

TRIPLETT WOOLF GARRETSON, LLC

ORDINANCE NO. 1858

OF THE

CITY OF ANDOVER, KANSAS

MARCH 14, 2023

(Published in *The Butler County Times-Gazette* and
at www.andoverks.com on March 25, 2023)

ORDINANCE NO. 1858

AN ORDINANCE AUTHORIZING THE CITY OF ANDOVER, KANSAS TO MAKE PUBLIC BUILDING IMPROVEMENTS; AUTHORIZING THE CITY TO ISSUE ITS GENERAL OBLIGATION BONDS IN AN AMOUNT OF APPROXIMATELY \$8,000,000 TO PAY THE COSTS OF SUCH IMPROVEMENTS; AND AUTHORIZING THE OFFERING OF AN ISSUE OF GENERAL OBLIGATION BONDS FOR SUCH PURPOSES.

WHEREAS, K.S.A. 12-1736 *et seq.*, as amended (the "Public Building Act"), authorizes the governing body of the City of Andover, Kansas (the "City") to acquire, construct, make repairs, reconstruct, remodel, replace, make additions to, furnish or equip any public building and to issue general obligation bonds of the City for such purposes; and

WHEREAS, the governing body of the City has determined that it is necessary and desirable (i) to authorize the purchase, acquisition, construction, installation, and equipping of a new City fire station and appurtenances (the "Project"), and (ii) to pay all or a portion of the costs of the Project through the issuance of general obligations bonds of the City.

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

Section 1. Authorization of Project. It is hereby found and determined to be necessary and advisable to acquire, construct and install the Project (as defined above). It is hereby further authorized, ordered and directed that the Project be acquired, constructed and installed in accordance with the certain estimates, plans and specifications before the governing body of the City on this date, at a total estimated cost of \$8,000,000, which estimate includes all fees and expenses of financing the Project.

Section 2. Payment of Project Costs. It is hereby further authorized, ordered and directed that all or a portion of the costs of acquiring, constructing and installing the Project shall be paid from the proceeds of the City's general obligation bonds (the "Bonds") to be issued by the City in an approximate amount of \$8,000,000.

Section 3. 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 Bonds as hereinbefore provided, there may 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. Such Notes may be issued and provision may be made therefor as funds are needed and required for the orderly acquisition, construction and installation 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 Project, 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 Project. 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 the Public Building Act, 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 4. Reimbursement. Bonds and/or Notes authorized by this Ordinance are authorized to reimburse expenditures made by the City sixty (60) days before the date of this Ordinance and thereafter, as provided in United States Treasury Regulation § 1.150-2.

Section 5. Effective Date. This Ordinance shall be in full force and take effect from and after its adoption and approval, and its publication one time in the official newspaper of the City.

[Remainder of Page Intentionally Left Blank]

PASSED, ADOPTED AND APPROVED by the governing body of the City of Andover, Kansas on the 14th day of March, 2023.



ATTEST:

CITY OF ANDOVER, KANSAS

Ronnie Price, Mayor

Susan C. Renner, City Clerk

EXCERPT OF MINUTES

The governing body of the City of Andover, Kansas met at the normal meeting place in the City on March 14, 2023 at 7:00 p.m., with Mayor Ronnie Price presiding, and the following members of the governing body present:

Homer Henry, Joseph Forred, Shelby Carselowey, Troy Tabor and Tim Berry

and the following members absent:

Mike Warrington

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

AN ORDINANCE AUTHORIZING THE CITY OF ANDOVER, KANSAS TO MAKE PUBLIC BUILDING IMPROVEMENTS; AUTHORIZING THE CITY TO ISSUE ITS GENERAL OBLIGATION BONDS IN AN AMOUNT OF APPROXIMATELY \$8,000,000 TO PAY THE COSTS OF SUCH IMPROVEMENTS; AND AUTHORIZING THE OFFERING OF AN ISSUE OF GENERAL OBLIGATION BONDS FOR SUCH PURPOSES.

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

Thereupon, the Ordinance having been adopted by a majority vote of the members elect of the governing body, it was given No. 1858 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 March 14, 2023 meeting of the governing body of the City of Andover, Kansas.



Susan C. Renner, City Clerk