

ORDINANCE NO. 1068

AN ORDINANCE ESTABLISHING THE BIG BULL CREEK WASTEWATER TREATMENT PLANT MAJOR MAINTENANCE RESERVE FUND IN THE CITY OF EDGERTON PURSUANT TO THE CONTRACT FOR SERVICES FOR CONSTRUCTION OF WASTEWATER IMPROVEMENTS AND TRANSPORTATION AND TREATMENT OF WASTEWATER IN AN AREA BETWEEN THE CITY OF EDGERTON, KANSAS AND GARDNER, KANSAS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS:

SECTION I. Fund Established

In accordance with K.S.A. 12-1,117 there is hereby established the Big Bull Creek Wastewater Treatment Plant Major Maintenance Reserve Fund which shall be used by the City to finance the major maintenance activities for the Big Bull Creek Wastewater Treatment Plant as required By Article X the Contract for Services for Construction of Wastewater Improvements and Transportation and Treatment of Wastewater in an Area Between the City of Edgerton, Kansas and Gardner, Kansas dated May 10, 2012 ("Contract for Services"). The City Administrator, or their designee, shall approve all expenditures made from the fund.

SECTION II. Policy Objective

As established by Article X of the Contract for Services, it is the policy objective of the Governing Body that the Big Bull Creek Wastewater Treatment Plant Major Maintenance Reserve Fund shall be used to finance major maintenance activities for the Big Bull Creek Wastewater Treatment Plant. It was the intention of the parties to the Contract for Services to require the creation, and the matching of initial funding, of the Big Bull Creek Wastewater Treatment Plant Major Maintenance Reserve Fund to occur within sixty (60) days of substantial completion of the project. Discussions between the parties have delayed the Fund's creation and in turn the initial deposit into the same. The parties are now prepared to act pursuant to Article X of the Contract for Services and the creation of the Big Bull Creek Wastewater Treatment Plant Major Maintenance Reserve Fund is necessary to pay for major maintenance costs which arise in the future.

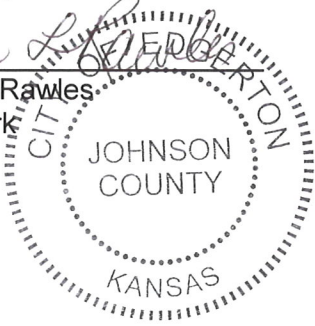
SECTION III. Effective Date. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED AND APPROVED THIS December 14, 2017.


Donald Roberts, Mayor

ATTEST:

Janeice Rawles
Janeice Rawles
City Clerk



APPROVED AS TO FORM:

Lee W. Hendricks
Lee W. Hendricks
City Attorney