

RESOLUTION NO. 2018-12 B

A RESOLUTION AUTHORIZING THE COMPLETION OF AN APPLICATION TO THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT REGARDING A LOAN FROM THE KANSAS PUBLIC WATER SUPPLY LOAN FUND

WHEREAS, the City of St. George, Kansas (the "City") is a duly incorporated city of the [class of city] organized under the laws of the state of Kansas (the "State") which operates a public water supply and distribution system (the "System"); and

WHEREAS, the City Council (the "Governing Body") of the City has heretofore determined in to be in the best needs of the customers of the System to undertake certain modifications and improvements (the "Project") to the System; and

WHEREAS, the pursuant to K.S.A. 65-163c *et seq.* (the "Act"), the Kansas Department of Health and Environment ("KDHE") administers the Kansas Public Water Supply Loan Fund (the "Fund") from which loans are made to certain qualified Municipalities (as said term is defined in the Act) to finance modification and improvements to public water supply systems; and

WHEREAS, the City has heretofore made an application to KDHE for a loan in an amount not to exceed \$1,543,000 (the "Loan") to finance the Project; and

WHEREAS, the Governing Body has conducted a public hearing this date on the advisability of proceeding with the completion of the application for the Loan and desires to authorize the appropriate officials of the City to accomplish the completion process.

BE IT RESOLVED BY THE GOVERNING BODY OF ST. GEORGE, KANSAS, AS FOLLOWS:

Section 1. Loan Application. The Mayor and City Clerk of the City are hereby authorized to cause to be prepared and to execute a Loan Application, including all attachments thereto (jointly, the "Application"); in substantially the form presented to the Governing Body this date, in order to provide financing for the Project. The Application shall be forwarded to KDHE as soon as possible.

Section 2. Further Proceedings. The Mayor, City Clerk and the other officers and representatives of the City are hereby authorized and directed to take such other action as may be necessary to complete the Application and to coordinate processing of a loan agreement for the Loan (the "Loan Agreement"); provided that the authorization to execute the Loan Agreement shall be subject to further resolution of the Governing Body.

Section 3. Further Authority. This Resolution shall be in full force and effect from and after its adoption.

Adopted by the Governing Body of the City of St. George, Kansas on September 13, 2018.

(SEAL)

ATTEST:



Tim Pralle, Mayor

Elizabeth Wagoner, City Clerk

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF THE CITY OF
ST. GEORGE, KANSAS
HELD ON SEPTEMBER 13, 2018**

The City Council (the "Governing Body") of the City of St. George, Kansas (the "City") met in regular session at Lighthouse Baptist Church, 308 N Lincoln St., St. George, 66535 at 7:00 pm. The following Governing Body members were present:

The following Governing Body members were absent:

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

In accordance with a Notice published on Thursday, August 9th in Wamego Times, a newspaper of general circulation in the City, a public hearing was held by the Governing Body relating to a proposed loan in an amount not to exceed \$1,543,000 (the "Loan") to be taken by the City from the Kansas Public Water Supply Loan Fund (the "Fund") administered by the Kansas Department of Health and Environment ("KDHE") pursuant to K.S.A. 65-163c *et seq.* Proceeds of the Loan would be used by the City to finance certain modifications and improvements (the "Project") to the City's water supply and distribution system (the "System").

A record of persons attending the public hearing and a transcript of summary of the proceedings at the public hearing are on file with the City Clerk.

The Mayor informed those present of the issues involved in the Governing Body making a decision whether to proceed with the Loan process, including entering into a loan agreement (the "Loan Agreement") with KDHE to fund the Project. Information regarding the scope of the Project, the proposed Loan repayment terms, the covenants proposed to be contained in the Loan Agreement and other relevant matters were discussed by the Mayor and consultants to the City.

Members of the public were permitted to make statements and ask questions of the Governing Body and the City's consultants. After all present were given an opportunity to speak and ask questions, the Mayor closed the public hearing.

The matter of proceeding with the application process came on for consideration and was discussed. Thereupon, Councilmember presented and moved the adoption of a Resolution entitled:

**A RESOLUTION AUTHORIZING THE COMPLETION OF AN APPLICATION
TO THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT REGARDING
A LOAN FROM THE KANSAS PUBLIC WATER SUPPLY LOAN FUND**

Councilmember ~~Steve Zimmerman~~ seconded the motion to adopt the Resolution. Thereupon, the Resolution was read and considered, and, the question being put to a roll call vote, the vote thereon was as follows:

Aye: 3 _____.

Nay: 0 _____.

The Mayor declared the Resolution duly adopted; the City Clerk designating the same Resolution No. 2018-12B

(Other Proceedings)

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

Elizabeth Wagoner
Elizabeth Wagoner, City Clerk