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Tuesday, December 1, 2015
5:30 p.m.

1. CALL TO ORDER

- A. Roll Call
- B. Pledge of Allegiance

2. PUBLIC HEARING

- A. Issuance of Taxable Industrial Revenue Bonds

3. MAYOR REPORT

- A. Updates

4. CITY CLERK REPORT

- A. None

5. STAFF REPORTS/COMMUNICATIONS

- A. 11/16/15 PUC Minutes
- B. Appropriation Ordinances 2313 & 2314

6. CITY ATTORNEY REPORT

- A. Updates

7. CONSENT AGENDA

- A. 11/17/15 City Council Meeting Minutes
- B. Appropriation Ordinances 3605 & 3606

8. ORDINANCES

- A. Ordinance No. 2328 Authorizing the City of Clay Center, Kansas to Issue Its Taxable Industrial Revenue Bonds, Series 2015A and Series 2015B (Concordia Tractor, Inc.) for the Purpose of the Acquisition, Construction and Equipping a Commercial Facility; and Authorizing

Certain Other Documents and Actions in Connection Therewith

9. RESOLUTIONS

- A. Resolution No. 1577 Requesting the Director of Accounts and Reports to Wise the Requirements of K.S.A. 75-1120a(a) and Causing the Annually Required Financial Audit, of the City of Clay Center, for the Accounting Period 2016, to be Prepared Based on the Cash Basis and Budget Laws of the State of Kansas, all in the City of Clay Center, Kansas, and Pursuant to K.S.A. 75-1120a(c)(1)
- B. Resolution No. 1578 Establishing the Boundaries of the City of Clay Center, Kansas, Pursuant to K.S.A. 12-517
- C. Resolution No. 1579 Accepting Ownership of the Bridges Within the City Limits Currently Maintained by the City of Clay Center

10. FORMAL ACTIONS

- A. None

COMMITTEE REPORTS

1. ADMINISTRATIVE

- A. Updates

2. PUBLIC SAFETY

- A. Updates



3. PUBLIC SERVICES

A. Updates

4. PROPERTY & RECREATION

A. Updates

5. ADJOURNMENT

DRAFT
CLAY CENTER CITY COUNCIL MEETING MINUTES
NOVEMBER 17, 2015

The Clay Center City Council met in regular session on November 17, 2015 in the Council Chambers. Mayor Thatcher called the meeting to order at 5:30 p.m. City Council members in attendance were Betty Livengood, Phil Kasper, Karen Wright, C L Snodgrass, Jim Brown, Glenn Hoover, Daton Hess and Dennis Ouellette. Also present were City Attorney Dustin Mullin and City Clerk Kerry Rozman.

Mayor Thatcher presented employee service awards to the following employees: 15 years – Eric Davis, Sandra McCurry and Linda Stratton. 20 years – Bill Robinson. 25 years – Dr. Tim Penner, John Ihnen and Karen Buckner. 35 years – Otto Straub. He expressed his appreciation for their dedication and hard work and presented them with a Certificate of Appreciation from the League of Kansas Municipalities. Mayor Thatcher also recognized Phil Frigon for his photograph being published in the Kansas calendar publication.

Clerk Rozman reported that licenses for 2015 will soon be expiring. Dog tags for the 2016 year will be available for sale the first of December. Licenses for electric, plumbing and cereal malt beverages are available on the city's website.

Copies of the minutes from the November 2, 2015 Public Utilities Commission meeting and Public Utilities Commission Appropriations Nos. 2311 and 2312 were included for review. The October financial reports were also included for review.

Attorney Mullin reported on the following: 1. The alley closing request from Heisterman's Eye Care and the research shows that is a private drive. Attorney Mullin will be doing follow-up on the request with a letter. Mayor Thatcher will ask the Clay County Museum if that drive can be closed and opened when necessary.

The Consent Agenda consisted of the meeting minutes of November 3, 2015, Appropriation Ordinances Nos. 3603 and 3604. A motion was made by Councilor Brown seconded by Councilor Hess to approve the Consent Agenda in its entirety. Roll call vote: Yeas: Livengood, Kasper, Brown, Hoover, Wright, Ouellette, Hess and Snodgrass. Nays: None.

A motion was made by Councilor Kasper seconded by Councilor Ouellette to adopt Ordinance No. 2326 Providing for an Increase in the Amount of Municipal Fines for Violation of a Municipal Traffic Ordinance Except for Speeding and Other Minor Infractions for Which the City Code Provides for a Separate Fee Schedule. The current city code has a cap of \$60.00 that was set in 1999 and needs to be updated. Roll call vote: Yeas: Snodgrass, Hess, Ouellette, Wright, Hoover, Brown, Kasper and Livengood. Nays: None.

A motion was made by Councilor Wright seconded by Councilor Kasper to adopt Ordinance No. 2327 Providing for Limitations on Keeping of Animals and Poultry/Fowl in the City of Clay Center, Kansas; Amending Section 2-507 of the City Code of the City of Clay Center, Kansas, Repealing Said Existing Sections and Amending Ordinance No. 2158. This ordinance eliminates the square footage pen requirements but maintains the cap at twelve. Roll call vote: Yeas: Hess, Brown, Snodgrass, Livengood, Kasper, Hoover, Wright and Ouellette. Nays: None.

Concordia Tractor, Inc. is requesting that the amount of the Industrial Revenue Bond for construction of their new building set by Resolution No. 1560 adopted on January 20, 2015 be increased from \$6,500,000.00 to \$7,200,000.00 due to the increased cost of construction. A motion was made by Councilor Brown seconded by Councilor Hess to adopt Resolution No. 1576 Amending Resolution No. 1560 Determining the Advisability of Issuing Taxable Industrial Revenue Bonds for the Purpose of Financing the Acquisition, Construction and Equipping of a Commercial Facility to be Located in Said City; and Authorizing Execution of Related Documents. Roll call vote: Yeas: Hoover, Wright, Livengood, Ouellette, Snodgrass, Brown, Kasper and Hess. Nays: None.

Revisions to the Airport Industrial Sanitary Sewer are being requested as a result of re-evaluating the project. The change order revised the design of the lift station and forcemain cleanouts for the Clay Center Airport Sewer Extension Project. The revisions were made on November 11, 2015 and approved by KDHE on November 13, 2015. The change results in a net total of (\$37,156.00). A motion was made by Councilor Brown seconded by Councilor Kasper to accept the change order as presented by Brent Chestnut of Alfred Benesch, Engineer for the project and authorize the mayor to sign the change order. Motion carried 8-0.

Committee Reports as follows:

Administrative: No report.

Public Safety: Councilor Snodgrass reported on the following: 1. Building permit for Donald Hitsman for a carport located at 328 Clarke. 2. Building permit for Stan Walker for a deck roof on house located at 1412 9th Street.

Public Services: Councilor Brown reported on the following: A meeting was held on Tuesday, November 17 at 10:00 a.m. Discussions included: 1. The dumping of unauthorized material in the sewer at the Fairgrounds and it has been proposed to the county that a sign be posted that it is for RV dumping only and not for commercial dumping. The city attorney and county attorney will be working on an ordinance for future consideration. 2. KDOT has requested that the inspection of the bridges now be done by the City of Clay Center staff. 3. 4th Street has recently been resurfaced to Washington Street. There is a sign at the north end of 4th street that indicates no truck traffic on 4th Street. The suggestion is to put a no thru truck traffic sign located at 4th and Crawford and the north end of 4th Street. Attorney Mullin will prepare an ordinance stating such.

Property and Recreation: Councilor Ouellette reported on the following: 1. The contract for the Airport Engineer is expiring in December. This was a five year contract. A motion was made by Councilor Ouellette seconded by Councilor Brown to authorize the city clerk to solicit request for qualifications for airport engineers as the five year contract that was approved in December of 2010 with Alfred Benesch expires. The notice will be mailed to a number of engineers as well as posted on the Kansas Aviation Association website. Motion carried 8-0. 2. A meeting was held on Tuesday, November 10 at 5:00 at Campbell Field to discuss the condition of the pressbox, concession stand and bathrooms. A local construction company needs to look at the mentioned structures before work is started. 3. There will be a bid for a new truck for the cemetery at the next council meeting. 4. Oran Erickson will be retiring from the Public Recreation position at the end of the year and Pat Hayes is interested in taking his place.

Motion was made by Councilor Brown seconded by Councilor Hess to adjourn the meeting. Motion carried 8-0.

JAMES R THATCHER, Mayor

ATTEST:

KERRY ROZMAN, City Clerk

APPROPRIATION ORDINANCE
And
WARRANT REGISTER

No. 3605

November 25, 2015

An Ordinance making appropriation for the payment of certain claims. Be it ordained by the Mayor and the Council of the City of Clay Center, Kansas:

Sec. 1. That in order to pay claims hereinafter stated which have been properly audited and approved, there is hereby appropriated out of the respective funds in the city treasury the following amounts to-wit:

Payroll period **November 11, 2015 thru November 24, 2015**

<u>Base</u>	<u>Emp/Ben</u>	<u>W/H Taxes</u>	<u>B/C</u>	<u>Net</u>	<u>Vouchers</u>
<u>\$60,980.46</u>	<u>\$7,579.88</u>	<u>\$5,997.64</u>	<u>\$2,675.80</u>	<u>\$44,727.14</u>	

Sec. 2. That this Ordinance shall take effect and be in force from and after its passage.

Passed and Signed this **25th** day of **November 2015**.

(SEAL)

Mayor

Attested:

City Clerk

APPROPRIATIONS NO. 3606

VENDOR NAME	INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL

ACCOUNTS PAYABLE CLAIMS			

	GENERAL OPERATING FUND		
	NON DEPARTMENT		
AFLAC	ACCT. OCUF4 -GEN.		807.31
BLUE CROSS/BLUE SHIELD	GEN.CITY EMPLOYEES #5744102		947.42
VISION SERVICE PLAN -	ACCT.# 30 020920 0001		290.40
			=====
	NON DEPARTMENT		2,045.13
	GENERAL		
ALLIED INSURANCE	POLICY NOS BD7900608919/20		200.00
BLUE CROSS/BLUE SHIELD	ADMINISTRATION		4,595.53
BRENDA JORDAN LAW OFFICE	FILE#CC-MUN15-204 INV.#1791		646.00
CLAY CENTER PUBLISHING CO INC	TREAS.REPORT/ORDINANCES		374.64
DATA TECHNOLOGIES INC	2016 LICENSE/SUPPORT		4,789.76
EDELMAN-LYON CO	CITY HALL FRONT DOOR RENEWAL		391.40
HOOD HEATING, AIR, PLUMBING,	CITY HALL BOILER		625.31
PETTY CASH	MAYOR-MILEAGE TO FLINTHILLS RC		46.00
POSTMASTER	40 SHEETS/\$.49 FOREVER STAMPS		392.00
UNIFIRST CORPORATION	CITY HALL		140.00
UNION STATE BANK	#47 COPIER/PRINTER LEASE		144.04
			=====
	GENERAL		12,344.68
	POLICE		
ADI SYSTEMS INC	REMFG. INKJET -POLICE DEPT.		20.00
AT&T	ACCT.# 785 632-2121 734 6		322.44
BLUE CROSS/BLUE SHIELD	POLICE		10,910.01
CLAY CENTER PUBLISHING CO INC	PATROLMAN AD		104.55
L&M L&M LLC	TOKENS - POLICE DEPT.		25.00
LAW ENFORCEMENT SYSTEMS	PROPERTY OWNER DOOR HANGERS		67.00
PETTY CASH	POSTAGE F/POLICE DEPT.		7.99
TASER INTERNATIONAL	BATTERY PK/CARTRIDGE-POLICE		206.26
			=====
	POLICE		11,663.25
	FIRE		
BAND BOX CLEANERS	MATS - FIRE DEPT.		19.00
BLUE CROSS/BLUE SHIELD	FIRE		10,257.21
FOREST CAPITAL, LLC	FIRE DEPARTMENT		192.80
MIKE HOLTE	SECRETARY/TREASURER-FIRE DEPT.		300.00
UNIFIRST CORPORATION	FIRE DEPARTMENT		121.71
WFE FIRE & SAFETY EQUIPMENT	HOSE - FIRE DEPARTMENT		375.00

VENDOR NAME	REFERENCE	INVOICE AMT	VENDOR TOTAL
			=====
	FIRE		11,265.72
	HIGHWAY		
ADI SYSTEMS INC	INKJET/REMFG - STREET DEPT.		76.00
BLUE CROSS/BLUE SHIELD	STREET		8,588.49
CARTER WATERS	LIBRARY EPOXY SEAL F/STEPS		555.34
CROP PRODUCTION SERVICES	CHEMICAL W/CREDIT (STREET DEPT		46.50
MATHESON	GLOVES - STREET DEPT.		105.23
MUNICIPAL LIGHT & WATER DEPT	VALVE BOX RISERS - STREET DEPT		92.27
NATIONAL SIGN CO. INC.	ALLEY CLOSED SIGN		103.12
PETTY CASH	REIMBURSEMENT F/SISK BOOTS		100.00
SELLERS EQUIPMENT, INC	TUBE BROOM/TUFF GRIP-STREET		1,063.40
TMHC SERVICES, INC.	6-STREET/2-PU/T.COLLINS PRE-EM		119.00
UNIFIRST CORPORATION	STREET DEPARTMENT		159.34
			=====
	HIGHWAY		11,008.69
	PARK		
BLUE CROSS/BLUE SHIELD	PARK		3,451.83
UNIVERSAL, INC.	GLOVES - PARK DEPARTMENT		189.55
			=====
	PARK		3,641.38
	CEMETERY		
BLUE CROSS/BLUE SHIELD	CEMETERY		1,096.08
HUNDLEY'S GARAGE	79 FORD F-350 - CEMETERY DEPT.		195.89
KAN-EQUIP INC.	OIL FILTER - CEMETERY DEPT.		17.20
PETTY CASH	GAS TO WASHINGTON - CEMETERY		25.58
SCHENDEL PEST CONTROL INC	CEMETERY DEPARTMENT		42.00
			=====
	CEMETERY		1,376.75
			=====
	GENERAL OPERATING FUND		53,345.60
	SPECIAL GAS TAX		
	NON DEPARTMENT		
SHILLING ASPHALT, INC	ASPHALT - STREET DEPT.		2,571.75
			=====
	NON DEPARTMENT		2,571.75

VENDOR NAME	REFERENCE	INVOICE AMT	VENDOR TOTAL
			=====
	SPECIAL GAS TAX		2,571.75
	SPECIAL PARKS & REC		
	NON DEPARTMENT		
SUMMIT SUPPLY CORP	PLAYGRD.EQUIP.F/TIGER TERRACE		3,206.00
			=====
	NON DEPARTMENT		3,206.00
			=====
	SPECIAL PARKS & REC		3,206.00
	BLUE CROSS		
	NON DEPARTMENT		
AFLAC	PUBLIC UTILITIES		450.89
BLUE CROSS/BLUE SHIELD	PUBLIC UTILITIES		38,440.31
VISION SERVICE PLAN -	HOUSING		273.64
			=====
	NON DEPARTMENT		39,164.84
			=====
	BLUE CROSS		39,164.84
	REFUSE DISPOSAL		
	NON DEPARTMENT		
AFLAC	REFUSE		98.20
BLUE CROSS/BLUE SHIELD	REFUSE		3,495.92
TMHC SERVICES, INC.	2-REFUSE		11.00
UNIFIRST CORPORATION	REFUSE DEPARTMENT		24.64
VISION SERVICE PLAN -	REFUSE		30.71
			=====
	NON DEPARTMENT		3,660.47
			=====
	REFUSE DISPOSAL		3,660.47
	WASTE WATER		
	NON DEPARTMENT		
AFLAC	WASTEWATER		40.04
BLUE CROSS/BLUE SHIELD	WASTEWATER		5,245.57
CARLSON HEATING & AIR	OVERHEAD HEATER-WASTEWATER DEP		228.75
CONTINENTAL ANALYTICAL	WASTEWATER DEPARTMENT		1,174.00

VENDOR NAME	REFERENCE	INVOICE AMT	VENDOR TOTAL
HESS SALVAGE	USED STEEL/REPLACEMENT GRINDS		36.80
HUTCHINSON MAYRATH	STORM SEWER LIDS/COVER-WW		870.00
LIVINGSTON MICROGRAPHICS	LAMP/SLEEVE/TUBE-WASTEWATER		533.23
MID-AMERICAN RESEARCH	WASTEWATER DEPARTMENT		1,617.88
SMH CONSULTANTS	WORK-10'15-WW NUTRIENT STUDY		1,496.00
UNIFIRST CORPORATION	WASTEWATER DEPARTMENT		318.53
UNIVERSAL, INC.	LIFT STATION DEGREASER-WW		456.58
VISION SERVICE PLAN -	WASTEWATER		80.40
VISION SERVICE PLAN -			
	NON DEPARTMENT		=====
			12,097.78
			=====
	WASTE WATER		12,097.78
**** PAID TOTAL ****			87,028.37
**** SCHED TOTAL ****			27,018.07
***** REPORT TOTAL *****			=====
			114,046.44
			=====

ORDINANCE NO. 2328

**OF THE
CITY OF CLAY CENTER, KANSAS**

**AUTHORIZING THE ISSUANCE OF
\$7,200,000 TAXABLE INDUSTRIAL REVENUE BONDS
SERIES 2015A AND SERIES 2015B
(CONCORDIA TRACTOR, INC.)**

(Published in *The Clay Center Dispatch*, December __, 2015)

ORDINANCE NO. 2328

AN ORDINANCE AUTHORIZING THE CITY OF CLAY CENTER, KANSAS TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS, SERIES 2015A AND SERIES 2015B (CONCORDIA TRACTOR, INC.) FOR THE PURPOSE OF THE ACQUISITION, CONSTRUCTION AND EQUIPPING A COMMERCIAL FACILITY; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.

THE GOVERNING BODY OF THE CITY OF CLAY CENTER, KANSAS HAS FOUND AND DETERMINED:

A. The City of Clay Center, Kansas (the "Issuer") is authorized by K.S.A. 12-1740 et seq., as amended (the "Act"), to acquire, construct, improve and equip certain facilities (as defined in the Act) for commercial, industrial and manufacturing purposes, to enter into leases and lease-purchase agreements with any person, firm or corporation for such facilities, and to issue revenue bonds for the purpose of paying the costs of such facilities.

B. The Issuer's governing body has determined that it is desirable in order to promote, stimulate and develop the general economic welfare and prosperity of the Issuer and the State of Kansas that the Issuer issue its Taxable Industrial Revenue Bonds, Series 2015A (Concordia Tractor, Inc.) in the aggregate principal amount of not to exceed \$5,500,000 and its Taxable Industrial Revenue Bonds, Series 2015B (collectively, the "Series 2015 Bonds") in the aggregate principal amount of not to exceed \$1,700,000, for the purpose of paying the costs of the acquisition, construction and equipping of a certain commercial facility (the "Project") as more fully described in the Bond Agreement and in the Lease authorized in this Ordinance, for lease to Concordia Tractor, Inc., a Kansas corporation (the "Tenant").

C. The Issuer's governing body finds that it is necessary and desirable in connection with the issuance of the Series 2015 Bonds to execute and deliver the following documents (collectively, the "Bond Documents"):

(i) a Bond Agreement dated as of December 1, 2015 (the "Bond Agreement"), among the Issuer, the Tenant and The Bennington State Bank, Salina, Kansas (the "Bank") prescribing the terms and conditions of issuing and securing the Series 2015 Bonds; and

(ii) a Lease dated as of December 1, 2015 (the "Lease"), with the Tenant, under which the Issuer will acquire, construct and equip the Project and lease it to the Tenant in consideration of Basic Rent and other payments.

D. The Issuer's governing body has found that under the provisions of K.S.A. 79-201a, the Project purchased or constructed with the proceeds of the Series 2015 Bonds is eligible for exemption from ad valorem property taxes for up to 10 years, commencing in the calendar year following the calendar year in which the Bonds are issued, if proper application is made. The Issuer's governing body has further found that the Project should be exempt from ad valorem property taxes for a period of ten years. Prior to making this determination, the governing body of the Issuer has conducted the public hearing and reviewed the analysis of costs and benefits of such exemption required by K.S.A. 12-1749d.

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

Section 1. **Definition of Terms.** All terms and phrases not otherwise defined in this Ordinance will have the meanings set forth in the Bond Agreement and the Lease.

Section 2. **Authority to Cause the Project to Be Purchased and Constructed.** The Issuer is authorized to cause the Project to be acquired, constructed and equipped in the manner described in the Bond Agreement and the Lease.

Section 3. **Authorization of and Security for the Bonds.** The Issuer is authorized and directed to issue the Series 2015 Bonds, to be designated "City of Clay Center Kansas Taxable Industrial Revenue Bonds, Series 2015A (Concordia Tractor, Inc.)" in the aggregate principal amount of not to exceed \$5,500,000 and "City of Clay Center Kansas Taxable Industrial Revenue Bonds, Series 2015B (Concordia Tractor, Inc.)" in the aggregate principal amount of not to exceed \$1,700,000, for the purpose of providing funds to pay the costs of the acquisition, construction and equipping of the Project. The Series 2015 Bonds will be in the principal amounts, will be dated and bear interest, will mature and be payable at such times, will be in such forms, will be subject to redemption and payment prior to maturity, and will be issued according to the provisions, covenants and agreements in the Bond Agreement. The Series 2015 Bonds will be special limited obligations of the Issuer payable solely from the revenues derived from the Lease of the Project. The Series 2015 Bonds will not be general obligations of the Issuer, nor constitute a pledge of the faith and credit of the Issuer, and will not be payable in any manner by taxation.

Section 4. **Authorization of Bond Agreement.** The Issuer is authorized to enter into the Bond Agreement with the Bank and the Tenant in the form approved in this Ordinance. The Issuer will issue and sell the Bonds and provide for payment of the Bonds and interest thereon from the revenues derived by the Issuer under the Lease and other moneys as described in the Bond Agreement, all on the terms and conditions in the Bond Agreement.

Section 5. **Lease of the Project.** The Issuer will acquire, construct and equip the Project and lease it to the Tenant according to the provisions of the Lease in the form approved in this Ordinance.

Section 6. **Approval of the Guaranty Agreement.** The form of the Guaranty Agreement dated as of December 1, 2015 among the Tenant and the other guarantor(s) named, and the Bank, for the benefit of the owners of the Series 2015 Bonds is approved.

Section 7. **Execution of Bonds and Bond Documents.** The Mayor of the Issuer is authorized and directed to execute the Series 2015 Bonds and deliver them to the Bank for authentication on behalf of the Issuer in the manner provided by the Act and in the Bond Agreement. The Mayor or member of the Issuer's governing body authorized by law to exercise the powers and duties of the Mayor in the Mayor's absence is further authorized and directed to execute and deliver the Bond Documents on behalf of the Issuer in substantially the forms presented for review prior to passage of this Ordinance, with such corrections or amendments as the Mayor or other person lawfully acting in the absence of the Mayor may approve, which approval shall be evidenced by his or her signature. The authorized signatory may sign and deliver all other documents, certificates or instruments as may be necessary or desirable to carry out the purposes and intent of this Ordinance and the Bond Documents. The City Clerk or the Deputy City Clerk of the Issuer is hereby authorized and directed to attest the execution of the Series 2015 Bonds, the Bond Documents and such other documents, certificates and instruments as may be necessary or desirable to carry out the intent of this Ordinance under the Issuer's corporate seal.

Section 8. **Property Tax Exemption.** The Project will be exempt from ad valorem property taxes for ten years, commencing in the calendar year after the calendar year in which the Series 2015 Bonds are

issued. The Tenant will prepare the application for exemption and submit it to the Issuer for its review. After its review, the Issuer will submit the application for exemption to the State Board of Tax Appeals.

Section 9. **Pledge of the Project and Net Lease Rentals.** The Issuer hereby pledges the Project and the net rentals generated under the Lease to the payment of the Series 2015 Bonds in accordance with K.S.A. 12-1744. The lien created by the pledge will be discharged when all of the Series 2015 Bonds are paid or deemed to have been paid in accordance with the terms of the Bond Agreement.

Section 10. **Authority To Correct Errors, Etc.** The Mayor or member of the Issuer's governing body authorized to exercise the powers and duties of the Mayor in the Mayor's absence, the City Clerk and any Deputy City Clerk are hereby authorized and directed to make any alterations, changes or additions in the instruments herein approved, authorized and confirmed which may be necessary to correct errors or omissions therein or to conform the same to the other provisions of said instruments or to the provisions of this Ordinance.

Section 11. **Further Authority.** The officials, officers, agents and employees of the Issuer are authorized and directed to take whatever action and execute whatever other documents or certificates as may be necessary or desirable to carry out the provisions of this Ordinance and to carry out and perform the duties of the Issuer with respect to the Series 2015 Bonds and the Bond Documents.

Section 12. **Effective Date.** This Ordinance shall take effect after its passage by the governing body of the Issuer, signature by the Mayor and publication once in the Issuer's official newspaper.

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PASSED by the governing body of the Issuer on December 1, 2015 and **APPROVED AND SIGNED** by the Mayor.

(SEAL)

Mayor James R. Thatcher, Jr.

ATTEST:

Kerry Rozman, City Clerk

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CERTIFICATE

I hereby certify that the attached copy is a true and correct copy of Ordinance No. 2328 of the City of Clay Center, Kansas duly passed by the governing body, signed by the Mayor and published in the official City newspaper on the respective dates stated in this ordinance, and that the signed original of such Ordinance is on file in my office.

[SEAL]

Kerry Rozman, City Clerk