

**Gilmore & Bell, P.C.**  
**Draft: September 17, 2020**  
**Bond Ordinance and Resolution (2020-A)**

**CITY OF LANSING, KANSAS**  
**GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020-A**

- A. Excerpt of Minutes of Meeting approving sale, approving Ordinance/Bond Resolution
- C. Ordinance
- D. Ordinance Summary for Publication
- E. Bond Resolution

**EXCERPT OF MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF LANSING, KANSAS  
HELD ON SEPTEMBER 17, 2020**

The City Council (the "Governing Body") met in regular session at the usual meeting place in the City at 7:00 p.m., the following members being present and participating, to-wit:

Present: Mayor Smith, Councilmembers Trinkle, Kirby, Garvey, Buehler, McNeill, Brungardt.

Absent: Councilmember Studnicka and Majure\_\_\_\_\_.

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

\* \* \* \* \*

(Other Proceedings)

The Clerk reported that pursuant to the Notice of Sale duly given, bids for the purchase of General Obligation Refunding Bonds, Series 2020-A, dated October 1, 2020, of the City had been received. A tabulation of said bids is set forth as *EXHIBIT A* hereto.

The, the Governing Body reviewed and considered the bids and it was found and determined that the bid of Robert W. Baird & Co., Inc., Milwaukee, Wisconsin, was the best bid for the Bonds, a copy of which is attached hereto as *EXHIBIT B*.

Thereupon, there was presented an Ordinance entitled:

**AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020-A, OF THE CITY OF LANSING, KANSAS, FOR THE PURPOSE OF PROVIDING FUNDS TO REFUND A PORTION OF THE CITY'S OUTSTANDING GENERAL OBLIGATION BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.**

Thereupon, Councilmember McNeill moved that said Ordinance be passed. The motion was seconded by Councilmember Buehler. Said Ordinance was duly read and considered, and upon being put, the motion for the passage of said Ordinance was carried by the vote of the Governing Body, the vote being as follows:

Yea: Councilmembers Trinkle, Kirby, Garvey, Buehler, McNeill, Brungardt\_\_\_.

Nay: \_\_\_\_\_.

The Mayor declared the Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 1048, was signed and approved by the Mayor and attested by the Clerk and the Ordinance or a summary thereof was directed to be published one time in the official newspaper of the City.

Thereupon, there was presented a Resolution entitled:

**A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020-A, OF THE CITY OF LANSING, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 1048 OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.**

Councilmember Buehler moved that said Resolution be adopted. The motion was seconded by Councilmember Garvey. Said 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: Councilmembers Trinkle, Kirby, Garvey, Buehler, McNeill, Brungardt.\_\_\_\_.

Nay: \_\_\_\_\_.

The Mayor declared the Resolution duly adopted and the Resolution was then duly numbered Resolution No. B-5-2020 and was signed by the Mayor and attested by the Clerk.

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(Other Proceedings)

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**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 Lansing, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

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Sarah Bodensteiner, City Clerk

***EXHIBIT A***  
**BID TABULATION**

**CITY OF LANSING, KANSAS**  
**GENREAL OBLIGATION REFUNDING BONDS**  
**SERIES 2020-A**

***EXHIBIT B***

**BID OF PURCHASER**

**[See attached]**

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**ORDINANCE NO. 1048**

**OF**

**THE CITY OF LANSING, KANSAS**

**PASSED**

**SEPTEMBER 17, 2020**

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**GENERAL OBLIGATION REFUNDING BONDS  
SERIES 2020-A**

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**ORDINANCE NO. 1048**

**AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020-A, OF THE CITY OF LANSING, KANSAS, FOR THE PURPOSE OF PROVIDING FUNDS TO REFUND A PORTION OF THE CITY'S OUTSTANDING GENERAL OBLIGATION BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.**

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**WHEREAS**, the City of Lansing, Kansas (the "City") is a city of the second class, duly created, organized and existing under the Constitution and laws of the State; and

**WHEREAS**, the City has issued and has outstanding the Refunded Bonds and is authorized by K.S.A. 10-427 *et seq.* to issue general obligation refunding bonds of the City for the purpose of refunding the Refunded Bonds; and

**WHEREAS**, in order to achieve interest cost savings through early redemption of the Refunded Bonds and provide an orderly plan of finance for the City, it has become desirable and in the best interest of the City and its inhabitants to refund the Refunded Bonds; and

**WHEREAS**, the Governing Body has advertised the sale of the Bonds in accordance with the law and at a meeting held in the City on this date awarded the sale of such Bonds to the best bidder.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANSING, KANSAS, AS FOLLOWS:**

**Section 1. Definitions of Words and Terms.** In addition to words and terms defined elsewhere herein, the following words and terms in this Ordinance shall have the meanings hereinafter set forth. Unless the context shall otherwise indicate, words importing the singular number shall include the plural and vice versa, and words importing persons shall include firms, associations and corporations, including public bodies, as well as natural persons.

**"Act"** means the Constitution and statutes of the State including K.S.A. 10-101 to 10-125, inclusive, K.S.A. 10-427 *et seq.*, and K.S.A. 10-620 *et seq.*, all as amended and supplemented from time to time.

**"Bond and Interest Fund"** means the Bond and Interest Fund of the City for its general obligation bonds.

**"Bond Resolution"** means the resolution to be adopted by the Governing Body prescribing the terms and details of the Bonds and making covenants with respect thereto.

**"Bonds"** means the City's General Obligation Refunding Bonds, Series 2020-A, dated October 1, 2020, authorized by this Ordinance.

**"City"** means the City of Lansing, Kansas.

“**Clerk**” means the duly appointed and acting Clerk of the City or, in the Clerk’s absence, the duly appointed Deputy, Assistant or Acting Clerk.

“**Governing Body**” means the City Council of the City.

“**Mayor**” means the duly elected and acting Mayor of the City or, in the Mayor’s absence, the duly appointed and/or elected Vice Mayor or Acting Mayor of the City.

“**Ordinance**” means this Ordinance authorizing the issuance of the Bonds.

“**Refunded Bonds**” means collectively (a) the Series 2010-A Bonds maturing in the years 2021 to 2025, inclusive, in the aggregate principal amount of \$380,000<sup>1</sup> and (b) the Series 2012-B Bonds maturing in the years 2021 to 2028, inclusive, in the aggregate principal amount of \$3,975,000.

“**Series 2010-A Bonds**” means the City’s General Obligation Bonds, Series 2010-A, dated July 1, 2010.

“**Series 2012-B Bonds**” means the City’s General Obligation Refunding Bonds, Series 2012-B, dated November 1, 2012.

“**State**” means the State of Kansas.

**Section 2. Authorization of the Bonds.** There shall be issued and hereby are authorized and directed to be issued the General Obligation Refunding Bonds, Series 2020-A, of the City in the principal amount of \$4,180,000, for the purpose of providing funds to: (a) refund the Refunded Bonds and (b) pay costs of issuance of the Bonds.

**Section 3. Security for the Bonds.** The Bonds shall be general obligations of the City payable as to both principal and interest in part from special assessments levied upon the property benefited by the construction of the improvements financed by the Refunded Bonds and, if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City. The full faith, credit and resources of the City are hereby irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

**Section 4. Terms, Details and Conditions of the Bonds.** The Bonds shall be dated and bear interest, shall mature and be payable at such times, shall be in such forms, shall be subject to redemption and payment prior to the maturity thereof, and shall be issued and delivered in the manner prescribed and subject to the provisions, covenants and agreements set forth in the Bond Resolution hereafter adopted by the Governing Body.

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<sup>1</sup> Represents the following principal amounts. Note that a portion of the Series 2010-A Bonds maturing September 1, 2021, was redeemed in the amount of \$70,000 on September 1, 2020, pursuant to mandatory redemption.

<b>Maturity (Sept. 1)</b>	<b>Original Principal Amount</b>	<b>Outstanding Principal Amount</b>	<b>Amount to be Refunded</b>
2021	\$140,000	\$70,000	\$70,000
2023	150,000	150,000	150,000
2025	160,000	160,000	160,000

**Section 5. Levy and Collection of Annual Tax.** The Governing Body shall annually make provision for the payment of principal of, premium, if any, and interest on the Bonds as the same become due by levying and collecting the necessary taxes and/or assessments upon all of the taxable tangible property within the City in the manner provided by law.

The taxes and/or assessments above referred to shall be extended upon the tax rolls in each of the several years, respectively, and shall be levied and collected at the same time and in the same manner as the general ad valorem taxes of the City are levied and collected, shall be used solely for the payment of the principal of and interest on the Bonds as and when the same become due and the fees and expenses of the paying agent for the Bonds. The proceeds derived from said taxes and/or assessments shall be deposited in the Bond and Interest Fund.

If at any time said taxes and/or assessments are not collected in time to pay the principal of or interest on the Bonds when due, the City Treasurer is hereby authorized and directed to pay said principal or interest out of the general funds of the City and to reimburse said general funds for money so expended when said taxes and/or assessments are collected.

**Section 6. Further Authority.** The Mayor, Clerk and other City officials are hereby further authorized and directed to execute any and all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of the Ordinance, and to make alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

**Section 7. Governing Law.** This Ordinance and the Bonds shall be governed exclusively by and construed in accordance with the applicable laws of the State.

**Section 8. Effective Date.** This Ordinance shall take effect and be in full force from and after its passage by the Governing Body, approval by the Mayor and publication of the Ordinance or a summary thereof in the official City newspaper.

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**PASSED** by the governing body on September 17, 2020 and **APPROVED AND SIGNED** by the Mayor.

(SEAL)

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Mayor

ATTEST:

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Clerk

(PUBLISHED IN THE *LEAVENWORTH TIMES* ON SEPTEMBER \_\_, 2020)

**SUMMARY OF ORDINANCE NO. 1048**

On September 17, 2020, the governing body of the City of Lansing, Kansas passed an ordinance entitled:

**AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020-A, OF THE CITY OF LANSING, KANSAS, FOR THE PURPOSE OF PROVIDING FUNDS TO REFUND A PORTION OF THE CITY'S OUTSTANDING GENERAL OBLIGATION BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.**

The Series 2020-A Bonds approved by the Ordinance are being issued in the principal amount of \$4,180,000 to refund certain outstanding bonds of the City and constitute general obligations of the City payable as to both principal and interest, to the extent necessary, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City. A complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, 800 First Terrace, Lansing, Kansas 66043. A reproduction of the Ordinance is available for not less than 7 days following the publication date of this Summary at [www.lansing.ks.us](http://www.lansing.ks.us).

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: September 17, 2020.

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City Attorney