

RESOLUTION NO. 22-07

A RESOLUTION OF THE CITY OF MARION, KANSAS, AUTHORIZING CERTAIN INFRASTRUCTURE IMPROVEMENTS; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.

WHEREAS, the City of Marion, Kansas (the "City") had identified the need for certain water supply and sanitary sewer infrastructure improvements in the Batt Industrial Park; and

WHEREAS, K.S.A. 65-163d through 65-163u, as amended (the "Water Act"), authorizes any municipality to acquire, construct, reconstruct, improve, equip, rehabilitate or extend all or any part of a public water supply system and to issue general obligation bonds to pay all or part of any costs thereof; and

WHEREAS, K.S.A. 12-631t (the "Disposal Works Act") provides that the governing body of any city shall have the power to provide for one or more systems of disposal works for the purification of the sewage of the city or any part thereof, and to build, operate and maintain such disposal works as the governing body may designate; and that the cost and expense of building the same shall be borne by the city as a whole, and may either be paid out of the general revenue fund or by the issuance of general obligation bonds, provided that no such bonds shall be issued in a sum exceeding \$200,000 in any one year; and

WHEREAS, the City of Marion, Kansas (the "City") is a municipality within the terms of the Water Act and operates: (a) a public water supply system, as said term is defined in the Water Act (the "Water System"); and (b) a system of sewage disposal works as set forth in K.S.A. 12-631t (the "Disposal Works"); and

WHEREAS, the governing body of the City hereby finds and determines that it is necessary and advisable to improve the Water System and Disposal Works and to provide for the payment of the costs thereof by the issuance of general obligation bonds.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF MARION, KANSAS:

Section 1. Waterline Project Authorization. It is hereby authorized, ordered and directed that the Water System be improved by the installation of approximately 1,550 linear feet of water lines to serve Batt Industrial Park and appurtenances thereto, including all necessary valves, connections and hydrants (the "Waterline Project").

Section 2. Disposal Works Authorization. It is hereby authorized, ordered and directed that the City's sanitary sewer system be improved by the extension of the Disposal Works within the Industrial Park, including the installation of approximately 1,350 linear feet of sanitary sewer lines and all appurtenances thereto, (the "Disposal Works Project").

Section 3. Project Financing. The estimated costs of the Waterline Project, including construction, engineering fees, acquisition of right-of-way and easements, contingencies and administrative expenses is \$176,250.00. The costs of the Waterline Project, interest on interim financing and associated financing costs, shall be payable from the proceeds of general obligation bonds of the City issued under authority of the Water Act.

The estimated costs of the Disposal Works Project, including construction, engineering fees, acquisition of right-of-way and easements, contingencies and administrative expenses is \$134,500. The costs of the Disposal Works Project, interest on interim financing and associated financing costs, shall be payable from the proceeds of general obligation bonds of the City issued under authority of the Disposal Works Act, provided, however, that no bonds issued under the authority of the Disposal Works Act shall exceed \$200,000 in any one year.

Section 3. Reimbursement. The general obligation bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation § 1.150-2.

Section 4. Effective Date. This Resolution shall take effect and be in full force from and after its adoption by the governing body of the City.

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ADOPTED AND APPROVED by the governing body of the City of Marion, Kansas, on February 22, 2022.

(Seal)

ATTEST:



David Mayfield, Mayor


Tiffany Jeffrey, Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution No. 22-07 of the City of Marion, Kansas adopted by the governing body on February 22, 2022 as the same appears of record in my office.

DATED: February 22, 2022.


Tiffany Jeffrey, Clerk