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ORDINANCE NO. 1874

AN ORDINANCE OF THE CITY OF ANDOVER, AUTHORIZING THE CITY TO CONSTRUCT PARK IMPROVEMENTS; AND AUTHORIZING THE CITY TO ISSUE GENERAL OBLIGATION BONDS IN AN APPROXIMATE PRINCIPAL AMOUNT OF \$14,100,000 TO PAY THE COSTS OF SAID IMPROVEMENTS.

WHEREAS, pursuant to Article 12, Section 5 of the Constitution of the State of Kansas (the "Home Rule Amendment"), the City of Andover, Kansas (the "City") has previously adopted Charter Ordinance No. 26 of the City ("Charter Ordinance No. 26") exempting the City from K.S.A. 13-1024a and providing substitute and additional provisions therefor; and

WHEREAS, Charter Ordinance No. 26 authorizes the City to issue its bonds for the purpose of paying for any bridge, viaduct, public building, recreational facilities, including the land necessary therefor and repairs, improvements, expansions, and appurtenances thereto, and thereof, for lands for public parks and improvements thereto, including, but not limited to, purchase, installation, and construction of park equipment, splash pads, and other recreational facilities, and developing any of the same, and developing any of the same within or without the City; and

WHEREAS, pursuant to the Home Rule Amendment and Charter Ordinance No. 26, (collectively, the "Act") the governing body of the City finds it necessary to construct purchase, acquire, construct, and install recreational facilities and improvements at the 13th Street City park and recreational facilities and improvements appurtenant to a new City fire station (the "Project") at an estimated cost of \$14,100,000; and

WHEREAS, it is necessary to pay 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. Authorization of Project. The Project (as defined above) is authorized and directed to be completed pursuant to the Act (as defined above) in accordance with certain estimates, plans and specifications before the governing body on this date.

Section 2. Payment of Project Costs. It is hereby further found and determined that the estimated cost of construction of the Project is \$14,100,000 and shall be payable by the City-at-Large and paid through the issuance of general obligation bonds of the City as provided by the Act.

Section 3. 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 approximate total aggregate principal amount of \$14,100,000.

Section 4. 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 Act (as defined above), 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 5. 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 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.


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ADOPTED, PASSED AND APPROVED by the governing body of the City of Andover,
Kansas on the 13th day of June 2023.



ATTEST:

CITY OF ANDOVER, KANSAS

By 
Ronnie Price, Mayor

By 
Susan C. Renner, City Clerk