, LLC	R	9/12/2017			180557		99.19

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	2	208.81	0.00	208.81
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
			2	208.81	0.00	208.81
BANK: MAN	TOTALS:		2	208.81	0.00	208.81
REPORT TOTALS:			213	597,549.97	5.46CR	597,544.51

Passed and approved this 26th day of September, 2017.

Michael Gray, Mayor

ATTEST:

Tammy Nagel, City Clerk

**OPTION AGREEMENT FOR
THE PURCHASE OF REAL ESTATE**

This OPTION AGREEMENT FOR THE PURCHASE OF REAL PROPERTY (hereinafter "Agreement") is entered on this ____ day of _____, 2017, by and between the City of Pittsburg, Kansas, a municipal corporation, with offices at 201 West 4th Street, Pittsburg, Kansas, 66762 (hereinafter, "Owner") and Sugar Creek Packing Co., a foreign corporation authorized to do business in the State of Kansas, located at 12021 Sheraton Lane, Cincinnati, Ohio, 45246 (hereinafter "Purchaser").

WITNESSETH

WHEREAS, Owner is owner of a certain parcel of real property located in Crawford County, State of Kansas, more particularly described in attached Exhibit "A" (hereinafter the "Property");

WHEREAS, Purchaser desires to obtain an option to purchase the Property within a certain period of time (hereinafter "Option"), in order to protect Purchaser's investment in its manufacturing campus located at 1600 West McKay Street, Frontenac, Kansas, 66763.

WHEREAS, Owner is willing to give Purchaser said Option in return for the financial consideration as set forth in this Agreement,

WHEREAS, the parties desire to reduce their agreement to writing.

THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the parties stipulate and agree as follows:

AGREEMENT

- 1. Property.** Owner represents and warrants that it is the beneficial and rightful owner of the Property, with good and marketable title free and clear of all security interests, mortgages, liens, pledges, charges, claims, or encumbrances of any kind or character, except for those listed on the "Permitted Exceptions" addendum hereto.
- 2. Granting and Exercising of Option.** Owner grants Purchaser five (5) separate exercisable one (1) year irrevocable Options (hereinafter "Option Term") to purchase the Property on the terms and conditions set forth in this Agreement. Purchaser may exercise any Option unilaterally prior to expiration of any current one (1) year Option Term. Purchaser shall exercise any Option by delivering written notice and payment of the purchase price to Owner at Owner's address, as set forth above, with standard U.S. postmarked mail service to the attention of the City Manager. The initial one (1) year Option shall commence upon execution of this Agreement by the parties, and payment of the first (1st) Option Price.

3. **Option Price and Terms.** The consideration Purchaser shall pay for each separate Option Term, shall be Five Thousand Dollars and No Cents (\$5,000.00) (hereinafter "Option Price"). Each Option Price must be made to Owner prior to the expiration of the then current Option Term or this Agreement shall be rendered null and void.
4. **Purchase Price.** If purchaser exercises its Option, the price Purchaser shall pay for the Property shall be Two Hundred Fifty Thousand Dollars and No Cents (\$250,000.00) (hereinafter "Purchase Price").
5. **Closing.** Closing for said Purchase under this Option shall take place within sixty (60) days of Purchaser giving written notice to Owner, notifying Owner of Purchaser's intent to exercise the Option to purchase the Property (hereinafter "Closing"). However, at no time shall Closing take place later than December 31, 2022. Therefore, Purchaser shall notify owner of its intent to exercise this Option no later than the expiration of the fifth (5th) and final Option Term. Purchaser shall be entitled to possession of the Property upon Closing.
6. **Payment of Purchase Price.** Upon Purchaser's exercise of this Option, the Purchaser shall pay for the entire Purchase Price, in cash or its equivalent, at Closing.
7. **Title.** Upon the terms and conditions agreed to and set forth herein, at the Closing, Owner shall convey to Purchaser, by municipal warranty deed, with good and indefeasible marketable title in fee simple to the Property free and clear of any and all liens, encumbrances, conditions, easements, restrictions and other conditions, except for any Permitted Exceptions.
8. **Closing Costs.** Owner shall be responsible for preparation of the municipal warranty deed to Purchaser, and Purchaser shall be responsible for the cost of recording said deed. Real estate taxes, if any, shall be prorated between the parties as of the date of Closing. All other and further closing costs shall be paid for by the party that incurs said costs.
9. **Title Policy.** If Purchaser so desires, Owner shall deliver to Purchaser at Closing a standard coverage form of Owner Policy of Title Insurance in the full amount of the Purchase Price, insuring Purchaser's indefeasible fee simple title to the Property subject only to the Permitted Exceptions and the taxes for the year of Closing and subsequent assessments for prior years due to change in land and usage or ownership.
10. **Liens Against Property.** Owner and Purchaser hereby agree that there shall be no liens placed upon the Property by either Owner or Purchaser, during the term of this Agreement and the Property transferred to Purchaser upon the exercise of this Option shall be delivered free of all liens of any kind. Additionally, Purchaser shall indemnify and hold harmless the Owner against and from any and all liens, mechanics or otherwise that may be placed upon this Property related either directly or indirectly to Purchaser's actions, or its agents or assigns.

11. Option Assignable. Owner agrees that purchaser may assign this Option on or before Closing with written consent of Owner.

12. Miscellaneous.

- a. **Entire Agreement.** This Agreement embodies the entire agreement between the parties and cannot be varied except by the written agreement of the parties.
- b. **Survival.** All promises, representations and warranties intended to extend beyond the closing date shall survive the Closing.
- c. **Notices.** Any notice required or permitted to be delivered hereunder shall be deemed to be delivered (a) when delivered, personally, or (b) when deposited in the United States mail, postage prepaid, addressed to Seller or Purchaser, as the case may be, addressed as follows:

Seller:

City of Pittsburg, Kansas
201 West 4th Street
Pittsburg, Kansas 66762
ATTN: City Manager

Purchaser:

Sugar Creek Packing Co.
12021 Sheraton Lane
Cincinnati, OH 45246
ATTN: Thomas J. Bollinger

Such addresses may be changed from time to time by either party by providing written notice in the matter set forth above.

- d. **Successors and Assigns.** All of the terms and conditions of this Agreement are hereby made binding on the successors and permitted assigns of both parties hereto.
- e. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Kansas, and venue for any disputes shall be in Crawford County.
- f. **Attorney Fees.** In the event that a legal action is brought to enforce the terms of this Agreement, the prevailing party shall be entitled to collect its costs of court, including reasonable attorney's fees.
- g. **Severability.** If any provision of this Agreement is held to be illegal, invalid or unenforceable under present or future laws, such provision shall be fully severable, and this Agreement shall be construed and enforced as if such illegal, invalid or unenforceable provision had never comprised a part of this Agreement, and the remaining provisions of this Agreement shall remain in full force from this Agreement, provided that both parties may still effectively realize the complete benefit of the transaction contemplated hereby.

h. Amendments. No modification or amendment of this Agreement shall be effective unless made in writing and executed by both Owner and Purchaser. In the event any approval or consent is required pursuant to any provision of this Agreement, such approval or consent shall be deemed given only if it is in writing, executed by the party whose approval or consent is required.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first written above.

OWNER:
The City of Pittsburg, Kansas

PURCHASER:
Sugar Creek Packing Co.

By: Michael Gray, Mayor

By:

ATTEST:

By: Tammy Nagel, City Clerk