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ORDINANCE NO. 1971

AN ORDINANCE AMENDING ORDINANCE NO. 1945 OF THE CITY OF ANDOVER, KANSAS

WHEREAS, the governing body of the City of Andover, Kansas (the “City”) has, heretofore by Resolution No. 25-04 (the “Authorizing Resolution”) duly adopted this January 28, 2025 and published in *The Butler County Times-Gazette* and in the City’s official newspaper as required by law on February 8, 2025, found and determined it to be advisable and authorized the making of certain Southern Hills 1<sup>st</sup> Phase Drainage Improvements, Southern Hills 1<sup>st</sup> Phase Paving Improvements, Southern Hills 1<sup>st</sup> Phase Water Distribution Improvements, Southern Hills 1<sup>st</sup> Phase Sanitary Sewer Improvements, Southern Hills 1<sup>st</sup> Phase Water Main Improvements, Southern Hills 1<sup>st</sup> Phase Sanitary Sewer Main Improvements, and Southern Hills 1<sup>st</sup> Phase SW 130<sup>th</sup> Paving 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 \$3,466,000 (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 one percent (1%) per month from and after November 1, 2024), which costs will be levied and assessed against properties benefiting from the Improvements; and

WHEREAS, the governing body of the City finds and determines it advisable to amend Ordinance No. 1945 of the City.

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. 1945. The first and second recitals of Ordinance No. 1945 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. 25-04 duly adopted on January 28, 2025 and published in *The Butler County Times-Gazette* and the City’s official newspaper on February 8, 2025 as amended by Resolution No. 25-22 duly adopted July 29, 2025 and published in *The Butler County Times-Gazette* and the City’s official newspaper, on August 9, 2025, found and determined it to be advisable and authorized the making of certain Southern Hills 1<sup>st</sup> Phase Drainage Improvements, Southern Hills 1<sup>st</sup> Phase Paving Improvements, Southern Hills 1<sup>st</sup> Phase Water Distribution Improvements, Southern Hills 1<sup>st</sup> Phase Sanitary Sewer Improvements, Southern Hills 1<sup>st</sup> Phase Water Main Improvements, Southern Hills 1<sup>st</sup> Phase Sanitary Sewer Main Improvements, and Southern Hills 1<sup>st</sup> Phase SW 130<sup>th</sup> Paving 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 \$3,861,000 (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 November 1, 2024 for the Southern Hills 1<sup>st</sup> Phase Drainage Improvements, Southern Hills 1<sup>st</sup> Phase Paving Improvements, Southern Hills 1<sup>st</sup> Phase Water Distribution Improvements, Southern Hills 1<sup>st</sup> Phase Water Main Improvements, and Southern Hills 1<sup>st</sup> Phase SW 130<sup>th</sup> Paving Improvements, and June 1, 2025 for Southern Hills 1<sup>st</sup> Phase Sanitary Sewer Improvements and Southern Hills 1<sup>st</sup> Phase Sanitary Sewer Main 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 17, 2025 and July 17, 2025 (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. 1945 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. 1945 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 29<sup>th</sup> day of July, 2025.

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 in regular session, at the normal meeting place, in the City on July 29, 2025, at 7:00 p.m., with Mayor Ronnie Price presiding, and the following members of the governing body present: Tim Berry, Philip Hamilton, Michael Henry, Jodi Ocadiz, Mike Warrington, and Paul Wemmer.

and the following members absent: None

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

### A RESOLUTION AMENDING RESOLUTION NO. 25-04 OF THE CITY OF ANDOVER, KANSAS.

Thereupon, the Resolution was considered and discussed; and on motion of Council President Henry, 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. 25-22, 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. 1945 OF THE CITY OF ANDOVER, KANSAS

Thereupon, the Ordinance was considered and discussed; and on motion of Council President Henry, seconded by Council Member Warrington, 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. 1971 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 29, 2025 meeting of the governing body of the City of Andover, Kansas.



  
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Dana Engstrom, City Clerk