(Published in *The Neodesha Derrick* on October 5, 2017 and October 12, 2017)

CHARTER ORDINANCE NO. 16

A CHARTER ORDINANCE EXEMPTING THE CITY OF NEODESHA, KANSAS, FROM THE PROVISIONS OF K.S.A. 12-834 RELATING TO BONDS FOR GAS, WATER, LIGHT, HEAT, STREET-RAILWAY OR TELEPHONE SERVICE AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS OF THE SAME SUBJECT.

WHEREAS, the City of Neodesha, Kansas (the "City"), is a city of the second class duly organized and existing under the laws of the state of Kansas; and

WHEREAS, pursuant to Article 12, Section 5, of the Constitution of the state of Kansas, cities are empowered to determine their local affairs and government except for legislative enactments applicable uniformly to all cities; and

WHEREAS, K.S.A. 12-834 applies to the City, and certain provisions of K.S.A. 12-834 are not uniformly applicable to all cities in that K.S.A. 12-834 applies only to cities of the second and third class; and

WHEREAS, the governing body of the City hereby determines that it is in the best interest of the City to exempt the City from K.S.A. 12-834 and to provide substitute and additional provisions on the same subject.

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

Section 1. The City, by virtue of the powers vested in it by Article 12, Section 5, of the Constitution of the state of Kansas, hereby elects to exempt itself from and hereby make inapplicable to it the provisions of K.S.A. 12-834 and provide substitute and additional provisions as hereinafter set forth in this Ordinance. Such referenced provisions are either enactments or a part thereof which are applicable to the City but are not applicable uniformly to all cities. Such substitute and additional provisions for K.S.A. 12-834 shall be as follows:

> Whenever and as often as the governing body of any city determines that the necessities of the city require the issuance of general obligation bonds of such city for the purpose of purchasing, extending and improving, or purchasing, constructing or extending works for the purpose of supplying such city and its inhabitants with natural gas, water, electric light, or heating or street-railway or telephone service, it shall be lawful for the governing body of such city by ordinance duly passed to direct the issuance of such bonds.

Section 2. This Charter Ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

Section 3. This is a Charter Ordinance and shall take effect 61 days after final publication, unless a sufficient petition for a referendum is filed and a referendum held on this Ordinance as provided in Article 12, Section 5, Subdivision (c) (3) of the Constitution of the state of Kansas, in which case this Ordinance shall become effective if approved by the majority of the electors voting thereon.

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PASSED, APPROVED AND ADOPTED by two-thirds majority of the governing body of the City of Neodesha, Kansas and approved by the Mayor this 27th day of September, 2017.

CITY OF NEODESHA, KANSAS

[seal]

By /s/Terry M. Harper
Terry M. Harper, Mayor

ATTEST:

By /s/Bobby Busch
Bobby Busch, City Clerk

Passed: 09/27/17
Published: 10/05/17
10/12/17
Effective: 12/12/17

TWG REF: 569759
Charter Ordinance

EXCERPT OF MINUTES

The governing body of the City of Neodesha, Kansas, met at City Hall at the usual place in the City on September 27, 2017, at 2:00 p.m., with the Mayor Terry M. Harper presiding, and the following members of the governing body present:

Commissioner Moffatt
Commissioner Johnson

and the following members of the governing body were absent:

None

Thereupon, and among other business, there was presented to the governing body, a Charter Ordinance entitled:

A CHARTER ORDINANCE EXEMPTING THE CITY OF NEODESHA, KANSAS, FROM THE PROVISIONS OF K.S.A. 12-834 RELATING TO BONDS FOR GAS, WATER, LIGHT, HEAT, STREET-RAILWAY OR TELEPHONE SERVICE AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS OF THE SAME SUBJECT.

Thereupon, the Charter Ordinance was considered and discussed; and on motion of Commissioner Johnson, seconded by Commissioner Moffatt, the Charter Ordinance was adopted by a two-thirds majority vote of all members elect of the governing body.

Thereupon, the Charter Ordinance having been adopted by a two-thirds majority vote of the members of governing body, it was given No. 16 and directed to be signed by the Mayor and attested by the City Clerk; and the City Clerk was directed to cause the publication of the Ordinance twice as set forth therein and required by law.

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CITY CLERK'S
CERTIFICATION OF EXCERPT OF MINUTES

I hereby certify that the foregoing is a true and correct Excerpt of the Minutes of the proceedings at the September 27, 2017 meeting of the governing body of the City of Neodesha, Kansas.

[seal]

By__/s/Bobby Busch_____
Bobby Busch, City Clerk