



Special City Commission Meeting

October 14, 2024, at 12:00 PM
118 W Central Ave, Arkansas City, KS

Please join our meeting <https://global.gotomeeting.com/join/340964981>
Or dial in using your phone: United States: +1 (408) 650-3123 Access Code: 340 964 981

I. Routine Business

- [1.](#) Roll Call

II. Business

- [1.](#) Hold a public hearing and consider 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, to aid in the Water Treatment Facility Greensand Filter Improvements Project. **(Roll Call Vote)**

III. Adjournment



City Commission Agenda Item

Meeting Date: October 14, 2024,
From: Nick Rizzio, Project Manager
Item: KDHE - Kansas Public Water Supply Loan Fund (KPWSLF)
 Public Hearing & Application Approval

Purpose: Hold a public hearing and consider 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, to aid in the Water Treatment Facility Greensand Filter Improvements Project. **(Roll Call Vote)**

Background:

Pursuant to K.S.A. 65-163c *et seq.*, The Kansas Department of Health and Environment is pleased to notify the City of Arkansas City has been selected in the KDHE 2024 IUP to apply for a loan in the amount of \$2,089,000 from the Kansas Public Water Supply Loan Fund with an estimated \$2,089,000 in loan forgiveness (100% loan forgiveness) to be used for WTP Greensand Improvements.

The loan application includes funding for the Water Treatment Facility Greensand Filter Improvements Project. The scope of the project encompasses the design and construction of improvements to the City’s existing water treatment plant. The expansion will address the presence of manganese in the raw water supply through the addition of greensand pressure filters, piping and controls. The addition of greensand pressure filters will enable the City to more effectively treat and remove manganese from the alluvial groundwater supply.

Before the City can apply for this loan forgiveness, it first must hold a public hearing, to hear alternate project suggestions from citizens, as well as comments on this Water Supply Loan Fund. Such public hearing notice must be published at least 30 days prior to set Public Hearing Date. The Governing Body did by Resolution No. 2024-09-3645 establish the 1st day of October 2024 at 12:00 p.m., as the time and date of the public hearing. This publication notice was featured in the Cowley CourierTraveler on September 14, 2024.

Commission Options:

1. Approve the Resolution
2. Disapprove the Resolution
3. Table the Resolution for further discussion

Fiscal Impact:

Amount:

Fund:

- Included in budget Grant Bonds Other Not Budgeted

Approved for Agenda by:



Randy Frazer, City Manager

RESOLUTION NO. _____

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 [Municipality Name], Kansas (the “[City/District]”) is a duly incorporated [city of the [class of city]/rural water district] 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/City Commission/Board of Directors] (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/District] has heretofore made an application to KDHE for a loan in an amount not to exceed \$2,089,000 (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 THE City of Arkansas City KANSAS, AS FOLLOWS:

Section 1. Loan Application. The [Mayor and City Clerk/Chair and Secretary] of the [City/District] 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 and City Clerk/Chair and Secretary] and the other officers and representatives of the [City/District] 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 [*Municipality Name*], Kansas on [Date of Public Hearing].

(SEAL)

[*Mayor/Chair*]

ATTEST:

[*City Clerk/Secretary*]

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
[MUNICIPALITY NAME], KANSAS
HELD ON [Date of Public Hearing]**

The City Commission of the City of Arkansas City, Kansas the City met in [regular][special] session at [Location of Public Hearing] at [Time of Public Hearing]. 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 [Date of Publication] in [Name of Newspaper], a newspaper of general circulation in the [City/District], a public hearing was held by the Governing Body relating to a proposed loan in an amount not to exceed \$[Maximum Amount of Loan] (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 Arkansas City WTF Greensand Improvements to the City 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/Secretary of the District].

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 consultants. After all present were given an opportunity to speak and ask questions, the [Mayor/Chair] closed the public hearing.

The matter of proceeding with the application process came on for consideration and was discussed. Thereupon, the Commissioner _____ 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/Commissioner/Board Member] _____ 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: _____.

Nay: _____.

The Mayor declared the Resolution duly adopted; the City Clerk designated the same Resolution No. _____.

(Other Proceedings)

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

[City Clerk/Secretary]