

RESOLUTION NO. 1952

A RESOLUTION AUTHORIZING THE CITY OF GARDNER, KANSAS, TO CONSTRUCT IMPROVEMENTS TO CERTAIN MAIN TRAFFICWAYS AND TRAFFICWAY CONNECTIONS AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY TO PAY THE COSTS THEREOF PURSUANT TO K.S.A. 12-685 *ET SEQ.* AND REPEALING RESOLUTION NO. 1946.

WHEREAS, K.S.A. 12-685 *et seq.* (the “Act”) authorizes the Governing Body of the city of Gardner, Kansas (the “City”), to construct improvements to streets designated as main trafficways or trafficway connections under the Act and to issue general obligation bonds of the City for such purpose;

WHEREAS, pursuant to Ordinance No. 2514 of the City passed on May 2, 2016 (the “Trafficway Ordinance”), the City has designated certain streets or portions of streets within the City as main trafficways including the following:

- (a) Madison Street within the city limits of the City;
- (b) N. Poplar Street from W. Madison Street to 167th Street; and
- (c) White Drive within the city limits of the City;

WHEREAS, pursuant to the Trafficway Ordinance, the City has also designated certain streets or portions of streets within the City as trafficway connections including the following:

- (a) W. 185th Street extending east from S. Center Street within the city limits of the City;
- (b) W. 186th Street extending east from S. Center Street within the city limits of the City;
- (c) N. Alder Street from E. Madison Street to E. Lincoln Lane;
- (d) N. Cherry Street from E. Washington Street to N. Mulberry Street;
- (e) Colleen Drive from N. Mulberry Street to N. Oak Street;
- (f) W. Colleen Street from N. Poplar Street extending west within the city limits of the City;
- (g) Evergreen Street from N. Birch Street to E. Lincoln Lane;
- (h) W. Fountain Circle from N. Center Street past the southern intersection of W. Fountain Circle and N. Locust Street to the northern intersection of W. Fountain Circle and N. Locust Street;

- (i) S. Meadowbrook Street from S. Poplar Street to W. Cherokee Street;
- (j) E. Mockingbird Street extending west from N. White Drive within the city limits of the City;
- (k) Mulberry Street extending north from E. Madison Street within the city limits of the City;
- (l) E. Parma Way extending west from N. White Drive within the city limits of the City;
- (m) Oak Street from W. Grand Street to W. 184th Street;
- (n) N. Poplar Circle extending east from N. Poplar Street within the city limits of the City;
- (o) S. Poplar Street from S. Pine Street to W. Cherokee Street;
- (p) Spruce Street:
 - (i) extending north from E. Madison Street within the city limits of the City; and
 - (ii) from W. 183rd Street to W. 186th Street;
- (q) Walter Street extending north from W. Santa Fe Street within the city limits of the City;
- (r) Westhoff Place from N. Center Street to N. Mulberry Street; and
- (s) White Circle extending west from N. White Drive within the city limits of the City;

WHEREAS, the Governing Body of the City has determined that it is necessary to construct certain improvements within the City limits to streets or portions of streets designated as main trafficways or trafficway connections pursuant to the Act consisting of:

- (a) surface preservation, including materials, equipment and labor for asphalt surface treatments, curb and gutter replacement, storm sewer replacement, localized base repair, crack sealing, edge milling, up to 2” asphalt overlay, sidewalk ramp replacement and all related appurtenances for the following streets (collectively, the “Surface Preservation Improvements”):
 - i. W. 185th Street from Gardner Road extending east within city limits of the City;
 - ii. W. 186th Street from Gardner Road extending east within city limits of the City;
 - iii. W. Fountain Circle from N. Center Street past the southern intersection of W. Fountain Circle and N. Locust Street to the northern intersection of W. Fountain Circle and N. Locust Street;

- iv. Madison Street;
 - a. from Waverly Road to Center Street; and
 - b. from Spruce Street to Moonlight Road;
 - v. S. Meadowbrook Street from S. Poplar Street to W. Cherokee Street;
 - vi. E. Mockingbird Street from White Drive extending west within city limits of the City;
 - vii. Oak Street from Grand Street to W. 183rd Street;
 - viii. Parma Way from White Drive extending west within city limits of the City;
 - ix. S. Poplar Street from S. Pine Street to W. 183rd Street
 - x. Spruce Street from W. 185th Street to W. 186th Street;
 - xi. S. Walter Street from W. Santa Fe Street to W. Madison Street; and
 - xii. White Circle from White Drive extending west within city limits of the City;
- (b) major maintenance, including materials, equipment and labor for asphalt major maintenance, curb and gutter replacement, storm sewer replacement, localized base repair, full width mill, 2” or greater asphalt overlay, sidewalk ramp replacement and all related appurtenances for the following streets (collectively, the “Major Maintenance Improvements”):
- i. N. Alder Street from E. Madison Street to E. Lincoln Lane;
 - ii. N. Cherry Street from E. Madison Street to N. Mulberry Street;
 - iii. E. Colleen Drive from N. Center Street to N. Mulberry Street;
 - iv. W. Colleen Street from N. Poplar Street extending west within the city limits of the City;
 - v. N. Evergreen Street from E. Madison Street to E. Lincoln Lane;
 - vi. Madison Street;
 - a. from Waverly Road extending west within the city limits of the City; and
 - b. from Center Street to Spruce Street;
 - vii. N. Mulberry Street from E. Madison Street to approximately 185 feet north of E. Westhoff Place;
 - viii. Poplar Circle from N. Poplar Street extending east within city limits of the City;
 - ix. Poplar Street from 167th Street to W. Madison Street;

- x. N. Spruce Street from E. Madison Street to approximately 485 feet north of E. Madison Street;
- xi. E. Westhoff Place from N. Center Street to N. Mulberry Street; and
- xii. White Drive from University Drive extending south within city limits of the City;

WHEREAS, the aggregate estimated cost of the Surface Preservation Improvements and the Major Maintenance Improvements (collectively, the “Trafficway Improvements”) to be financed under the Act is \$1,580,000, and it is necessary and desirable to pay such costs through the issuance of general obligation bonds of the City; and

WHEREAS, Resolution No. 1946 of the City adopted on May 2, 2016, authorized the issuance of bonds to finance certain main trafficway improvements and it is necessary to repeal and replace Resolution No. 1946 with this Resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARDNER, KANSAS:

Section 1. In accordance with the Act, the Governing Body of the City hereby finds and declares the necessity for and authorizes the Trafficway Improvements.

Section 2. For the purpose of providing funds to pay the cost of the Trafficway Improvements, the City authorizes the issuance of its general obligation bonds in an aggregate amount not to exceed \$1,580,000 pursuant to the Act.

Section 3. Resolution No. 1946 is hereby repealed and replaced by this Resolution.

Section 4. The obligations authorized by this Resolution are authorized to reimburse expenditures made by the City 60 days before and during the time after the date of this Resolution in accordance with United States Treasury Regulation 1.150-2.

Section 5. This Resolution shall be in full force and effect from and after its adoption by the Governing Body of the City.

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ADOPTED by the City Council of the City on July 5, 2016.

CITY OF GARDNER, KANSAS

(SEAL)

/s/ Chris Morrow

Mayor

Attest:

/s/ Jeanne Koontz

City Clerk