

(Published in the *Miami County Republic* on October 20, 2021)

ORDINANCE NO. 3181

AN ORDINANCE OF THE CITY OF PAOLA, KANSAS, AUTHORIZING THE CITY TO MAKE PUBLIC BUILDING FACILITIES AND DRAINAGE SYSTEM IMPROVEMENTS, AND FURTHER AUTHORIZING THE CITY TO ISSUE GENERAL OBLIGATION BONDS TO PAY COSTS THEREOF.

WHEREAS, K.S.A. 12-1736 *et seq.*, as amended (the “Public Building Act”) authorizes the governing body of the City of Paola, Kansas (“City”) to alter, repair, construct, reconstruct, remodel, replace, make additions to, furnish or equip any public building facility and to issue general obligation bonds of the City for such purposes; and

WHEREAS, the governing body of the City has determined it necessary to authorize the construction, reconstruction, remodeling, replacement, and making additions to the City’s public swimming pool facilities, known as the Paola Family Pool, including but not limited to maintenance and preservation of the existing pool facilities and enhancement and improvement of the pool facilities, including design and construction of updated aquatic facilities and features, and all things necessary and related thereto, all at an estimated cost of \$2,500,000 (the “Pool Project”); and

WHEREAS, the governing body has also determined it necessary to authorize the construction, reconstruction, remodeling, replacement, and making additions to the City’s recreational structures and facilities located in Wallace Park, including but not limited to the renovation of existing baseball fields and related buildings and structures, the installation of new turf baseball fields and related structures, including restrooms, concession stands, maintenance building, backstops, grandstands, fencing and all things necessary and related thereto, all at an estimated cost of \$4,200,000 (the “Park Facilities Project”); and

WHEREAS, K.S.A. 12-617 and 12-618 (the “Drainage Act”) provides that any city having a population of less than 80,000, which has not divided the city into more than one district for sewer or drainage purposes, is authorized to build and provide for a system of sewerage and drainage, to build and construct sewer and drainage systems and to issue general obligation bonds to pay the costs thereof; and

WHEREAS, pursuant to the Drainage Act and Article 12, Section 5 of the Kansas Constitution (the “Home Rule Amendment”), the governing body of the City is authorized to and finds it necessary to authorize and provide for the construction of stabilization improvements to the dam at City owned Lake Miola, which serves the City’s drainage system as a regional catchment pool, and all things necessary and related thereto (the “Drainage Project”), at an estimated cost of \$1,200,000; and

WHEREAS, the governing body of the City finds the Drainage Project is a necessary and integral part of the City's system of sewerage and drainage authorized to be constructed under the Drainage Act and the Home Rule Amendment; and

WHEREAS, it is necessary to pay costs of the Pool Project, the Park Facilities Project, and the Drainage Project by issuing general obligation bonds of the City.

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

Section 1. Authorization of Projects. Under the authority of the Public Building Act the City authorizes the Pool Project and the Park Facilities Project, and under authority of the Drainage Act and the Home Rule Amendment the City authorizes the Drainage Project, each in accordance with and as described in plans and specifications approved by the governing body and placed on file with the City's Clerk.

Section 2. Payment of Project Costs. The estimated cost of the Pool Project is \$2,500,000, and the estimated cost of the Park Facilities Improvements is \$4,200,000. Costs of the Pool Project and the Park Facilities Project are authorized to be paid by the city-at-large through issuing general obligation bonds of the City in the amount of \$6,700,000, plus costs of interim financing and other financing costs, as authorized by the Public Building Act. The estimated cost of the Drainage Project is \$1,200,000. Costs of the Drainage Project are authorized to be paid by the city-at-large through issuing general obligation bonds of the City in the amount of \$1,200,000, plus costs of interim financing and other financing costs, as authorized by the Drainage Act and the Home Rule Amendment. Temporary Notes of the City may be issued to pay the costs of the authorized projects until the general obligation bonds authorized by this Ordinance are issued.

Section 3. Reimbursement. The obligations authorized by this Ordinance are authorized to reimburse expenditures made by the City 60 days before the date of this Ordinance and thereafter, as provided in United States Treasury Regulation § 1.150-2.

Section 4. Effective Date. This Ordinance shall be in force and take effect from and after its passage and approval by the governing body of the City and publication one time in the official City newspaper.

PASSED AND APPROVED by the governing body of the City of Paola, Kansas on October 12, 2021.

CITY OF PAOLA, KANSAS



Artie Stuteville
Artie Stuteville, Mayor

ATTEST:

Stephanie Marler
Stephanie Marler, City Clerk