

## **RESOLUTION NO. 25-15**

### **A RESOLUTION AMENDING RESOLUTION NO. 24-31 RESTATING THE POLICY FOR THE FINANCING OF PUBLIC IMPROVEMENTS AND THE LEVYING OF SPECIAL ASSESSMENTS WITHIN THE CITY OF ANDOVER, KANSAS BY AMENDING SECTION 3 RELATING TO REVISED PETITION FEES.**

WHEREAS, the Governing Body of the City of Andover, Kansas (the "City"), has previously adopted Resolution No. 24-31, restating the City's Policy for the Financing of Public Improvements and the Levying of Special Assessments Within the City of Andover, Kansas, establishing policies and procedures for the financing of public improvements and the levying, apportionment, and collection of special assessments within the City; and

WHEREAS, the Governing Body finds it to be in the best interest of the City to amend Resolution No. 24-31 to amend Section 3(a) authorizing the imposition of fees for the re-petitioning for improvements when a developer causes improvement petitions to be refiled for improvements for which previous petitions were previously filed and accepted by the City; and

WHEREAS, this amendment is intended to supplement and not replace or restate any of the other existing provisions of Resolution No. 24-31, which shall remain in full force and effect.

### **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ANDOVER, KANSAS:**

**SECTION 1.** That Section 3 subsection (a) of Resolution No. 24-31 is hereby amended and replaced to read as follows:

**Section 3. Initiation of Public Improvements.** The City will facilitate new development by considering the installation of public improvements (streets, sidewalks, traffic signals, storm sewers, water lines, sanitary sewer, etc.) upon submission of the following items from developer ("Developer Deliverables").

- a) A valid petition in accordance with K.S.A. 12-6a01 et seq., including but not limited to:
  - i) The petitioner shall indicate the recommended method of distributing the costs of improvements within the benefit district.
  - ii) When notice and hearing on any such petition is required or deemed advisable by the City, the Developer shall, at its expense, provide the City with a current list of all owners of real property within the benefit district.
  - iii) A Project estimate or opinion of probable costs produced by a professional engineer licensed by the State of Kansas shall accompany all submitted petitions.

- iv) In the event a petition must be resubmitted and subsequently refiled for substantially the same public improvement, which the City has already accepted and deemed advisable, a repetition fee of \$3000.00 shall be submitted with the refiled petition to cover administrative costs incurred by the City as a result of the resubmission. The City shall not take action on any refiled petition until the required repetition fee has been paid in full.

**SECTION 2.** Except as specifically amended herein, all other provisions of Resolution 24-31, including but not limited to subsection (b) through (d) of Section 3, shall remain unchanged and in full force and effect.

**SECTION 3.** This Resolution shall take effect and be in full force from and after its adoption by the Governing Body and be in effect for all Projects that have not posted sufficient guaranties for special assessments with the City upon said date of adoption.

*[Remainder of Page Intentionally Left Blank]*

PASSED, ADOPTED, AND APPROVED by the governing body of the City of Andover, Kansas this 27th day of May, 2025.

[seal]



CITY OF ANDOVER, KANSAS

By

Rohnie Price, Mayor

ATTEST:

By

Dana Engstrom, City Clerk