

**ORDINANCE NO. 896**

**AN ORDINANCE APPROVING COST ESTIMATES AND AUTHORIZING PROPOSED IMPROVEMENTS TO THE MUNICIPALLY OWNED SEWER SYSTEM OF THE CITY OF WELLSVILLE, FRANKLIN COUNTY, KANSAS, BY MAKING CERTAIN IMPROVEMENTS TO THE CITY'S SEWER SYSTEM; DOING ALL OTHER THINGS NECESSARY AND INCIDENTAL THERETO, AND AUTHORIZING THE CITY TO ISSUE AND SELL THE CITY'S GENERAL OBLIGATION BONDS TO FINANCE THE COSTS THEREOF, PURSUANT TO K.S.A. 12-618, AS AMENDED.**

**WHEREAS**, the City of Wellsville, Franklin County, Kansas, (the "City") is a municipality as defined by K.S.A. 10-101; and

**WHEREAS**, the City is authorized by the laws of the State of Kansas to issue and sell General Obligation Bonds of the City for the improvement of its municipally-owned sewer system pursuant to K.S.A. 12-618, as amended; and

**WHEREAS**, the Governing Body of the City has not divided the City into more than one sewer district and, as such, the City constitutes one sewer district and, therefore, the City is exempt from the provisions of the K.S.A. 12-618, as amended, insofar as providing for the levying of a tax or assessment against specific lots and pieces of property in separate sewer districts of the City; and

**WHEREAS**, it is deemed by the Governing Body of the City to be necessary and advisable that the City improve its sewer system by constructing certain sanitary sewage and drainage improvements designated as the Pine Street Sanitary Sewer Project consisting of approximately 620 lineal feet of 8" sanitary sewer replacement, plus the interior lining and rehabilitation of approximately 660 feet of 8" sanitary sewer, plus the rehabilitation of sewer manholes; to include the demolition and removal of existing sanitary sewers, the acquisition of easements, the removal and replacement of pavements and sidewalks, the relocation of utilities, grading erosion control, traffic control, and signage, and administrative items directly related to the project scope, together with all other things necessary and incidental thereto (the "Improvements") and that the preliminary plans, specifications and estimates therefore have been duly prepared and filed in the office of the City Clerk of said City, which estimates shows a total cost of the Improvements to be Two Hundred Seventy-six Thousand Dollars (\$276,000) all of which will be paid by the City; and

**WHEREAS**, it is found by the Governing Body of the City that the Improvements to the City's sewer system will not cause a duplication of existing utility services furnished the City and its residents by a private utility; and

**WHEREAS**, in order to provide funds to pay the cost of the Improvements, it is necessary that the City issue its General Obligation Bonds under the authority of K.S.A. 12-618, as amended, (the "Act") in an amount not exceeding \$276,000 to pay the costs of the Improvements including all financing and related costs.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WELLSVILLE, KANSAS:**

**Section 1.** That the estimates of costs of the Improvements including financing costs, which estimates are now on file in the office of the City Clerk of said City, in the total estimated amount of \$276,000 be and the same are hereby approved.

**Section 2.** That it is necessary and desirable that the Improvements be made and that general obligation bonds of the City to be issued and sold pursuant to the Act in an amount not to exceed \$276,000 to pay the costs of the Improvements including financing costs.

**Section 3.** The City both reasonably expects and intends to finance the costs of the Improvements from the proceeds of general obligation bonds of the City. The City does hereby express its official intent to reimburse any such capital expenditures made or obligations incurred by it on or after the date which is 60 days before the date of this Ordinance from the proceeds of such bonds in the estimated maximum principal amount of \$276,000. The City will issue such bonds for such purposes and make the reimbursements within eighteen (18) months after the date the expenditure to be reimbursed was paid or, if later, eighteen (18) months after the date on which the property resulting from the expenditure was placed in service. Provided, that, in any event, the City must make the reimbursement allocation within three (3) years after the date the expenditure was paid. That this ordinance as the expression of the governing body's official intent regarding the matters described herein will be available for public inspection in the City Clerk's Office at City hall during regular business hours of the City.

**Section 4.** That this ordinance shall take effect and be in force from and after its adoption and publication in the official City newspaper.

Passed by the Governing Body and approved by the Mayor this \_\_\_\_ day of October, 2018.

CITY OF WELLSVILLE, KANSAS

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

(SEAL)

PREPARED AND APPROVED BY:

  
\_\_\_\_\_  
Philip B. Wolfe, City Bond Counsel