

ORDINANCE NO. 898

AN ORDINANCE DESIGNATING AND ESTABLISHING A PORTION OF PENDLETON AVENUE AS A MAIN TRAFFICWAY AND AUTHORIZING CERTAIN IMPROVEMENTS THERETO IN THE CITY OF WELLSVILLE, KANSAS; AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY TO FINANCE THE COSTS THEREOF, PURSUANT TO THE AUTHORITY OF K.S.A. 12-685 ET SEQ.

WHEREAS, the governing body of the City of Wellsville, Kansas, (the "City") is empowered pursuant to K.S.A. 12-685 et seq. (the "Act") to designate as main trafficways and trafficway connections certain existing or proposed streets, boulevards or avenues, or parts thereof, the primary function of which is, or shall be, the movement of through traffic between areas of concentrated activity within the City or between such areas within the City and traffic facilities outside the City performing the function of main trafficways and to provide adequate connections with and between such main trafficways; and

WHEREAS, Pendleton Avenue between Main Street and K-33 Highway presently carries significant vehicular traffic with and between areas of concentrated activity within the City; and

WHEREAS, in the judgment of the governing body of the City, such street, as hereinafter designated, qualifies for designation as a main trafficway in the City; and

WHEREAS, the Governing Body of the City has determined it necessary and advisable to improve said trafficway herein designated a main trafficway in the City.

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

Section 1. That Pendleton Avenue between Main Street and K-33 Highway be, and it is hereby, designated as a main trafficway within the City of Wellsville, Kansas, all in accordance with the provisions of the Act.

Section 2. That the City hereby authorizes that the main trafficway designated as such in Section 1 hereof be improved by the construction of approximately 2,000 lineal feet of Pendleton Avenue between Main Street and K-33 to include a 28 foot wide roadway consisting of asphalt paving surface, concrete curbs, storm sewers, and sidewalks; to include the demolition and removal of existing pavement and drainage facilities, 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") at a total estimated cost of \$829,500 including the costs of issuing bonds of the City which the City expects to finance either in whole or in part with the proceeds of its general obligation bonds to be issued under the authority of the requirements of the Act with the balance of such costs, if any, of the Improvements to be paid by the City from other legally available and unencumbered funds of the City.

Section 3. That the City both reasonably expects and intends to finance the costs of the Improvements from the proceeds of its general obligation bonds. 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 \$829,500 including the costs of issuing the bonds. 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. 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 the plans and specifications for the Improvements are hereby approved.

Section 5. That this ordinance shall be of force and effect from and after its passage and approval by the governing body of the City and the publication thereof in the official paper of the City.

PASSED AND APPROVED THIS ____ day of October, 2018.

CITY OF WELLSVILLE, KANSAS


Mayor

ATTEST:

City Clerk

(SEAL)

PREPARED AND APPROVED BY:



Philip B. Wolfe, City Bond Counsel