

RESOLUTION NO. 1412

**A RESOLUTION OF THE CITY OF CANEY, KANSAS, AMENDING
RESOLUTION NO. 1402 WHICH AUTHORIZED PAYMENT OF THE COSTS OF
IMPROVEMENTS TO THE CITY SEWER SYSTEM.**

WHEREAS, K.S.A. 12-617 *et seq.*, as amended by Charter Ordinance No. 30 of the City of Caney, Kansas (the "City") (enacted pursuant to the provisions of Section 5(c) of Article 12 of the Constitution of the State of Kansas) and K.S.A. 12-101 *et seq.* (collectively the "Act"), provides that the City shall have the authority to build, construct, improve, repair or purchase sewer improvements, including the acquisition of land or an interest therein necessary therefor, within or without the limits of the City, to serve the City, including but not limited to the following: sewer mains, interceptor sewers, pumping stations, sewers, sewer service lines, drains, outlets, treatment and disposal works; and

WHEREAS, pursuant to the Act the City may issue its general obligation bonds to pay the costs of such improvements when authorized to do so by the adoption of a resolution by the governing body of the City describing the type of sewer improvement to be provided for and the amount of general obligation bonds to be issued; and

WHEREAS, the governing body of the City adopted Resolution No. 1402 which found and determined it necessary and advisable to upgrade and rehabilitate its sanitary sewer system (the "System") by repairing, rehabilitating and replacing the sewage collection system, manholes, and sewer collection mains, and improvements related thereto (collectively the "Project"); and

WHEREAS, due to modifications to the estimated costs of the Project, the City hereby finds it necessary to amend **Section 2** of Resolution No. 1402.

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

Section 1. Amendment. **Section 2** of Resolution No. 1402 is hereby amended to read as follows:

Section 2. Project Financing. The estimated cost of the Project is \$6,233,000. A portion of the costs of the Projects in the amount of \$4,679,000 (which includes the amount of \$3,434,000 previously authorized pursuant to the Prior Resolutions), 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 Act (the "Bonds"), with the balance of said estimated costs to be paid from a special evaluation assistance for rural communities and households grant and other available funds or grants, if any. The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of the Prior Resolutions, pursuant to Treasury Regulation § 1.150-2.

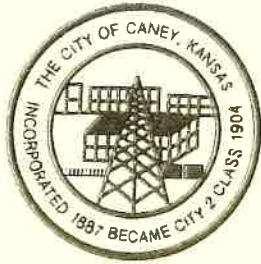
Section 2. Repealer; Ratification. **Section 2** of the Prior Resolution is hereby repealed, and the rest and remainder thereof is hereby ratified and confirmed.

Section 3. Effective Date. This Resolution shall take effect and be in full force from and after its adoption by the governing body of the City.

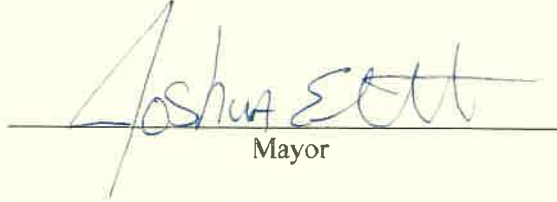
[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

ADOPTED by the governing body of the City on July 18, 2022.

(SEAL)



ATTEST:



Mayor




Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on July 18, 2022, as the same appears of record in my office.

DATED: July 18, 2022.



Clerk

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF CANEY, KANSAS
HELD ON JULY 18, 2022**

The governing body met in regular session at the usual meeting place in the City, at 6:00 p.m., the following members being present and participating, to-wit:

Marianne Ranes; Lori Patterson; Zachary Ellison; Debbie Wood; Kenith Butts;
Aaron Elliott; Shirley Davis

Absent: Nathan Rains

The Mayor declared that a quorum was present and called the meeting to order.

(Other Proceedings)

There was presented a Resolution entitled:

**A RESOLUTION OF THE CITY OF CANEY, KANSAS, AMENDING
RESOLUTION NO. 1402 WHICH AUTHROIZED PAYMENT OF THE COSTS OF
IMPROVEMENTS TO THE CITY SEWER SYSTEM.**

Councilmember Patterson moved that the Resolution be adopted. The motion was seconded by Councilmember Wood. The Resolution was duly read and considered, and upon being put, the motion for the adoption of the Resolution was carried by the vote of the governing body, the vote being as follows:

Yea: Ranes; Patterson; Ellison; Wood; Butts; Elliott and Davis

Nay: None

The Mayor declared the Resolution duly adopted and the Resolution was then duly numbered Resolution No. 1412 and was signed by the Mayor and attested by the Clerk.

(Other Proceedings)

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

On motion duly made, seconded and carried, the meeting thereupon adjourned.

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Caney, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)



Lebbie Morrison
Clerk