

(Published at www.andoverks.com on December 21, 2024)

ORDINANCE NO. 1940

AN ORDINANCE AMENDING ORDINANCE NO. 1912 OF THE CITY OF ANDOVER, KANSAS.

WHEREAS, the governing body of the City of Andover, Kansas (the “City”) has heretofore, by Resolution No. 24-23 adopted July 9, 2024 and published in the City’s official newspaper as required by law on July 20, 2024, as amended by Resolution No. 24-42 adopted December 12, 2024 and to be published December 21, 2024 (collectively, the “Authorizing Resolution”), found and determined it to be advisable and authorized the making of Prairie Creek Water Improvements Seventh Phase, Prairie Creek Sewer Improvements Seventh Phase, and Prairie Creek Paving Improvements Seventh Phase (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 \$1,509,000, a portion of which costs will be levied and assessed against properties benefitting from the Improvements; and

WHEREAS, the governing body of the City finds and determines it advisable to amend Ordinance No. 1912 of the City adopted July 9, 2024, and published in the City’s official newspaper as required by law on July 20, 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. 1912. The first and second recitals of Ordinance No. 1912, 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. 24-23, as amended by Resolution No. 24-__ (collectively, the “Authorizing Resolution”), found and determined it to be advisable and authorized the making of certain Prairie Creek Water Improvements Seventh Phase, Prairie Creek Sewer Improvements Seventh Phase, and Prairie Creek Paving Improvements Seventh Phase (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 \$1,509,000 (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 July 1, 2024), 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 July 2, 2024, as modified with the amended petition for the Prairie Creek Sewer Improvements Seventh Phase filed on December 5, 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. 1912, only to the extent necessary to reflect the receipt of the revised petition reflecting a change in the cost of the project for the Prairie Creek Sewer Improvements Seventh Phase. Except to the extent specifically amended hereby, Ordinance No. 1912, 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 10th day of December, 2024.

[seal]



CITY OF ANDOVER, KANSAS

By 
Ronnie Price, Mayor

ATTEST:

By 
Dana Engstrom, 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 December 10, 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, Jodi Ocadiz, and Michael Henry.

and the following members absent: Paul Wemmer

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

A RESOLUTION AMENDING RESOLUTION NO. 24-23 OF THE CITY OF ANDOVER, KANSAS.

Thereupon, the Resolution was considered and discussed; and on motion of Council President Henry, seconded by Council Member Ocadiz, 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. 24-42, 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. 1912 OF THE CITY OF ANDOVER, KANSAS.

Thereupon, the Ordinance was considered and discussed; and on motion of Council President Henry, seconded by Council Member Hamilton, 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. 1940 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 December 10, 2024 meeting of the governing body of the City of Andover, Kansas.



Dana Engstrom, City Clerk