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ORDINANCE NO. 1953

AN ORDINANCE AMENDING ORDINANCE NO. 1937, AS PREVIOUSLY AMENDED BY ORDINANCE NO. 1947 OF THE CITY OF ANDOVER, KANSAS

WHEREAS, the governing body of the City of Andover, Kansas (the "City") has heretofore by Resolution No. 24-41 adopted November 12, 2024, and published as required by law on November 23, 2024, as amended by (i) Resolution No. 25-05 adopted February 11, 2025 and published February 22, 2025, found and determined it to be advisable and authorized the making of Meadowbrook 4<sup>th</sup> Paving and Stormwater improvements, Meadowbrook 4<sup>th</sup> Water Distribution Improvements, Meadowbrook 4<sup>th</sup> Sanitary Sewer Improvements (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 \$2,109,700, 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 further amend Ordinance No. 1937 of the City adopted November 12, 2024, and published in the City's official newspaper as required by law on November 23, 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. 1937. The first and second recitals of Ordinance No. 1937 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. 24-41, as amended by Resolution Nos. 25-05 and 25-06 (collectively, the "Authorizing Resolution"), found and determined it to be advisable and authorized the making of certain Meadowbrook 4<sup>th</sup> Paving and Stormwater Improvements, Meadowbrook 4<sup>th</sup> Water Distribution Improvements, Meadowbrook 4<sup>th</sup> Sanitary Sewer 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 \$2,279,350 (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 January 1, 2025, for the Meadowbrook 4<sup>th</sup> Water Improvements and for the Meadowbrook 4<sup>th</sup> Sanitary Sewer Improvements; and from and after April 8, 2025 for the Meadowbrook 4<sup>th</sup> Paving and Stormwater Improvements), which costs will be levied and assessed against properties benefiting from the Improvements; and for the Meadowbrook 4<sup>th</sup> Sanitary Sewer 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 amended petitions for the Meadowbrook 4<sup>th</sup> Water Improvements and Meadowbrook 4<sup>th</sup> Sanitary Sewer Improvements filed on February 11, 2025 and (ii) the amended petition for the Meadowbrook 4th Paving and Stormwater Improvements filed on April 1, 2025 (collectively, the "Petitions") to be sufficient, having been signed by the owners of record, whether resident or not, of all property liable for assessment for the costs of the Improvements; and

Section 2. Amending Ordinance. This ordinance supplements and amends Ordinance No. 1937, only to the extent necessary to reflect the receipt of the revised petition reflecting a change in the estimated costs for Meadowbrook 4<sup>th</sup> Paving and Stormwater Improvements. Except to the extent specifically amended hereby, Ordinance Nos. 1937 and 1947 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 8<sup>th</sup> day of April, 2025.

CITY OF ANDOVER, KANSAS

[seal]



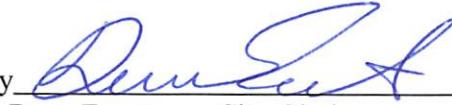
ATTEST:

By



Ronnie Price, Mayor

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 April 8, 2025, at 7:00 p.m., with Mayor Ronnie Price presiding, and the following members of the governing body present: Tim Berry, Michael Henry, Mike Warrington, and Paul Wemmer.

and the following members absent: Jodi Ocadiz and Philip Hamilton

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

### **A RESOLUTION AMENDING RESOLUTION NO. 24-41, AS PREVIOUSLY AMENDED BY RESOLUTION NO. 25-05 OF THE CITY OF ANDOVER, KANSAS**

Thereupon, the Resolution was considered and discussed; and on motion of Council President Henry, seconded by Council Member Berry, 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. 25-06, 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. 1937, AS PREVIOUSLY AMENDED BY ORDINANCE NO. 1947 OF THE CITY OF ANDOVER, KANSAS**

Thereupon, the Ordinance was considered and discussed; and on motion of Council President Henry, seconded by Council Member Berry, 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. 1953 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 April 8, 2025 meeting of the governing body of the City of Andover, Kansas.



Dana Engstrom, City Clerk