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ORDINANCE NO. 1860

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 \$6,500,000 TO PAY 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 the following additional streets as main trafficways or trafficway connections as defined by the Main Trafficway Act:

Yorktown Parkway (from East Kellogg Drive north to Commerce Street)

WHEREAS, the City further finds it to be necessary to authorize the improvement and repaving of North Yorktown Parkway (from Central Avenue to Commerce Street), (the "Project") and to provide for payment of a portion of the cost thereof; and

WHEREAS, it is necessary to pay all or a portion of the costs of the Project by issuing general obligation bonds of the City; and

WHEREAS, it is necessary to declare Yorktown Parkway, from East Kellogg Drive north to Commerce Street, as a main trafficway.

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 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:

Yorktown Parkway (from East Kellogg Drive north to Commerce Street)

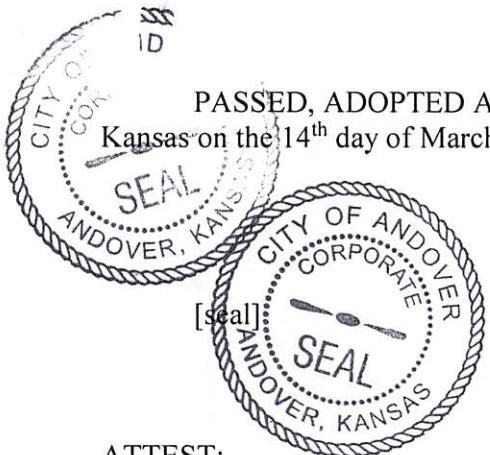
Section 2. Authorization of Project. The Project (as defined above) is authorized and directed to be completed pursuant to the Main Trafficway Act in accordance with previously obtained estimates.

Section 3. Payment of Project Costs. It is hereby further found and determined that the estimated cost of construction of the Project is \$6,500,000, which 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 \$6,500,000.

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 the Main Trafficway 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 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 14<sup>th</sup> day of March, 2023.

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 usual meeting place in the City on March 14, 2023, at 7:00 p.m., with the 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

Among other business, there came on for consideration and discussion the following:

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 \$6,500,000 TO PAY THE COSTS OF THE MAIN TRAFFICWAY IMPROVEMENTS.

After discussion, upon motion by Henry, seconded by Tabor, each section of the Ordinance was passed by a majority of the members elect.

A majority of the members elect having voted in favor of the passage of said Ordinance, it was designated Ordinance No. 1860 and was ordered to be executed by the Mayor and by the City Clerk, and the City Clerk was directed to publish the Ordinance one time in the official City newspaper as required by law and provided therein.

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**CITY CLERK'S  
CERTIFICATION OF EXCERPT OF MINUTES**

I hereby certify that the foregoing is a true and correct Excerpt of Minutes of the March 14, 2023 regular meeting of the governing body of the City of Andover, Kansas.



Susan C. Renner, City Clerk