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ORDINANCE NO. 1846

AN ORDINANCE OF THE CITY OF ANDOVER, KANSAS DESIGNATING CERTAIN ADDITIONAL STREETS AS MAIN TRAFFICWAYS OR TRAFFICWAY CONNECTIONS WITHIN THE CORPORATE LIMITS OF THE CITY; AUTHORIZING THE CITY TO MAKE MAIN TRAFFICWAY IMPROVEMENTS; AUTHORIZING THE CITY TO ISSUE GENERAL OBLIGATION BONDS IN AN APPROXIMATE PRINCIPAL AMOUNT OF \$2,045,000 TO PAY A PORTION OF THE COSTS OF THE MAIN TRAFFICWAY IMPROVEMENTS.

WHEREAS, K.S.A. 12-685 *et seq.* (the “Main Trafficway Act”) authorizes the governing body of the City of Andover, Kansas (the “City”) to designate by ordinance, any existing or proposed street or part thereof within the City as a main trafficway. The primary function of a main trafficway is, or will be, the movement of traffic (i) between areas of concentrated activity, or (ii) between such areas within the City and traffic facilities outside the City; and

WHEREAS, K.S.A. 12-686 authorizes the governing body of the City to designate by ordinance certain portions of existing streets as trafficway connections and to connect any street with any of the main trafficways and/or connect any two (2) main trafficways and designate and establish the same as trafficway connections. The primary function of a trafficway connection is, or will be to: (i) provide adequate connections with or between main trafficways or (ii) relieving traffic congestion at certain points on said main trafficways; and

WHEREAS, the governing body of the City has determined it necessary to designate 159<sup>th</sup> Street East within the City limits as a main trafficway or trafficway connection as defined by the Main Trafficway Act; and

WHEREAS, the City further finds it to be necessary to authorize the widening and repaving of North 159<sup>th</sup> Street East (from Central Avenue to Kellogg Avenue), including but not limited to relocation of utilities and drainage improvements (collectively, the “Project”) and to provide for payment of a portion of the cost thereof; and

WHEREAS, it is necessary to pay a portion of the City’s share of the costs of the Project by issuing general obligation bonds of the City.

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

Section 1. Designation of Main Trafficways. The following streets, the primary function of said streets being the movement of through traffic between areas of concentrated activity within the City of Andover, Kansas (the “City”) or between such areas with the City and traffic facilities outside the City performing the function of a major trafficway, are hereby

designated and established as main trafficways, pursuant to K.S.A. 12-685 *et seq.*, as amended and supplemented:

159<sup>th</sup> Street East within the City limits

Section 2. Authorization of Project. The Project (as defined above) is authorized and directed to be completed pursuant to the Main Trafficway Act in accordance with previously obtained estimates.

Section 3. Payment of Project Costs. It is hereby further found and determined that a portion of the estimated cost of construction of the Project is \$2,045,000 of which \$2,045,000 shall be payable by the City-at-large and paid through the issuance of general obligation bonds of the City as provided by the Main Trafficway Act.

Section 4. Authorization of the Bonds. It is hereby further found and determined to be necessary and it is hereby authorized, ordered and directed that in order to provide the necessary funds to pay the cost of the Project, there shall be issued General Obligation Bonds in the total aggregate principal amount of \$2,045,000.

Section 5. Authorization of Temporary Notes. It is hereby further authorized, ordered and directed that in order to temporarily finance the estimated costs of the Project until the issuance of the general obligation bonds as hereinbefore provided, there shall be issued temporary improvement notes (the "Notes"), such notes to be issued from time to time upon subsequent resolution or resolutions of the City which shall provide and set forth the details of the Notes, including the fixing of the dates, terms, denominations, interest rates and maturity dates (not exceeding four years from the date of the notes and redeemable at any time prior to the stated maturity thereof). Such Notes shall be issued and provision shall be made therefor as funds are needed and required for the orderly construction of the Project; and the Mayor and City Clerk are hereby authorized, ordered and directed to prepare and execute each of such Notes in accordance with the terms of this Ordinance and the terms of the subsequent resolution or resolutions providing for same; and shall deliver the Notes to persons having claims against the City in connection with the improvements, or may sell the Notes at private or public sale and apply the proceeds therefrom to the payment of the actual costs and expenses of the improvements. Any Notes issued under the authority of this Section shall be issued under and will contain a recital that they are issued under the authority of K.S.A. 10-123 and K.S.A. 12-685, inclusive, as amended and supplemented, and shall contain all other usual and required recitals and covenants and be in the form required therefor by said K.S.A. 10-123; and said Notes may be issued in combinations with any other temporary notes being issued by the City as shall be determined by the governing body at the time of such issuance to be in the City's best interest.

Section 6. Effective Date. This Ordinance shall be in force and take effect from and after its adoption and approval and publication hereof one time in the City's official newspaper.

PASSED, ADOPTED AND APPROVED by the governing body of the City of Andover, Kansas on the 11<sup>th</sup> day of October, 2022.

CITY OF ANDOVER, KANSAS



By   
Ronnie Price, Mayor

By   
Susan C. Renner, City Clerk