ORDINANCE NO. 2895

AN ORDINANCE AMENDING ORDINANCE NO. 2808 OF THE CITY OF GARDNER, KANSAS, AUTHORIZING THE CONSTRUCTION OF CERTAIN WATER SYSTEM IMPROVEMENTS AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY THE COST THEREOF, ALL PURSUANT TO CHARTER ORDINANCE NO. 28 OF THE CITY; AND REPEALING ORDINANCE NO. 2854.

WHEREAS, the City of Gardner, Kansas (the "City"), is authorized pursuant to Article 12, Section 5 of the Constitution of the State of Kansas and Charter Ordinance No. 28 of the City passed on June 15, 2020, to issue general obligation bonds of the City for the purpose of purchasing, extending and improving, or purchasing, constructing or extending works for the purpose of supplying the City and its inhabitants with natural gas, water, electricity, heating, street-railway service, telephone service, or internet or communication service;

WHEREAS, pursuant to Ordinance No. 2808 of the City passed on August 19, 2024 ("Ordinance No. 2808"), the Governing Body of the City authorized certain water system improvements in connection with the Hillsdale Water Treatment Plant intake structure project owned and operated by the City including, but not limited to, design, construction, permitting, electrical, controls, pumping evaluations/selections, installation of new connections to the raw water transmission mains, structures, and other related improvements (collectively, the "Project"), and the issuance of general obligation bonds to pay the costs thereof; and

WHEREAS, the estimated cost of financing the Project has increased, and the Governing Body of the City has determined it is necessary and desirable to amend Ordinance No. 2808 to increase the bonding authority of the Project;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS, AS FOLLOWS:

SECTION 1. Ordinance No. 2808 of the City is hereby amended by deleting the caption of such Ordinance in its entirety and replacing it with the following:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY THE COST OF CERTAIN WATER SYSTEM IMPROVEMENTS, ALL PURSUANT TO CHARTER ORDINANCE NO. 28 OF THE CITY OF GARDNER, KANSAS.

SECTION 2. Ordinance No. 2808 of the City is hereby amended by deleting the second recital paragraph of such Ordinance in its entirety and replacing it with the following:

WHEREAS, the Governing Body of the City has determined that it is necessary and desirable to provide the following in connection with the Hillsdale Water Treatment Plant intake structure project including, but not limited to, design, construction, permitting, electrical, controls, pumping evaluations/selections, installation of new connections to the raw water transmission mains, structures, and other related improvements (collectively, the "Project"), at a total estimated cost of

$22,664,000, including the costs of issuance of general obligation bonds of the City;

SECTION 3. Ordinance No. 2808 of the City is hereby further amended by deleting Section 1 of such Ordinance in its entirety and replacing it with the following:

> **Section 1**. Pursuant to Charter Ordinance No. 28 of the City, the Governing Body of the City hereby authorizes the construction of the Project and the issuance of its general obligation bonds in an amount not to exceed $22,664,000 to pay the cost thereof, including costs of issuance.

SECTION 4. Ordinance No. 2854 of the City passed on October 20, 2025, is hereby repealed in its entirety.

SECTION 5. This Ordinance shall take effect and be in full force from and after its passage by the Governing Body of the City and publication in the official City newspaper.

[*Remainder of Page Intentionally Left Blank*]

PASSED by the City Council of the City of Gardner, Kansas, on September 21, 2026.

SIGNED by the Mayor of the City of Gardner on September 21, 2026.

CITY OF GARDNER, KANSAS

/s/
Mayor

(Seal)

ATTEST:

/s/
City Clerk