

(Published on [www.andoverks.com](http://www.andoverks.com) on August 10, 2024)

ORDINANCE NO. 1918

AN ORDINANCE AMENDING ORDINANCE NO. 1894 OF THE CITY OF ANDOVER, KANSAS, AS PREVIOUSLY AMENDED BY ORDINANCE NO. 1906 OF THE CITY OF ANDOVER, KANSAS.

WHEREAS, the governing body of the City of Andover, Kansas (the “City”) has, heretofore by Resolution No. 24-05 adopted January 30, 2024 and published in the City’s official newspaper and a newspaper of general circulation in Butler County, Kansas, as required by law on February 10, 2024, as amended by Resolution No. 24-18 adopted May 14, 2024 and published May 25, 2024 and Resolution No. 24-25 adopted this July 30, 2024 and to be published August 10, 2024 (collectively, the “Authorizing Resolution”), found and determined it to be advisable and authorized the making of Prairie Pointe at Cornerstone 3rd Water Improvements, Prairie Pointe at Cornerstone 3rd Sewer Improvements, Prairie Pointe at Cornerstone 3rd Paving Improvements and Prairie Pointe at Cornerstone 3rd Storm Water Drain 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 \$813,000, a portion of which costs will be levied and assessed against properties benefiting from the improvement; and

WHEREAS, the governing body of the City finds and determines it advisable to amend Ordinance No. 1894 of the City adopted January 30, 2024 and published in the City’s official newspaper as required by law on February 10, 2024.

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. 1894. The first and second recitals of Ordinance No. 1894 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. 24-05 duly adopted January 30, 2024 and published in the City’s official newspaper and a newspaper of general circulation in Butler County, Kansas, as required by law on February 10, 2024, as amended by Resolution No. 24-18 duly adopted May 14, 2024, and published on May 25, 2024 and Resolution No. 24-25 adopted this July 30, 2024 and to be published August 10, 2024 (collectively, the “Authorizing Resolution”), found and determined it to be advisable and authorized the making of certain Prairie Pointe at Cornerstone 3rd Water Improvements, Prairie Pointe at Cornerstone 3rd Sewer Improvements, Prairie Pointe at Cornerstone 3rd Paving Improvements and Prairie Pointe at Cornerstone 3rd Storm Water Drain 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 \$813,000 (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,

2023 for the Prairie Pointe at Cornerstone 3rd Paving Improvements and April 1, 2024 for the Prairie Pointe at Cornerstone 3rd Water Improvements and Prairie Pointe at Cornerstone 3rd Sewer Improvements and June 1, 2024 for the Prairie Pointe at Cornerstone 3rd Storm Water Drain Improvements), which costs will be levied and assessed against properties benefiting 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 January 25, 2024, May 2, 2024, and July 18, 2024 (collectively, the “Petitions”) to be sufficient, having been signed by the owners of record, whether resident or not, of all of the property liable for assessment for the costs of the Improvements; and

Section 2. Amending Ordinance. This ordinance supplements and amends Ordinance No. 1894 only to the extent necessary to reflect the receipt of the revised petitions reflecting a change in the estimated costs. Except to the extent specifically amended hereby, Ordinance No. 1894 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.

*[Remainder of Page Intentionally Left Blank]*

PASSED, APPROVED AND ADOPTED by the governing body of the City of Andover, Kansas this 30th day of July, 2024.

CITY OF ANDOVER, KANSAS

[seal]



By

Ronnie Price, Mayor

ATTEST:

By

Dana Engstrom, City Clerk

## EXCERPT OF MINUTES

The governing body of the City of Andover, Kansas met at the normal meeting place, in the City on July 30, 2024, at 7:00 p.m., with Mayor Ronnie Price presiding, and the following members of the governing body present: Tim Berry, Philip Hamilton, Mike Warrington, Paul Wemmer, and Michael Henry.

and the following members absent: Jodi Ocadiz (from entire meeting) and Michael Henry (for the voting of Resolution 24-25.

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

A RESOLUTION AMENDING RESOLUTION NO. 24-05 OF THE CITY OF ANDOVER, KANSAS, AS PREVIOUSLY AMENDED BY RESOLUTION NO. 24-18 OF THE CITY OF ANDOVER, KANSAS.

Thereupon, the Resolution was considered and discussed; and on motion of Council Member Berry, seconded by Council Member Hamilton, the Resolution was adopted by a majority vote of all members of the governing body.

Thereupon, the Resolution having been adopted by a majority vote of the members of the governing body, it was given No. 24-25, 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. 1894 OF THE CITY OF ANDOVER, KANSAS, AS PREVIOUSLY AMENDED BY ORDINANCE NO. 1906 OF THE CITY OF ANDOVER, KANSAS.

Thereupon, the Ordinance was considered and discussed; and on motion of Council Member Berry, seconded by Council President Henry, the Ordinance was adopted by a majority vote of all members present.

Thereupon, the Ordinance having been adopted by a majority vote of the members of governing body, it was given No. 1918 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.

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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 the Minutes of the proceedings at the July 30, 2024 meeting of the governing body of the City of Andover, Kansas.



  
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Dana Engstrom, City Clerk