

(Published in *The Butler County Times-Gazette* and
at www.andoverks.com on November 5, 2022)

ORDINANCE NO. 1848

AN ORDINANCE AMENDING ORDINANCE NO. 1824 OF THE CITY OF
ANDOVER, KANSAS.

WHEREAS, the governing body of the City of Andover, Kansas (the “City”) has heretofore by Resolution No. 21-36 adopted December 14, 2021, and published in the City’s official newspaper as required by law on January 8, 2022, as amended by Resolution No. 22-46 adopted October 25, 2022 and to be published November 5, 2022 (collectively, the “Authorizing Resolution”), found and determined it to be advisable and authorized the making of Water Improvements, Sanitary Sewer Improvements, Paving Improvements, and Storm Water Drainage Improvements, (collectively herein, the “Improvements”) in the City, as provided by K.S.A. 12-6a01 *et seq.*, as amended and supplemented, at a total estimated cost of \$1,440,000, a portion of which costs will be levied and assessed against properties benefitting from the Improvements; and

WHEREAS, the developer has requested that the Highway Dividing Area Wall Improvements originally referenced in Resolution No. 21-36 be removed from the petitioned improvements; and

WHEREAS, the governing body of the City finds and determines it advisable to amend Ordinance No. 1824 of the City adopted December 14, 2021, and published in the City’s official newspaper as required by law on January 8, 2022.

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

Section 1. Amendment to Recitals of Ordinance No. 1824. The first and second recitals of Ordinance No. 1824, are hereby amended by replacing them with the following:

WHEREAS, the governing body of the City of Andover, Kansas (the “City”) has heretofore by Resolution No. 21-36 duly adopted this December 14, 2021, and published in the City’s official newspaper as required by law on January 8, 2022, as amended by Resolution No. 22-46 adopted October 25, 2022 and to be published November 5, 2022 (collectively, the “Authorizing Resolution”) found and determined it to be advisable and authorized the making of certain Water Improvements, Sanitary Sewer Improvements, Paving Improvements, and Storm Water Drainage Improvements, (collectively, the “Improvements”) in the City, as provided by K.S.A. 12-6a01 *et seq.*, as amended and supplemented, at a total estimated cost of \$1,440,000. Said cost may be increased to include temporary interest or finance costs incurred during the course of design and construction of the project, and also may be increased at the rate of 1% per month from and after December 1, 2021 which costs will be levied and assessed against properties benefitting from the Improvements; and

WHEREAS, the governing body of the City, upon an examination thereof, has considered and found and determined certain subject petitions filed on December 10, 2021 as modified with the amended petitions for the Water Improvements, Sanitary Sewer Improvements, Paving Improvements, and Storm Water Drainage Improvements filed on October 19, 2022 (collectively, the "Petitions") to be sufficient, having been signed by the owners of record, whether resident or not, of all the property liable for assessment for the costs of the Improvements; and

Section 2. Amending Ordinance. This ordinance supplements and amends Ordinance No. 1824, only to the extent necessary to reflect the receipt of the revised petitions reflecting a change in the estimated cost in the Improvements and the removal of the Highway Dividing Area Wall from being a petitioned improvement. Except to the extent specifically amended hereby, Ordinance No. 1824, shall remain in full force and effect.

Section 3. Effective Date. This Ordinance shall take effect and be in full force from and after its adoption by the governing body of the City of Andover, Kansas and its publication in the official newspaper of the City.

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PASSED, APPROVED AND ADOPTED by the governing body of the City of Andover, Kansas this 25th day of October, 2022.

CITY OF ANDOVER, KANSAS



By 
Ronnie Price, Mayor

ATTEST:

By 
Susan C. Renner, City Clerk

EXCERPT OF MINUTES

The governing body of the City of Andover, Kansas met in regular session, at the normal meeting place in the City on October 25, 2022, at 7:00 p.m., with Mayor Ronnie Price presiding, and the following members of the governing body present:

Homer Henry, Jose[h Forred, Shelby Carselowey, Mike Warrington (via ZOOM),
Troy Tabor and Time Berry

and the following members absent: n/a

Thereupon, and among other business, there was presented to the governing body a Resolution entitled:

A RESOLUTION AMENDING RESOLUTION NO. 21-36 OF THE CITY OF
ANDOVER, KANSAS.

Thereupon, the Resolution was considered and discussed; and on motion of Henry, seconded by Forred, the Resolution was adopted by a majority vote of all members present.

Thereupon, the Resolution having been adopted by a majority vote of the members of the governing body, it was given No. 22-46, and was directed to be signed by the Mayor and attested by the City Clerk; and the City Clerk was directed to cause the publication of the Resolution one time as set forth therein and required by law, and to record the Resolution in the Office of the Register of Deeds of Butler County, Kansas.

Thereupon, and among other business, there was presented to the governing body, an Ordinance entitled:

AN ORDINANCE AMENDING ORDINANCE NO. 1824 OF THE CITY OF
ANDOVER, KANSAS.

Thereupon, the Ordinance was considered and discussed; and on motion of Henry, seconded by Forred, the Ordinance was adopted by a majority vote of all members of the governing body.

Thereupon, the Ordinance having been adopted by a majority vote of the members of governing body, it was given No. 1848 and directed to be signed by the Mayor and attested by the City Clerk, and the City Clerk was directed to cause the publication of the Ordinance one time as set forth therein and required by law.

CITY CLERK'S
CERTIFICATION OF EXCERPT OF MINUTES

I hereby certify that the foregoing is a true and correct Excerpt of the Minutes of the proceedings at the October 25, 2022 meeting of the governing body of the City of Andover, Kansas.

[seal]



Susan C. Renner, City Clerk