



CITY OF HESSTON AGENDA

Monday, May 11, 2020

Council Chamber/Municipal Court Building
110 E. Smith Street

Present

David Kauffman, Mayor _____
Brad Unruh, City Council _____
Jason Jones, City Council _____
Larry Fuqua, City Council _____
Clare Moore, City Council _____
Susan Swartzendruber, City Council _____

Others Present

1. _____
2. _____
3. _____
4. _____
5. _____

Gary Emry, City Administrator _____
J.T. Klaus, City Attorney _____
Jason Thrasher, City Clerk _____

1. Call to Order - 6:00pm

2. Additions to Agenda

A. _____
B. _____
C. _____
D. _____

3. Consent Agenda

- [A.](#) Council Minutes
- [B.](#) Appropriations
- [C.](#) Financial Statements
- [D.](#) Board Minutes
- [E.](#) Building Permits

4. Constituency Comments

[A.](#) Constituency Comments

5. Proclamations and Awards

6. Public Hearing

7. Ordinances & Resolutions

[A.](#) PBC Bond Refinance – Accept Winning Bid

[B.](#) Ordinance No. 010-2020-219: PBC Refunding

[C.](#) Resolution No. PBC-2020-002: PBC Refunding

8. Old Business

[A.](#) Golf Course Clubhouse Project

9. New Business

[A.](#) Tennis Courts Resurfacing

10. Other Business

11. Executive Session

12. Adjourn Meeting

[A.](#) Adjourn Meeting

Note: Hearing impaired persons may request an interpreter.

**CITY OF HESSTON
CITY COUNCIL MEETING**

MINUTES of April 13, 2020

Council Meeting No. 6

The regular meeting of the Hesston City Council was held on Monday, April 13, 2020 at 6:00 p.m. via internet video teleconference displayed in the Council Chamber / Municipal Court Building located at 110 E. Smith Street.

PRESENT

Council members Larry Fuqua, Jason Jones, Brad Unruh, Clare Moore and Susan Swartzendruber, City Administrator Gary Emry, City Attorney J.T. Klaus and City Clerk Jason Thrasher with Mayor David Kauffman presiding. A quorum was present.

ABSENT

None

OTHERS PRESENT

Present via Zoom web meeting: John Haas with Ranson Citycode, Megan Smith with the Hesston Chamber, Director of Golf Operations Grady Pauls, Cody McClellan with Next Design LLC, Dean Leatherman with Preferred Builders; Bill Zerger and Cody Palmer with Vogt's Construction Company, and Adam Strunk with the Hesston Record.

ADDITIONS TO THE AGENDA

City Administrator Gary Emry requested the following item be added to the agenda:

- Utility Bill Business Grant

Mayor Kauffman added the item to the agenda.

AGENDA ORDER CHANGE

City Administrator Gary Emry made a request to reorder the agenda to move Item 9-I. Budget Discussion COVID-19 to the beginning of the New Business section of the agenda.

Larry Fuqua made a motion to approve the change in the agenda order. Jason Jones seconded. Motion carried 5-0.

CONSENT AGENDA

Jason Jones moved to approve the consent agenda as presented. Brad Unruh seconded. Motion carried 5-0.

CONSTITUENCY COMMENTS

Mayor Kauffman opened the floor for constituency comments. Hearing no comments, he proceeded to the next item of business.

PROCLAMATIONS AND AWARDS

Susan Swartzendruber moved to authorize the Mayor to sign a proclamation declaring April 24, 2020 as Arbor Day in Hesston. Larry Fuqua seconded. Motion carried 5-0.

ORDINANCES AND RESOLUTIONS

BID REVIEW 2020 SERIES G.O. BOND REFI AND ACCEPTANCE

Financial Advisor John Haas with Ranson Citycode was present to review the bids.

Clare Moore moved to accept the bid of 1.7597% from Country Club Bank. Jason Jones seconded. Motion carried 5-0

ORDINANCE NO. 010-2020-216: G.O. BOND REFINANCING

City Attorney J.T. Klaus was present to review the G.O. Bond Refinance Ordinance and Resolution and to answer Council questions.

Larry Fuqua moved to adopt Ordinance No. 010-2020-216 which authorizes the issuance of Series 2020 Refunding Bonds in the amount of \$1,060,000. Brad Unruh seconded. Motion carried 5-0.

RESOLUTION NO. 1151: GO BOND REFINANCING

Jason Jones moved to adopt Resolution No. 1151 which authorizes the issuance of Series 2020 Refunding Bonds in the amount of \$1,060,000. Larry Fuqua seconded. Motion carried 5-0.

ORDINANCE NO. 010-2020-217: GOLF COURSE MOWER LEASE PURCHASE

Larry Fuqua moved to adopt Ordinance No. 010-2020-217 which authorizes a three-year lease / purchase with The Citizens State Bank at 2.99% in the amount of \$45,785.28 to purchase two golf course mowers. Susan Swartzendruber seconded. Motion carried 4-0 with Brad Unruh abstaining.

ORDINANCE NO. 010-2020-218: APPROPRIATIONS

Brad Unruh moved to approve Ordinance No. 010-2020-218 which allows staff to continue to pay city obligations in the event the City Council cannot meet. Jason Jones seconded. Motion carried 5-0.

NEW BUSINESS**BUDGET DISCUSSION COVID-19**

City Administrator Gary Emry reviewed the City's approach to 2020 budget expenditures in response to anticipated decrease in revenue due to the COVID-19 pandemic. The approach has three expenditure categories:

1. Emergency expenditures only as reviewed by the City Administrator.
2. All other spending paused (i.e., Capital Improvement Plan equipment and projects).
3. Projects that are in process will continue as planned (i.e., Mobile Home Park Development).

UTILITY BILL BUSINESS GRANT

Megan Smith with the Hesston Chamber of Commerce was present to discuss options to provide utility bill assistance to local businesses negatively impacted by the COVID-19 pandemic.

Brad Unruh moved to authorize Megan Smith to submit a grant application on the City's behalf to the Hesston Community Foundation. The grant would request an amount up-to \$5,000 from the Foundation where the City would match any funds received. A maximum of \$10,000 of Foundation and City funds would be available and distributed as noted below.

Local businesses would make application for these funds to pay their City of Hesston utility bills. Megan Smith would work with the Foundation to create a committee to review any utility bill relief applications. If an application is approved, the business would receive at least \$100 towards their utility bill. Any funds remaining as of December 31st would be returned to the City. Clare Moore seconded. Motion carried 5-0.

GOLF COURSE CLUBHOUSE PROJECT BIDS

Cody McClellan from Next Design, LLC was present to review the bids for the Golf Course Clubhouse Improvements.

Brad Unruh moved to reject both bids and recommend staff place the item on the May agenda with options on how the project could proceed. Larry Fuqua seconded. Motion carried 5-0.

At 6:58 p.m. Council Member Clare Moore left the meeting.

PROPERTY PURCHASE

Jason Jones moved to approve the purchase of the property located at 246 S. Old 81 Hwy. from Intrust Bank in the amount of \$90,000. Motion died due to the lack of a second.

At 7:05 Council Member Clare Moore returned to the meeting.

Jason Jones moved to purchase the property located at 246 S. Old 81 Hwy. from Intrust Bank in the amount of \$90,000. Clare Moore seconded. A roll call vote was taken.

Brad Unruh – No
Jason Jones – Yes
Larry Fuqua – No
Clare Moore – Yes
Susan Swartzendruber – Yes

Motion passed 3-2.

MILL AND OVERLAY PROJECT

City procedures relating to street repair projects and special assessments was discussed. It was the consensus of the Council to direct staff to proceed with street repair projects without assessing special assessments on existing city streets.

Clare Moore moved to approve the bid from Flint Hills Materials in the amount of \$282,858.40 to mill and overlay the Country Acres and Prairie Park Subdivisions. Larry Fuqua seconded. Motion carried 5-0.

HESSTON PHARMACY REQUEST

It was the consensus of the Council to refer this item to staff and have it added to the May agenda.

ANNUAL DESIGNATION OF COUNCIL PRESIDENT

Larry Fuqua moved to nominate Susan Swartzendruber to the Council President position. Clare Moore seconded. Motion carried 4-0 with Susan Swartzendruber abstaining.

HARVEY COUNTY EDC APPOINTMENTS

Brad Unruh moved to approve the Mayor's appointment of Jason Jones and John Carder to two-year terms to the Harvey County Economic Development Board. The terms would run May 1, 2020 to April 30, 2022. Clare Moore seconded. Motion carried 5-0.

SET DATE FOR COUNCIL – STAFF BUDGET WORK SESSION

It was the consensus of the Council to set Tuesday, May 19th at 3:00 p.m. for the 2021 Budget meeting with Department Heads and Council.

ADJOURN MEETING

At 9:10 p.m. Clare Moore moved to adjourn the meeting. Jason Jones seconded. Motion carried 5-0.

Recorded by
Jason Thrasher
City Clerk

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
07705	PHILLIPS SOUTHERN ELECTRIC CO.							
C-CHECK	PHILLIPS SOUTHERN ELECTRIC CO.	V	4/03/2020			063197		4,500.00CR
07705	PHILLIPS SOUTHERN ELECTRIC CO.							
M-CHECK	PHILLIPS SOUTHERN ELECTRIC CO.	V	4/14/2020			063197		
08490	SECURITY 1ST TITLE LLC							
C-CHECK	SECURITY 1ST TITLE LLC VOIDED	V	4/14/2020			063232		500.00CR

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	0	0.00	0.00	0.00
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	2 VOID DEBITS	0.00		
	VOID CREDITS	5,000.00CR	5,000.00CR	0.00

TOTAL ERRORS: 0

VENDOR SET: 01	BANK: *	TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
			2	5,000.00CR	0.00	0.00
BANK: *		TOTALS:	2	5,000.00CR	0.00	0.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00685	DIVISION SALES & EXCISE TAXES							
I-04172020	MARCH SALES TAX	D	4/17/2020	6,363.78		000179		6,363.78
07745	1-2-1 MARKETING, INC							
I-136123	GOLF QTRLY WEBSITE FEE 2020	R	4/03/2020	447.00		063172		447.00
00485	CITIZENS STATE BANK							
I-APR2020-MONTHLY	APR 2020 GOLF CARTS LEASE PUR	R	4/03/2020	4,293.85		063173		4,293.85
04085	DELTA DENTAL OF KANSAS							
I-1003003202004	APRIL DENTAL PREMIUM	R	4/03/2020	2,345.90		063174		2,345.90
01660	EVERGY							
I-110 SMITH A 4/2020	110 E SMITH B SERV THRU 3/23	R	4/03/2020	49.07		063175		
I-110 SMITH B 4/2020	110 E SMITH B SERV THRU 3/23	R	4/03/2020	54.75		063175		
I-COMMERCE 4/2020	COMMERCE SIREN SERV THRU 3/20	R	4/03/2020	33.73		063175		
I-GOLF CLBHS 4/2020	GOLF CLUBHOUSE SERV THRU 3/23	R	4/03/2020	241.02		063175		
I-GOLF FOUNT 4/2020	GOLF FOUNTAIN SERV THRU 3/23	R	4/03/2020	25.80		063175		
I-GOLF PUMP 4/2020	GOLF PUMP SERVICE THRU 3/20	R	4/03/2020	220.30		063175		
I-GOLF RD 4/2020	GOLF CRSE RD SERV THRU 3/20	R	4/03/2020	116.37		063175		
I-GOLF STRGE 4/2020	GOLF STORAGE SERV THRU 3/20	R	4/03/2020	231.51		063175		
I-SKATE PK 4/2020	SKATE PARK SERV THRU 3/23	R	4/03/2020	24.73		063175		997.28
01475	FUQUA INSURANCE GROUP							
I-2457	AMBULANCE MALPRACTICE INSUR.	R	4/03/2020	4,229.40		063176		4,229.40
1	GARY JANZEN							
I-JANZEN 4/2020	GARY JANZEN:	R	4/03/2020	70.00		063177		70.00
08625	GILMORE SOLUTIONS, INC							
I-18203	COMPUTER LAPTOP: CITY HALL	R	4/03/2020	2,662.34		063178		2,662.34
01225	HESSTON MACHINE/WELD INC							
I-16273	WELDING WIRE/LINER: CITY SHOP	R	4/03/2020	193.96		063179		193.96
01245	HESSTON PRESTIGE PRINTING							
I-28233	UPS CHG/PLAYGRD CLOSE SIGNS	R	4/03/2020	332.74		063180		
I-28272	RETIREE PLEXIGLASS PRINTS (2)	R	4/03/2020	45.00		063180		377.74
02525	HESSTON RESOURCE CENTER							
I-04032020	GRANT: RENT (3)	R	4/03/2020	741.00		063181		741.00
01210	HESSTON TRUE VALUE							
I-04032020	MARCH SUPPLIES	R	4/03/2020	495.07		063182		
I-GAS 432020	MARCH GAS SUPPLIES	R	4/03/2020	164.45		063182		659.52

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
07195 I-1434348	HUB INTERNATIONAL MID-AMERICA APRIL BENEFIT BROKER FEE	R	4/03/2020	500.00		063183		500.00
1 I-HASTINGS 4/2020	JAN HASTINGS JAN HASTINGS:	R	4/03/2020	35.00		063184		35.00
04920 I-14334	KANSAS ELECTRIC, INC LED LIGHTS: SEWER PLANT	R	4/03/2020	630.00		063185		630.00
01610 I-04032020	KANSAS EMPLOYMENT SECURITY FUN 1ST QTR 2020 UNEMPLOYMENT	R	4/03/2020	527.22		063186		527.22
05750 I-01-214496	KANSAS GOLF & TURF, INC. CHARGER REPAIR:CORD PLUG KIT	R	4/03/2020	54.54		063187		54.54
01690 I-30282	KANSAS ONE-CALL SYSTEM INC LOCATES (48)	R	4/03/2020	57.60		063188		57.60
01255 I-86771 I-86905	KANSAS PUBLISHING VENTURES, LL ADS: HELP WANT/TREE PROGRAM BUSINESS PAGE SPONSORSHIP	R R	4/03/2020 4/03/2020	244.00 262.50		063189 063189		506.50
03080 I-04032020	KDOR - MISCELLANEOUS TAX SECTI 1ST QTR 2020 PROT/CLEAN DRK	R	4/03/2020	1,668.92		063190		1,668.92
1 I-SCHWANKE 4/2020	KEN SCHWANKE KEN SCHWANKE:	R	4/03/2020	15.17		063191		15.17
01780 I-kmga-he-2020-02	KMGA-GAS SUPPLY OPERATING APR NOM/FEB ACT'L NAT'L GAS	R	4/03/2020	50,208.73		063192		50,208.73
01810 I-04032020	KROPF LUMBER CO MARCH SUPPLIES	R	4/03/2020	757.76		063193		757.76
00530 I-25261 I-25282 I-25290 I-25473 I-25506 I-25520 I-25571	MARTIN AUTO PARTS, INC. ALARM (1) ALARM (1) ALARM (1) 5W20 OIL (3 - 5 QT) TRAILER CONN PLUG/SOCKET RELAY (1) SUPPORT/MOULding/STRIP	R R R R R R R	4/03/2020 4/03/2020 4/03/2020 4/03/2020 4/03/2020 4/03/2020 4/03/2020	35.99 35.99 35.99 58.47 12.98 16.49 147.16		063194 063194 063194 063194 063194 063194 063194		343.07

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01230	MID-KANSAS FAMILY PRACTICE							
I-04032020	FLU SHOT/TB TEST:SCHEUERMANN	R	4/03/2020	88.00		063195		88.00
02150	NAVRAT'S							
I-167769-001	PAPER TOWELS (1 CT)	R	4/03/2020	33.50		063196		
I-168330-001	TOILET PAPER:POLICE BLDG(1 CS)	R	4/03/2020	78.29		063196		
I-168340-001	TOILET PAPER:CITY HALL (2 CS)	R	4/03/2020	156.58		063196		268.37
07705	PHILLIPS SOUTHERN ELECTRIC CO.							
I-2000050-01	SIGNAL REPAIR:MAIN/OLD 81 HWY	V	4/03/2020	4,500.00		063197		4,500.00
07705	PHILLIPS SOUTHERN ELECTRIC CO.							
M-CHECK	PHILLIPS SOUTHERN ELECTRUNPOST	V	4/14/2020			063197		4,500.00CR
08600	POLYDYNE, INC							
I-1441324	POLYMER: SLUDGE PRESS	R	4/03/2020	2,324.07		063198		2,324.07
02745	SKEET'S SERVICE INC							
I-15430	#16: OIL CHANGE	R	4/03/2020	86.65		063199		
I-15435.1	#53: CHECK TIRE LEAK	R	4/03/2020	20.00		063199		
I-15448	#51: OIL CHANGE	R	4/03/2020	63.92		063199		
I-15449	#52: FRT BRAKES/WHL BEARINGS	R	4/03/2020	1,043.28		063199		1,213.85
02800	SPRINT PCS							
I-519277819-148	TABLET USAGE THRU 3/20	R	4/03/2020	60.00		063200		60.00
02995	USA BLUE BOOK							
I-178107	DPD 1 DISPENSER:CHLORINE TEST	R	4/03/2020	60.56		063201		60.56
1	AUDREY KUHN							
I-KUHN 4/2020	AUDREY KUHN:	R	4/10/2020	35.00		063206		35.00
04330	COX COMMUNICATIONS							
I-CITY HALL 4/2020	APRIL INTERNET/TV: CITY HALL	R	4/10/2020	165.47		063207		
I-GOLF 4/2020	GOLF INTERNET/TV/PHONE:GOLF	R	4/10/2020	359.14		063207		524.61
08030	DWIGHT ERB							
I-04102020	REIMBURSE:VEHICLE PERMIT	R	4/10/2020	25.00		063208		25.00
01660	EVERGY							
I-GROUP 4/2020	GROUP BILL SERV THRU 3/24	R	4/10/2020	9,745.77		063209		
I-ST LGTS 4/2020	STREET LGT SERVICE THRU 3/30	R	4/10/2020	3,994.23		063209		13,740.00

VENDOR SET: 01 City of Hesston
 BANK: 99 CITIZENS STATE BANK
 DATE RANGE: 4/01/2020 THRU 4/30/2020

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01475	FUQUA INSURANCE GROUP							
I-04102020	2020-21 WORKERS COMP INSURANCE	R	4/10/2020	40,590.00		063210		
I-042020	2020-21 PROP/LIAB/INLAND/AUTO	R	4/10/2020	84,120.00		063210		
I-4102020	2020-21 INSURANCE BROKER FEE	R	4/10/2020	10,000.00		063210		134,710.00
00885	GOERING HARDWARE CORPORATION							
I-237673	BAY WATER HEATER:EMS/FIRE	R	4/10/2020	620.93		063211		
I-237828	SPRING MAINTEN: POLICE BLDG	R	4/10/2020	177.96		063211		
I-23816	SPRING MAINTEN: CITY HALL	R	4/10/2020	193.83		063211		992.72
01070	HARVEY COUNTY SOLID WASTE							
I-04102020	MAR LANDFILL/SLUDGE FEES	R	4/10/2020	4,686.45		063212		4,686.45
07600	HEART OF AMERICA POLICE DOG AS							
I-04102020	MEMBERSHIP/CERTIFICATION	R	4/10/2020	200.00		063213		200.00
01235	HESSTON PHARMACY							
I-04102020	ASPIRIN - EMS	R	4/10/2020	2.29		063214		2.29
07260	IMAGE QUEST							
I-IN320298	CITY HALL/SHOP COPY SERVICE	R	4/10/2020	35.49		063215		35.49
1	JAN ORPIN							
I-ORPIN 4/2020	JAN ORPIN:	R	4/10/2020	35.00		063216		35.00
00655	KANSAS DEPT OF HEALTH AND ENVI							
I-04102020	COLILERT DRINK WATER TEST	R	4/10/2020	154.00		063217		154.00
01675	KANSAS MUNICIPAL UTILITIES, IN							
I-15285	2ND QTR 2020 SAFETY TRAINING	R	4/10/2020	2,405.00		063218		2,405.00
03770	LIFE-ASSIST, INC							
I-988629	RESPIRATOR P100 MASK (1)	R	4/10/2020	183.00		063219		183.00
05120	MID-KANSAS COOPERATIVE							
I-48879	MARCH CLEAR DIESEL FUEL	R	4/10/2020	894.67		063220		894.67
07770	NISLY BROTHERS TRASH SERVICE,							
I-188857	MAR REFUSE/RECYCLE/SLUDGE FEES	R	4/10/2020	14,600.12		063221		14,600.12
07885	OFFICE ALLY							
I-IC26307-IN	MAR CLAIMS SERVICE: EMS	R	4/10/2020	35.00		063222		35.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
09090	PEDNET COALITION, INC							
I-2020	BIKE-WALK CONSULTANT FEE:FINAL	R	4/10/2020	13,587.20		063223		13,587.20
1	REBECCA ELLSWORTH							
I-ELLSWORTH 4/2020	REBECCA ELLSWORTH:	R	4/10/2020	250.00		063224		250.00
02820	STATE TREASURER							
I-04102020	MARCH COURT FEES	R	4/10/2020	606.50		063225		606.50
1	VALERIE BELKNAP							
I-BELKNAP 4/2020	VALERIE BELKNAP:	R	4/10/2020	45.00		063226		45.00
04093	VISA #1205 - CITIZEN'S STATE B							
I-VISA #1 4/2020	AIR HOSE/MARKER FLAGS/AMINE	R	4/10/2020	270.36		063227		
I-VISA #2 4/2020	TEA/DONUT STICKS/RED BULL/WTR	R	4/10/2020	154.96		063227		
I-VISA #3 4/2020	WIRELESS SECURITY SYS/CAMERA	R	4/10/2020	330.54		063227		
I-VISA #4 4/2020	DESKPAD/NOTE CARDS/MARKERS	R	4/10/2020	19.96		063227		775.82
04101	VISA #2450 - CITIZEN'S STATE B							
I-VISA #1 4/2020	POP (3)	R	4/10/2020	16.47		063228		
I-VISA #10 4/2020	3/24 EMS TRAINING MEAL	R	4/10/2020	31.75		063228		
I-VISA #11 4/2020	EMT CERTIFICATION	R	4/10/2020	220.00		063228		
I-VISA #2 4/2020	CHIPS/CAKE/ICE CREAM	R	4/10/2020	45.67		063228		
I-VISA #3 4/2020	BLS INSTRUCTOR PKG W/RENEWAL	R	4/10/2020	146.55		063228		
I-VISA #4 4/2020	3/2 FIRE TRAINING MEAL	R	4/10/2020	95.96		063228		
I-VISA #5 4/2020	CHIEF MEMBERSHIP:RUSS/ANDY	R	4/10/2020	80.00		063228		
I-VISA #6 4/2020	KANSAS TURNPIKE FEE	R	4/10/2020	15.66		063228		
I-VISA #7 4/2020	RAILROAD TIES: SWR PLANT	R	4/10/2020	91.63		063228		
I-VISA #8 4/2020	ATBC PWR/4.8A CAR/LTG CBL:SHOP	R	4/10/2020	64.14		063228		
I-VISA #9 4/2020	PROPANE:CRACK SEALING MACHINE	R	4/10/2020	141.94		063228		949.77
04098	VISA #2567 - CITIZEN'S STATE B							
I-VISA #1 4/020	FLEXIBLE HOSE:PARKS BLOWER	R	4/10/2020	121.03		063229		
I-VISA #2 4/2020	HAND SANITIZER (2)	R	4/10/2020	43.67		063229		
I-VISA #3 4/2020	DO NOT DISTURB SIGN (1)	R	4/10/2020	12.99		063229		
I-VISA #4 4/2020	8DEV REMO (1)	R	4/10/2020	15.96		063229		
I-VISA #5 4/2020	OVERNIGHT POSTAGE: IRB-AGCO	R	4/10/2020	31.24		063229		
I-VISA #6 4/2020	MAILBOX (1)	R	4/10/2020	24.99		063229		
I-VISA #7 4/2020	CLEAR ANTI-FOG LENS (12)	R	4/10/2020	53.95		063229		
I-VISA #8 4/2020	ADAPTER: UTILITIES	R	4/10/2020	11.95		063229		
I-VISA #9 4/2020	ZOOM ANL SUBSCRIPTION FEE	R	4/10/2020	162.64		063229		478.42
04502	VISA #2625 CITIZEN'S STATE BAN							
C-VISA CREDIT 4/20	CANCEL WKSP REGISTRATION	R	4/10/2020	350.00CR		063230		
I-VISA #1 4/2002	3/2-5 WKSHP EXPENSES:PURVIS	R	4/10/2020	389.81		063230		
I-VISA #2 4/2020	3/10-12 WKP EXPENSE:JACOB/MIKE	R	4/10/2020	483.99		063230		
I-VISA #3 4/2020	DOG FOOD: ATLAS	R	4/10/2020	50.50		063230		
I-VISA #4 4/2020	ELITE K-9 OUT STICK (1)	R	4/10/2020	30.13		063230		

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
	I-VISA #5 4/2020	TACTICAL POLO SHIRTS (11)	R	4/10/2020	619.25	063230		
	I-VISA #6 4/2020	NIK TEST E- MARIJUANA/HASH	R	4/10/2020	138.34	063230		
	I-VISA #7 4/2020	SUPPLIES	R	4/10/2020	54.65	063230		1,416.67
04097		VISA #2633 - CITIZEN'S STATE B						
	I-VISA #1 4/2020	MEETING MEALS (3)	R	4/10/2020	59.78	063231		59.78
08490		SECURITY 1ST TITLE LLC						
	I-04142020	EARNEST DEPOSIT:246 S.RIDGE RD	V	4/14/2020	500.00	063232		500.00
08490		SECURITY 1ST TITLE LLC						
	M-CHECK	SECURITY 1ST TITLE LLC VOIDED	V	4/14/2020		063232		500.00CR
08490		SECURITY 1ST TITLE LLC						
	I-04152020	EARNEST DEPOSIT:246 S.RIDGE RD	R	4/14/2020	500.00	063233		500.00
07145		360 DOCUMENT SOLUTIONS						
	I-67527766	POLICE COPY SERVICE	R	4/17/2020	170.87	063234		170.87
00105		ADVANCE INSURANCE COMPANY						
	I-200970002456	MAY LIFE INSURANCE PREMIUM	R	4/17/2020	615.96	063235		615.96
02310		BLACK HILLS ENERGY						
	I-04172020	TRANSPORT GAS THRU 3/31	R	4/17/2020	6,033.61	063236		6,033.61
07165		BLUE CROSS & BLUE SHIELD OF KA						
	I-9487155	MAY HEALTH CARE PREMIUM	R	4/17/2020	37,313.87	063237		37,313.87
06470		BUILDERS CONCRETE & SUPPLY, IN						
	I-61667	CONCRETE:PAD-HOOVER LIFT STN	R	4/17/2020	170.13	063238		170.13
05680		CANTON SERVICE CENTER, INC						
	I-125628	TRACTOR TIRE (1)	R	4/17/2020	119.03	063239		119.03
04330		COX COMMUNICATIONS						
	I-COUNCIL 4-2020	APRIL INTERNET:COUNCIL ROOM	R	4/17/2020	134.41	063240		134.41
00645		D C & B SUPPLY, INC						
	I-24221	GAS STOP W/LOCKWING (6)	R	4/17/2020	384.09	063241		384.09
1		ELDO WIGGERS						
	I-WIGGERS 4/2020	ELDO WIGGERS:	R	4/17/2020	85.00	063242		85.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
07375	FELD FIRE							
I-366067-IN	HOSE COUPLING/ADAPTER	R	4/17/2020	123.00		063243		
I-366137-IN	THERMO HOSE SWIVEL BOTH ENDS	R	4/17/2020	268.00		063243		391.00
08625	GILMORE SOLUTIONS, INC							
I-18308	NEW COMPUTER/SUPPORT	R	4/17/2020	1,521.81		063244		1,521.81
01005	HACH COMPANY							
I-11914677	FLUORIDE RGT FOR TESTING	R	4/17/2020	482.23		063245		482.23
09175	HARRELL'S LLC							
I-INV01359470	FERTILIZER (3)	R	4/17/2020	2,199.50		063246		2,199.50
01500	HARVEY COUNTY EDC, INC							
I-2013-1044	APR 2020 ECONOMIC DEV.CONTRIB.	R	4/17/2020	3,000.00		063247		3,000.00
1	MAX GRABER							
I-GRABER 4/2020	MAX GRABER:	R	4/17/2020	35.00		063248		35.00
04130	PITNEY BOWES GLOBAL FINANCIAL							
I-3311020240	METER/INSERTER FEE	R	4/17/2020	327.27		063249		327.27
08215	REVIZE LLC							
I-9734	WEB/CMB ANNUAL TECH SUPPORT	R	4/17/2020	1,000.00		063250		1,000.00
04120	TRIPLETT,WOOLF,GARRETSON							
I-143859	MAR 2020 CITY ATTORNEY FEES	R	4/17/2020	2,500.00		063251		
I-143860	ATTNY FEE:MOBILE PARK/INTRUST	R	4/17/2020	883.00		063251		3,383.00
06655	VOGTS MATERIALS, INC							
I-2020/101	TENSAR ROCK:ALLEYS/ST BASE	R	4/17/2020	1,643.53		063252		1,643.53
00260	WELBORN SALES, INC							
I-488	GREEN CHANNEL SIGN POST (6)	R	4/17/2020	270.00		063253		270.00
04160	XEROX FINANCIAL SERVICES							
I-2041962	APRIL COPY SERVICE	R	4/17/2020	472.70		063254		472.70
09080	AT&T MOBILITY							
I-04192020	3/12-4/11 MOBILE SERVICE:EMS	R	4/24/2020	149.70		063260		
I-4192020	3/12-4/11 MOBILE SERV: POLICE	R	4/24/2020	312.96		063260		462.66
05150	BARCO MUNICIPAL PRODUCTS							
I-IN-236774	HANDICAP PARKING SIGNS (8)	R	4/24/2020	190.65		063261		190.65

VENDOR SET: 01 City of Hesston
 BANK: 99 CITIZENS STATE BANK
 DATE RANGE: 4/01/2020 THRU 4/30/2020

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
06470 I-61738	BUILDERS CONCRETE & SUPPLY, IN CONCRETE:LINCOLN/WILLIAMS	R	4/24/2020	1,552.65		063262		1,552.65
05380 I-04242020	CASEY'S BUSINESS MASTERCARD APRIL GASOLINE	R	4/24/2020	1,536.93		063263		1,536.93
09005 I-5648	COPRO EFF CUSTOM V-FORCE COAT/PANT (3)	R	4/24/2020	7,408.80		063264		7,408.80
04330 I-POLICE 4/2020	COX COMMUNICATIONS APRIL INTERNET SERV:POLICE	R	4/24/2020	129.00		063265		129.00
09085 I-60619#2	EDIGER DESIGN ENTRYWAY SIGNS: FINAL PAYMT	R	4/24/2020	8,618.00		063266		8,618.00
09180 I-1D69C84E-0001 I-D2CA627C-0001 I-D2CA627C-0002 I-D2CA627C-0003	ENOTICE INC QTRLY CASH BALANCE REPORT ORD.010-2020-218: APPROP, ORD.010-2020-217:GOLF MOWERS ORD.010-2020-216: GO BOND	R R R R	4/24/2020 4/24/2020 4/24/2020 4/24/2020	67.74 88.00 158.40 237.60		063267 063267 063267 063267		551.74
09185 I-AR01282020	FLINT HILLS NATIONAL GOLF CLUB RANGE BALLS (500 DZ)	R	4/24/2020	500.00		063268		500.00
01115 I-78420-IN	GADES SALES CO. INC. GREEN SIGNAL LENS (4)	R	4/24/2020	200.00		063269		200.00
01005 I-11927760	HACH COMPANY ELECTROLYTE:CHECKS FLUORIDE	R	4/24/2020	111.68		063270		111.68
05740 I-04242020	HARVEY COUNTY ADMINISTRATION BIKE/PEDEST.FEASIBILITY STUDY	R	4/24/2020	2,000.00		063271		2,000.00
01045 I-04242020	HARVEY COUNTY SHERIFF OFFICE CITY PRISONERS HOUSED IN MAR	R	4/24/2020	35.00		063272		35.00
01225 I-16303	HESSTON MACHINE/WELD INC CUT OFF BEARING	R	4/24/2020	50.00		063273		50.00
01245 I-28258 I-28291 I-28339	HESSTON PRESTIGE PRINTING SIGNS:"CLOSED-PAY ON LINE"(12) UPS/SIGNS/FEDEX YARD SIGNS:"RETURN CARTS"(9)	R R R	4/24/2020 4/24/2020 4/24/2020	132.00 260.40 135.00		063274 063274 063274		527.40

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01275 I-52538	HESSTON VETERINARY CLINIC RABIES 2 YR VACCINE: ATLAS	R	4/24/2020	37.00		063275		37.00
07150 I-23366	KANSAS CORRECTIONAL INDUSTRIES WHITE/YLW TRAFFIC PAINT (6)	R	4/24/2020	422.50		063276		422.50
04920 I-14345	KANSAS ELECTRIC, INC REPAIR:WELL#8 TRANSFORMER	R	4/24/2020	2,950.00		063277		2,950.00
05750 I-214496	KANSAS GOLF & TURF, INC. SHIPPING CHG:RENTAL CARTS	R	4/24/2020	54.54		063278		54.54
03770 I-991074 I-994226	LIFE-ASSIST, INC ALCOHOL PREP PAD (2) EXAM GLOVES/PARALLAX EYEWEAR	R R	4/24/2020 4/24/2020	3.16 93.39		063279 063279		96.55
05330 I-APR2020-MONTHLY	LLAMAS LAW OFFICES APRIL 2020 PROSECUTOR FEE	R	4/24/2020	750.00		063280		750.00
00530 I-25812 I-25893	MARTIN AUTO PARTS, INC. ATC-1 FUSE (5) BODY MOULDING (1)	R R	4/24/2020 4/24/2020	3.45 14.19		063281 063281		17.64
05900 I-20600103204	PACE ANALYTICAL SERVICES, INC. SWR SAMPLE ANALYSIS 4/1	R	4/24/2020	404.50		063282		404.50
03245 I-APR2020-MONTHLY	RANDALL J. PANKRATZ APRIL 2020 COURT FEE	R	4/24/2020	1,083.33		063283		1,083.33
00965 I-2934-16	GLADINE SCHNEIDER COOKIES:DISPATCHER APPRECIATN	R	4/24/2020	34.00		063284		34.00
02550 I-290176-IN	SENSIT TECHNOLOGIES CALIBRATION GAS:DETECTOR	R	4/24/2020	145.12		063285		145.12
06170 I-8129496491	SHRED-IT 3/3 SHRED SERVICES	R	4/24/2020	67.44		063286		67.44
06670 I-4872931-00	STANION WHOLESALE ELECTRIC CO. COMMERICAL GAS ERTS (6)	R	4/24/2020	520.80		063287		520.80
07765 I-04242020	TURF EQUIPMENT SERVICES AERATION SERVICE	R	4/24/2020	2,000.00		063288		2,000.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
08560 I-04242020	VERONCIA MOSQUEDA-BARGDILL APRIL PROBATION SERVICES	R	4/24/2020	375.00		063289		375.00
04615 I-04242020	WAL-MART CREDIT CARD TREATS/GATORADE: EMS/FIRE	R	4/24/2020	193.04		063290		193.04
00260 I-561	WELBORN SALES, INC GREEN CHANNEL POST (12)	R	4/24/2020	540.00		063291		540.00
06240 I-36699	AUTO HOUSE TOWING & RECOVERY, #52: TOWING SERVICES	R	4/30/2020	147.50		063295		147.50
07165 I-04302020	BLUE CROSS & BLUE SHIELD OF KA OVERPAYMENT: KAEI JANZEN	R	4/30/2020	604.30		063296		604.30
07165 I-4302020	BLUE CROSS & BLUE SHIELD OF KA OVERPAYMENT: ARLENE KLASSEN	R	4/30/2020	180.70		063297		180.70
05135 I-04302020 I-UNRUH LIFT 5/20	CENTURYLINK LOCAL/LONG DIS/DSL SERV 4/17 UNRUH LIFT STN SERV THRU 5/17	R R	4/30/2020 4/30/2020	894.31 61.50		063298 063298		955.81
09190 I-CD00021815	CLUBPROCURE FLAGS/RAKES/TEE TOWELS/CUPS	R	4/30/2020	1,934.35		063299		1,934.35
1 I-CUSICK 4/2020	CODI CUSICK CODI CUSICK:	R	4/30/2020	45.00		063300		45.00
05230 I-04302020	CORNERSTONE LAW, LLC COURT APPT ATTNY: S.WOODIN	R	4/30/2020	169.77		063301		169.77
04085 I-1003003202005	DELTA DENTAL OF KANSAS MAY DENTAL PREMIUM	R	4/30/2020	2,236.60		063302		2,236.60
09085 I-60619	EDIGER DESIGN REPAINT FEE:ENTRYWAY SIGNS	R	4/30/2020	500.00		063303		500.00
09180 I-D2CA627C-0004	ENOTICE INC VARIANCE NOTICE	R	4/30/2020	61.60		063304		61.60
01660 I-110 SMITH A 4/20 I-110 SMITH B 4/20 I-COMMERCE 4/20 I-GOLF CLBHSE 4/20 I-GOLF FOUNT 4/20 I-GOLF PUMP 4/20 I-GOLF RD 4/20	EVERGY 110 SMITH A SERVICE THRU 4/21 110 SMITH B SERVICE THRU 4/21 COMMERCE SIREN SERV THRU 4/20 GOLF CLUBHOUSE SERV THRU 4/20 GOLF FOUNTAIN SERV THRU 4/21 GOLF PUMP SERVICE THRU 4/20 GOLF CRSE SERVICE THRU 4/20	R R R R R R R	4/30/2020 4/30/2020 4/30/2020 4/30/2020 4/30/2020 4/30/2020 4/30/2020	37.75 55.23 34.35 201.97 25.67 717.55 102.65		063305 063305 063305 063305 063305 063305 063305		

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
	I-GOLF STRGE 4/20		4/30/2020	125.80		063305		
	I-SKATE PK 4/20		4/30/2020	24.61		063305		1,325.58
08625	GILMORE SOLUTIONS, INC							
	I-18372	R	4/30/2020	26.50		063306		
	I-18382	R	4/30/2020	2,587.38		063306		
	I-18396	R	4/30/2020	2,090.79		063306		4,704.67
02525	HESSTON RESOURCE CENTER							
	I-04302020	R	4/30/2020	462.67		063307		462.67
07260	IMAGE QUEST							
	I-IN342626	R	4/30/2020	129.97		063308		129.97
01810	KROPF LUMBER CO							
	I-04302020	R	4/30/2020	438.19		063309		438.19
01830	LAFE T. WILLIAMS & ASSOCIATES,							
	I-585928-IN	R	4/30/2020	49.42		063310		49.42
03770	LIFE-ASSIST, INC							
	I-996520	R	4/30/2020	76.00		063311		76.00
1	MARVA BLOUGH							
	I-BLOUGH 4/2020	R	4/30/2020	120.00		063312		120.00
05120	MID-KANSAS COOPERATIVE							
	I-MOU101336469	R	4/30/2020	49.75		063313		49.75
04945	MIDWAY MOTORS							
	I-83745	R	4/30/2020	146.62		063314		146.62
02195	NEWTON MEDICAL CENTER							
	I-33168	R	4/30/2020	1,148.90		063315		1,148.90
02835	OFFICE PLUS OF KANSAS							
	I-4027697-0	R	4/30/2020	16.25		063316		
	I-4027697-1	R	4/30/2020	10.83		063316		
	I-4027697-2	R	4/30/2020	16.25		063316		
	I-4027856-0	R	4/30/2020	22.99		063316		
	I-4028307-0	R	4/30/2020	69.70		063316		
	I-4028409-0	R	4/30/2020	15.29		063316		151.31

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
03405	PROFESSIONAL TURF PRODUCTS, LP							
I-1488553-00	BEARING/SCREW-HH	R	4/30/2020	61.24		063317		61.24
08685	QUALITY TIMBER PRODUCTS, INC							
I-17835	CEDAR MULCH (7 YDS)	R	4/30/2020	245.00		063318		245.00
07930	QUIKRETE COMPANIES							
I-20340309	BULK INDUSTRIAL GRADE SAND	R	4/30/2020	1,170.54		063319		
I-20340310	BULK INDUSTRIAL GRADE SAND	R	4/30/2020	1,127.81		063319		
I-20340311	BULK INDUSTRAIL GRADE SAND	R	4/30/2020	1,139.89		063319		
I-20340312	BULK INDUSTRIAL GRADED SAND	R	4/30/2020	1,143.13		063319		4,581.37
02800	SPRINT PCS							
I-519277819-149	TABLET SERVICE THRU 4/20	R	4/30/2020	60.00		063320		60.00
03100	UNIFIRST CORPORATION							
I-2400932961	UNIFORM CLEANING 3/27	R	4/30/2020	79.12		063321		
I-2400934490	UNIFORM CLEANING 4/3	R	4/30/2020	79.12		063321		
I-2400935934	UNIFORM CLEANING 4/10	R	4/30/2020	79.12		063321		
I-2400937267	BAGGED WIPERS (3)	R	4/30/2020	42.25		063321		
I-2400937377	UNIFORM CLEANING 4/17	R	4/30/2020	79.12		063321		
I-2400938811	UNIFORM CLEANING 4/24	R	4/30/2020	79.12		063321		437.85
02995	USA BLUE BOOK							
I-204892	CHARTS:RECORDS PRESSURE	R	4/30/2020	76.40		063322		76.40

* * T O T A L S * *	NO			INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	137			387,684.41	0.00	382,684.41
HAND CHECKS:	0			0.00	0.00	0.00
DRAFTS:	1			6,363.78	0.00	6,363.78
EFT:	0			0.00	0.00	0.00
NON CHECKS:	0			0.00	0.00	0.00
VOID CHECKS:	2 VOID DEBITS		0.00			
	VOID CREDITS		5,000.00CR	5,000.00CR	0.00	

TOTAL ERRORS: 0

	NO			INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01	140			389,048.19	0.00	389,048.19
BANK: 99	140			389,048.19	0.00	389,048.19

VENDOR SET: 01 City of Hesston

BANK: PR Payroll Accounts Payable

DATE RANGE: 4/01/2020 THRU 4/30/2020

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00485	CITIZENS STATE BANK							
I-T1 04052020	FEDERAL WITHHOLDING TAX	D	4/10/2020	6,319.84		000175		
I-T3 04052020	FICA W/H TAX	D	4/10/2020	9,141.14		000175		
I-T4 04052020	MEDICARE W/H TAX	D	4/10/2020	2,137.86		000175		17,598.84
01355	I.C.M.A.							
I-37 04052020	EMPLOYEE RETIREMENT	D	4/10/2020	1,480.00		000176		
I-37104052020	EMPLOYEE RETIREMENT	D	4/10/2020	319.65		000176		
I-37204052020	ICMA - 2.5% CONT	D	4/10/2020	209.27		000176		
I-37304052020	ICMA - 3%	D	4/10/2020	921.71		000176		2,930.63
01620	KANSAS WITHHOLDING TAX							
I-T2 04052020	KANSAS STATE W/H TAX	D	4/10/2020	2,914.01		000177		2,914.01
01615	KPERS							
I-31 04052020	KPERS	D	4/10/2020	6,163.42		000178		
I-31204052020	KPERS-TR2	D	4/10/2020	1,611.08		000178		
I-31304052020	KPERS-TR3	D	4/10/2020	2,286.94		000178		
I-31I04052020	K-INSUR.MORATORIUM	D	4/10/2020	688.69		000178		
I-31L04052020	KPERS OPTIONAL LIFE INS	D	4/10/2020	278.00		000178		11,028.13
00485	CITIZENS STATE BANK							
I-T1 04192020	FEDERAL WITHHOLDING TAX	D	4/24/2020	5,715.98		000180		
I-T3 04192020	FICA W/H TAX	D	4/24/2020	8,705.94		000180		
I-T4 04192020	MEDICARE W/H TAX	D	4/24/2020	2,036.06		000180		16,457.98
01355	I.C.M.A.							
I-37 04192020	EMPLOYEE RETIREMENT	D	4/24/2020	1,480.00		000181		
I-37104192020	EMPLOYEE RETIREMENT	D	4/24/2020	316.21		000181		
I-37204192020	ICMA - 2.5% CONT	D	4/24/2020	205.77		000181		
I-37304192020	ICMA - 3%	D	4/24/2020	1,019.91		000181		3,021.89
01620	KANSAS WITHHOLDING TAX							
I-T2 04192020	KANSAS STATE W/H TAX	D	4/24/2020	2,682.49		000182		2,682.49
01615	KPERS							
I-31 04192020	KPERS	D	4/24/2020	6,087.40		000183		
I-31204192020	KPERS-TR2	D	4/24/2020	1,602.23		000183		
I-31304192020	KPERS-TR3	D	4/24/2020	2,291.58		000183		
I-31I04192020	K-INSUR.MORATORIUM	D	4/24/2020	683.21		000183		10,664.42
05605	AFLAC							
I-40 04052020	AFLAC	R	4/24/2020	112.55		063258		
I-40 04192020	AFLAC	R	4/24/2020	112.55		063258		
I-41 04052020	AFLAC	R	4/24/2020	26.07		063258		
I-41 04192020	AFLAC	R	4/24/2020	26.07		063258		
I-41204052020	AFLAC EMPLOYER PAID	R	4/24/2020	28.56		063258		
I-41204192020	AFLAC EMPLOYER PAID	R	4/24/2020	28.56		063258		334.36

VENDOR SET: 01 City of Hesston

BANK: PR Payroll Accounts Payable

DATE RANGE: 4/01/2020 THRU 4/30/2020

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
08465	US DEPARTMENT OF EDUCATION AWG							
I-49104052020	CHRIS CARTER 510-94-2784	R	4/24/2020	290.52		063259		
I-49104192020	CHRIS CARTER 510-94-2784	R	4/24/2020	271.20		063259		561.72

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	2	896.08	0.00	896.08
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	8	67,298.39	0.00	67,298.39
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0	VOID DEBITS 0.00		
		VOID CREDITS 0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 01	BANK: PR	TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
			10	68,194.47	0.00	68,194.47
BANK: PR	TOTALS:		10	68,194.47	0.00	68,194.47
REPORT TOTALS:			150	457,242.66	0.00	457,242.66

SELECTION CRITERIA

VENDOR SET: 01-CITY OF HESSTON
VENDOR: ALL
BANK CODES: All
FUNDS: All

CHECK SELECTION

CHECK RANGE: 000000 THRU 999999
DATE RANGE: 4/01/2020 THRU 4/30/2020
CHECK AMOUNT RANGE: 0.00 THRU 999,999,999.99
INCLUDE ALL VOIDS: YES

PRINT OPTIONS

SEQUENCE: CHECK NUMBER

PRINT TRANSACTIONS: YES
PRINT G/L: NO
UNPOSTED ONLY: NO
EXCLUDE UNPOSTED: NO
MANUAL ONLY: NO
STUB COMMENTS: NO
REPORT FOOTER: NO
CHECK STATUS: NO
PRINT STATUS: * - All

CITY OF HESSTON



MONTHLY FINANCIAL STATEMENT

**For the Fourth Month Ended
April 30, 2020**

CITY OF HESSTON
Monthly Financial Statement
For the Fourth Month Ended April 30, 2020

EXECUTIVE SUMMARY

Pooled Cash and Debt (Exhibit I) – The City's total pooled cash position is approximately \$10.9 million. The City's debt of \$12.9 million is made up of four G.O. Bonds that are paid primarily through special assessments, two PBC Bonds for the library building and the recreation project, the golf cart lease-purchase, the golf cart grounds equipment lease-purchase and a revolving loan for the wastewater treatment plant upgrades. Next months financial statements and summary will have updated information on May closings: lease/purchase of golf mowers, property purchase, & GO Bond refinancing.

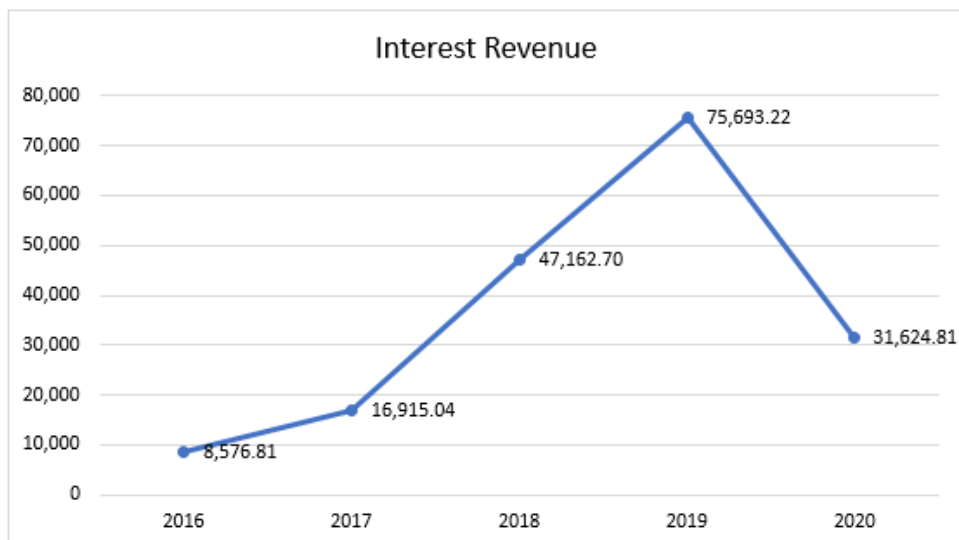
Operating Expenses to Budget (Exhibit I) – All funds are within budget for the first four months of the year.

The General Fund (Exhibit II) – The following is a General Fund analysis of Jan to April for years 2016-2020.

Year	Revenue	Expense	Rev. Over/(Under) Exp.
2016	849,827.73	601,612.25	248,215.48
2017	942,515.28	668,623.89	273,891.39
2018	957,569.57	629,296.54	328,273.03
2019	938,633.02	636,778.40	301,854.62
2020	935,311.21	644,129.23	291,181.98

2019 vs. 2020 - Jan to April Revenue comparison:

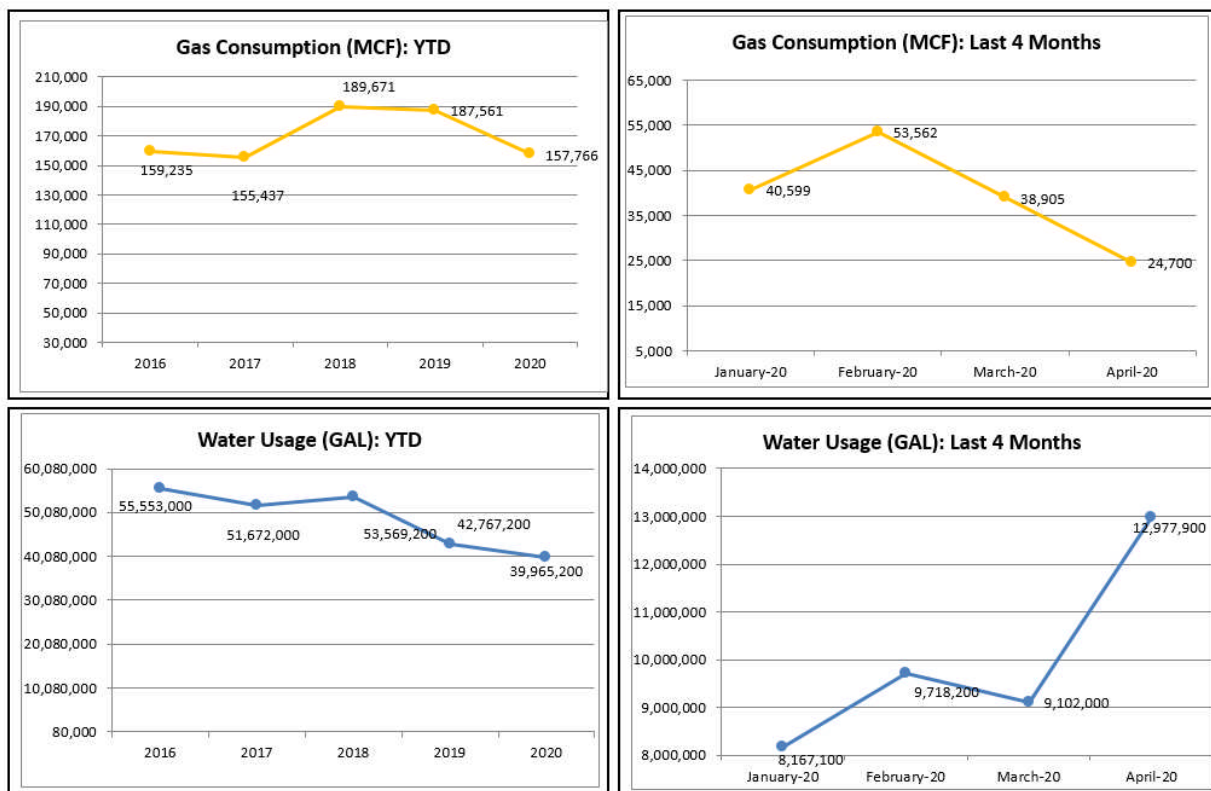
- Property taxes are up \$25K (due to valuation increase)
- Local Sales Tax is up \$5K
- Franchisee Fees are up \$7.5K
- MV Taxes are down \$2K
- Court Fees are down \$4K (no court held during stay-at-home order)
- Shelter House Fees are down \$2K (no rentals during stay-at-home order)
- City License, Rental, and Misc. Permits are down \$2K
- Interest on Investments is down \$44K (see graph below to see history)



Golf Fund (Exhibit III) – The Golf Course Clubhouse was closed on April 13th due to covid-19 related social distancing guidelines provided by KDHE. The course remains open and an online payment option was developed so golfers can go online to pay green fees.

Golf Course			
Current Month - YTD Comparison			
Year	Revenue	Expense	Rev. vs. Exp
2016	131,564	153,605	(22,041)
2017	142,927	166,508	(23,581)
2018	124,717	159,005	(34,288)
2019	129,587	176,498	(46,911)
2020	114,226	173,177	(58,951)

Utility Operations (Exhibit IV - IX) – The following graphs shows comparisons of gas and water usage year-to-date over the last 5 years. It also shows gas and water usage over the last 4 months. Both gas and water sales are down this year compared to previous years.



Economic Development & Revolving Loan (Exhibit IX) – The fund has a balance of \$186,080 available for new loans.

Transient Guest Tax (Exhibit XI) – No comments.

PBC, Land Bank, Business Utility Grants (Exhibit XII) – The Business Utility Grant Fund was added to this section of the financial statements. In April the \$5K City portion of the grant was added to the fund as revenue. In May you will see the addition of the \$5K Community Foundation grant and the first round of business grants totaling \$4,784 that went to six Hesston businesses.

**CITY OF HESSTON
POOLED CASH
As of April 30, 2020**

	BEGINNING BALANCE	CURRENT ACTIVITY	CURRENT BALANCE
01 - General	1,576,756	(135,193)	1,441,563
Unreconciled Claim on Cash	0	0	0
02 - Library	(9,370)	12,272	2,902
03 - Library Maintenance	22,470	0	22,470
04 - Special Street & Highway	425,920	24,650	450,571
06 - Golf	62,125	(15,533)	46,592
07 - Ambulance (EMS)	103,822	(13,557)	90,265
08 - Community Service Program	82,850	(6,204)	76,646
09 - Bond & Interest	363,804	21,700	385,504
12 - Utility	3,227,728	92,891	3,320,619
13 - Utility Maintenance Reserve	1,127,220	(630)	1,126,590
27 - Construction	584,427	(15,609)	568,818
30 - Capital Improvement	1,491,236	(9,618)	1,481,618
31 - Transient Guest Tax	0	0	0
33 - Economic Development	45,402	0	45,402
34 - Golf Maintenance Reserve	78,838	0	78,838
38 - Special Law Enforcement	0	0	0
42 - Fire Equipment Tax	528,591	0	528,591
45 - Equipment Reserve	931,708	(9,583)	922,125
46 - Special Parks	2,205	0	2,205
47 - Utility Deposits	55,080	(20)	55,060
48 - Gift Certificates (Golf)	8,982	(6)	8,976
50 - Revolving Loan Fund	186,080	0	186,080
55 - PBC	56,423	0	56,423
56 - HLB	22,712	(30)	22,682
TOTAL CLAIM ON CASH	10,975,009	(54,469)	10,920,539

**EXPENSE COMPARISON OF ACTUAL TO BUDGET
For the Fourth Month Ended April 30, 2020**

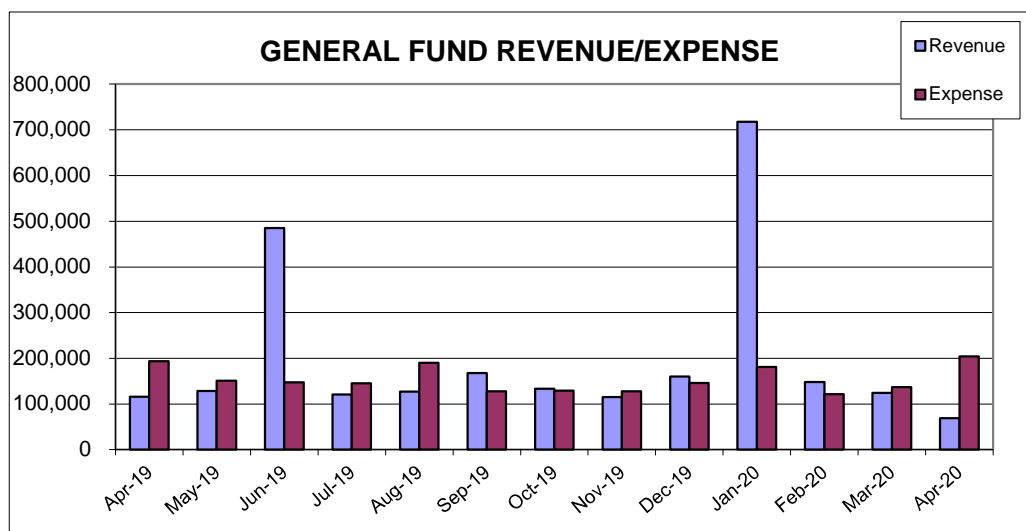
FUND	ANNUAL BUDGET	CURRENT MONTH	YTD ACTUAL	% OF BUDGET	AVAILABLE BUDGET
01 - General	2,231,377	204,208	644,129	28.9%	1,587,248
02 - Library (Appropriations)	236,679	0	123,242	52.1%	113,437
03 - Library Maintenance		0	0		
04 - Special Street & Highway	225,000	0	12,480	5.5%	212,520
06 - Golf	623,854	41,033	173,177	27.8%	450,677
07 - Ambulance (EMS)	400,826	45,398	131,761	32.9%	269,065
08 - Community Service Program	25,000	6,204	8,343	33.4%	16,657
09 - Bond & Interest	640,180	0	142,940	22.3%	497,240
12 - Utility	3,109,122	200,122	960,614	30.9%	2,148,508
13 - Utility Maintenance Reserve		630	10,265		
27 - Construction		15,609	49,934		
30 - Capital Improvement		9,618	100,616		
31 - Transient Guest Tax	35,000	0	8,386	24.0%	26,614
33 - Economic Development	8,500	0	5,720	67.3%	2,780
34 - Golf Maintenance Reserve		0	0		
38 - Special Law Enforcement		0	0		
42 - Fire Equipment Tax	0	0	0	0.0%	0
45 - Equipment Reserve		14,749	215,694		
46 - Special Parks	1,189	0	0	0.0%	1,189
50 - Revolving Loan Fund		0	0		
55 - PBC (Library Bldg. Payment)	65,083	0	12,541	19.3%	52,542
56 - Hesston Land Bank	18,885	30	30	0.2%	18,855
TOTAL EXPENSES	7,620,695	537,601	2,599,873	29.1%	5,378,477
			Standard	33.3%	

**INDEBTEDNESS
As of April 30, 2020**

General Obligation Bonds	4,945,000
PBC Bonds - Library Building	565,000
PBC Bonds - Rec. Project	4,940,000
Temporary Notes	-
Lease Purchase Agreements	145,893
WWTP Loan	2,296,908
TOTAL INDEBTEDNESS	12,892,801

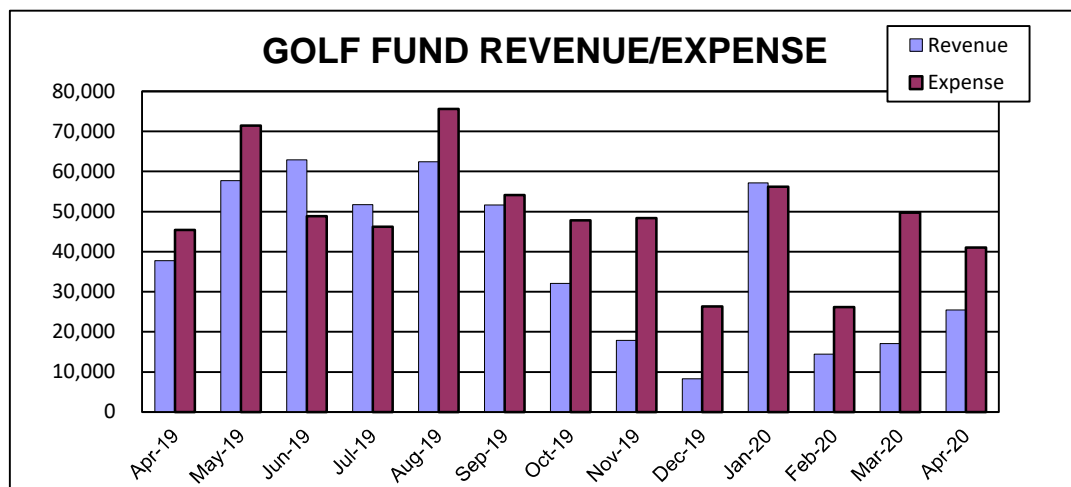
CITY OF HESSTON
GENERAL FUND COMPARISON OF ACTUAL TO BUDGET
For the Fourth Month Ended April 30, 2020

ACCOUNT	ANNUAL BUDGET	CURRENT MONTH	YTD ACTUAL	% OF BUDGET	AVAILABLE BUDGET
REVENUE:					
Property Tax	902,822	0	514,213	57.0%	388,609
Motor Vehicle Taxes	111,828	0	17,466	15.6%	94,362
Local Sales Tax	650,000	28,131	205,819	31.7%	444,181
Franchise Taxes	415,000	25,081	121,430	29.3%	293,570
Court Fees & Costs	43,400	2,091	12,901	29.7%	30,499
Interest on Investments	200,000	917	31,625	15.8%	168,375
Lease Revenue	37,057	249	10,007	27.0%	27,050
Fees	24,100	445	4,500	18.7%	19,601
Miscellaneous Income	24,312	180	983	4.0%	23,329
Reimbursements	50,000	12,108	16,367	32.7%	33,633
Intra Fund Transfers	0	0	0	0.0%	0
TOTAL REVENUE	2,458,519	69,202	935,311	38.0%	1,523,208
EXPENDITURES:					
Administration	153,730	19,277	64,041	41.7%	89,689
Police	818,548	81,120	285,947	34.9%	532,601
Street	259,579	38,631	96,354	37.1%	163,225
Fire	179,245	22,036	59,122	33.0%	120,123
Parks	246,075	28,077	79,698	32.4%	166,377
Municipal Court	46,300	3,020	12,938	27.9%	33,362
Lease Purchase	25,509	0	0	0.0%	25,509
Transfers	295,083	0	0	0.0%	295,083
Other Expenses	207,308	12,047	46,029	22.2%	161,279
TOTAL EXPENSES	2,231,377	204,208	644,129	28.9%	1,587,248
NET GAIN/(LOSS)	227,142	(135,006)	291,182		(64,040)



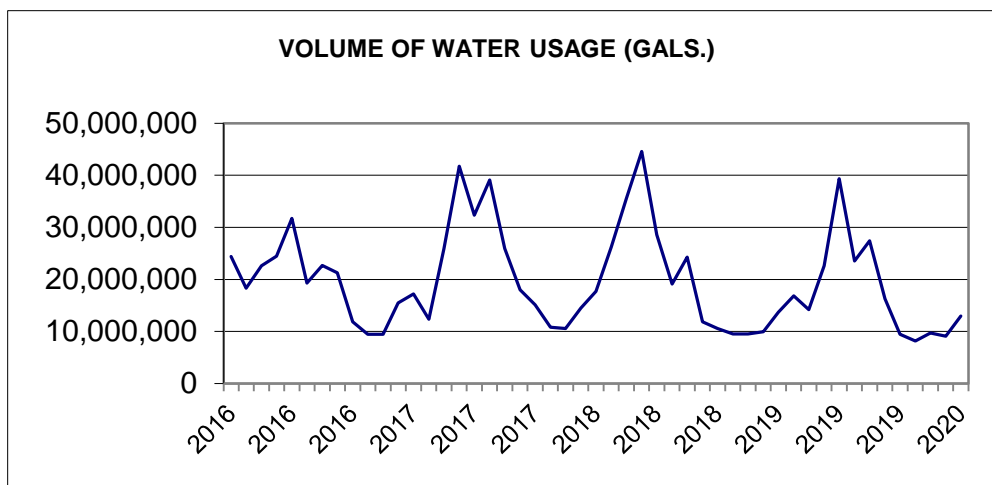
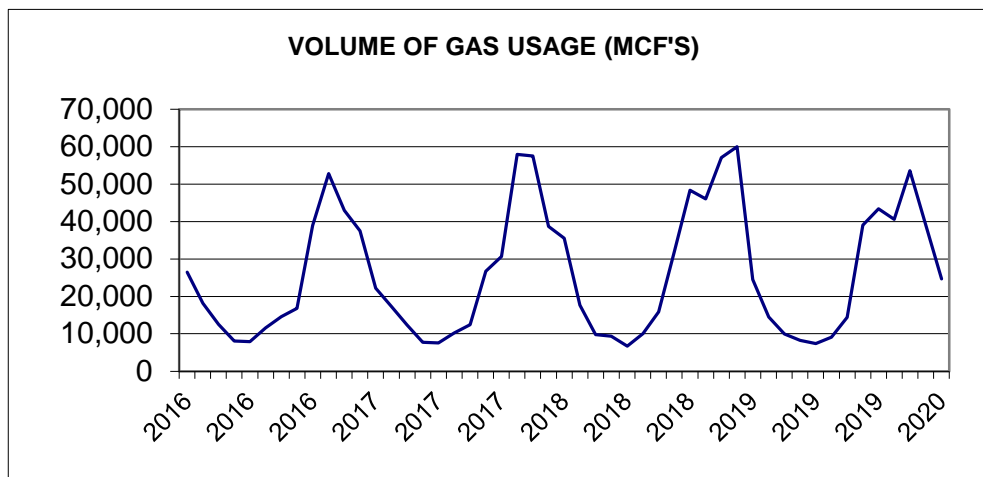
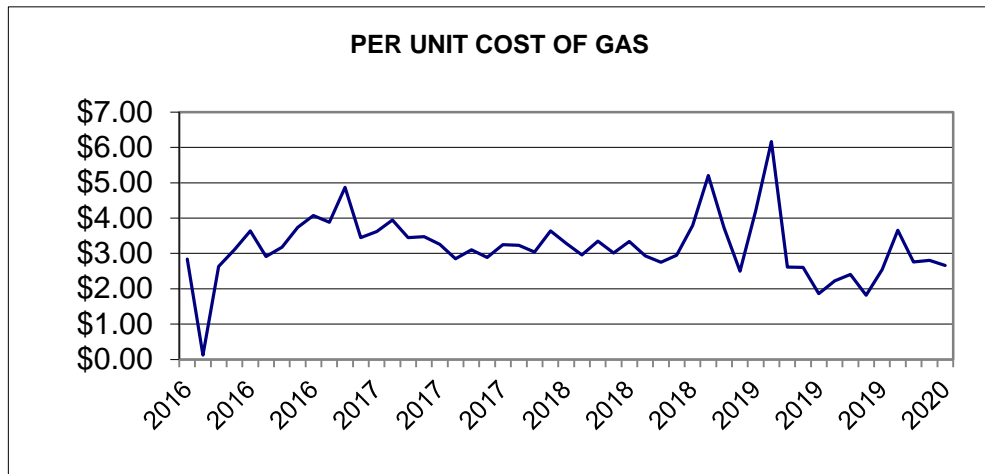
CITY OF HESSTON
GOLF FUND COMPARISON OF ACTUAL TO BUDGET
For the Fourth Month Ended April 30, 2020

ACCOUNT	ANNUAL BUDGET	CURRENT MONTH	YTD ACTUAL	% OF BUDGET	AVAILABLE BUDGET
REVENUE:					
Green Fees	120,000	12,931	20,788	17.3%	99,212
Golf Cart Fee	116,000	5,688	31,071	26.8%	84,929
Commission Golf Lessons	0	0	0	0.0%	0
Practice Facility	11,000	248	4,654	42.3%	6,346
Banquet Room Rental	0	0	0	0.0%	0
Miscellaneous	4,000	1,312	1,653	41.3%	2,347
Tournament Fees	50,000	0	471	0.9%	49,529
Membership Fees	65,000	4,218	49,326	75.9%	15,674
Concessions	85,000	866	3,900	4.6%	81,100
Golf Shop Sales	46,000	237	2,363	5.1%	43,637
Reimbursements	0	0	0	0.0%	0
TOTAL REVENUE	497,000	25,500	114,226	23.0%	382,774
EXPENDITURES:					
Personnel	267,486	19,241	67,640	25.3%	199,846
Contractual Services	87,500	6,708	39,289	44.9%	48,211
Commodities	180,750	10,460	48,209	26.7%	132,541
Capital Outlay	88,118	4,624	18,039	20.5%	70,079
Reimbursement	0	0	0	0.0%	0
TOTAL EXPENDITURES	623,854	41,033	173,177	27.8%	450,677
Net Bef. Franchise Fees	(126,854)	(15,533)	(58,951)	(0)	(67,903)
Add: Transfer	127,000	0	0		127,000
NET GAIN/(LOSS)	146	(15,533)	(58,951)	0.0%	59,097



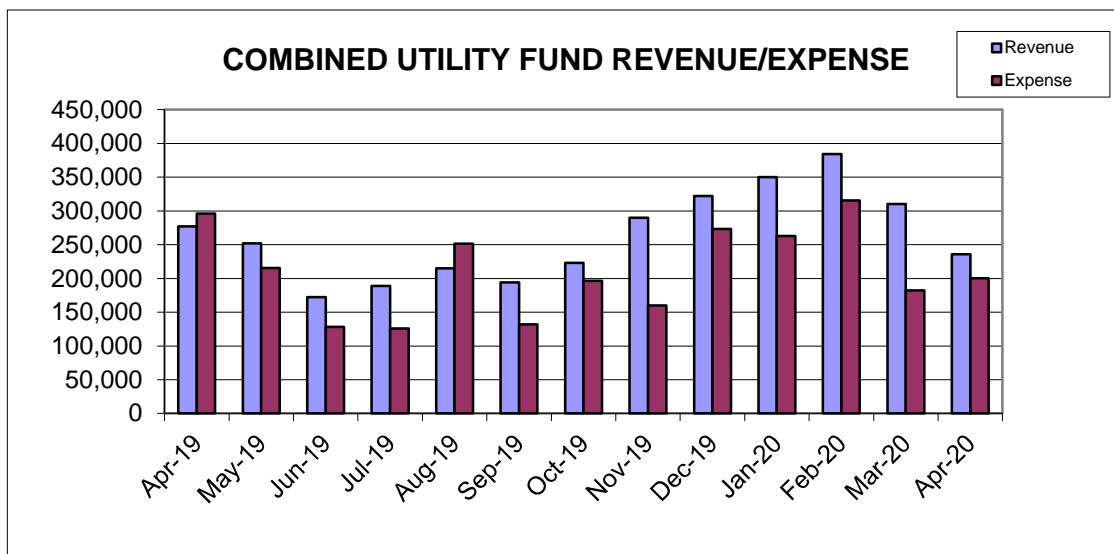
HISTORICAL UTILITY INFORMATION

As of April 30, 2020



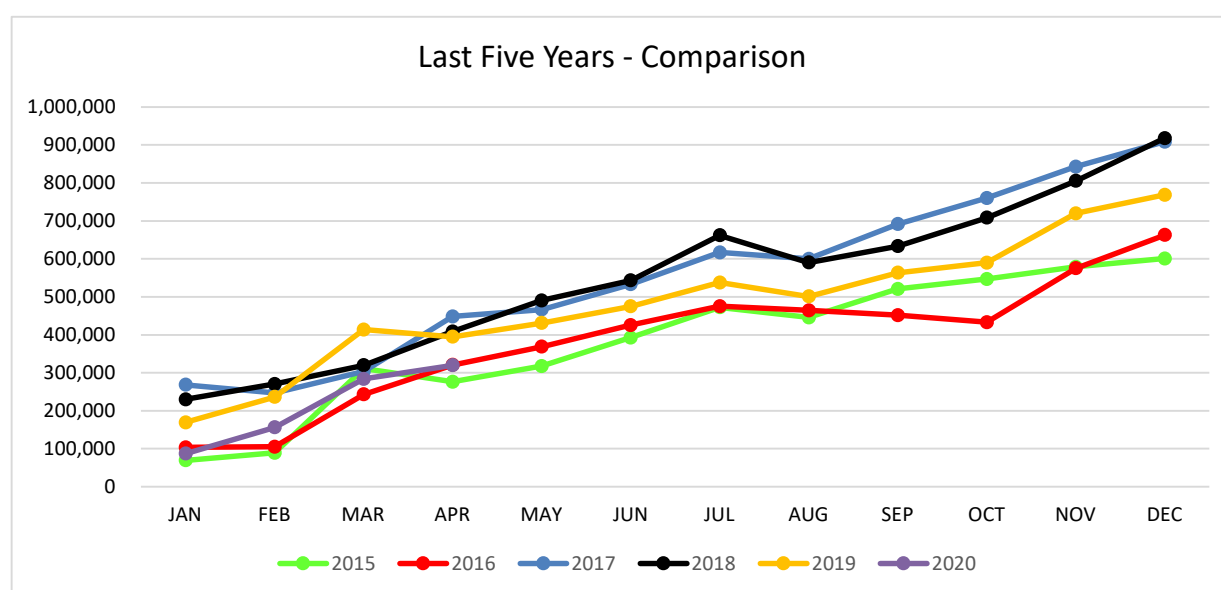
CITY OF HESSTON
COMBINED UTILITY FUND COMPARISON OF ACTUAL TO BUDGET
For the Fourth Month Ended April 30, 2020

ACCOUNT	ANNUAL BUDGET	CURRENT MONTH	YTD ACTUAL	% OF BUDGET	AVAILABLE BUDGET
<u>GAS</u>					
Revenue	1,739,000	123,906	836,495	48.1%	902,505
Expenditures	1,633,556	90,323	522,347	32.0%	1,111,209
NET GAIN/(LOSS)	105,444	33,583	314,148	297.9%	(208,704)
<u>WATER</u>					
Revenue	639,000	32,384	120,893	18.9%	518,107
Expenditures	636,104	48,410	161,963	25.5%	474,141
NET GAIN/(LOSS)	2,896	(16,026)	(41,070)	-1418.2%	43,966
<u>SEWER</u>					
Revenue	764,000	62,952	256,229	33.5%	507,771
Expenditures	649,312	44,991	228,107	35.1%	421,205
NET GAIN/(LOSS)	114,688	17,961	28,122	24.5%	86,566
<u>REFUSE</u>					
Revenue	196,000	16,564	66,553	34.0%	129,447
Expenditures	190,150	16,397	48,197	25.3%	141,953
NET GAIN/(LOSS)	5,850	167	18,356	313.8%	(12,506)
<u>COMBINED FUND</u>					
Revenue	3,338,000	235,807	1,280,170	38.4%	2,057,830
Expenditures	3,109,122	200,122	960,614	30.9%	2,148,508
NET GAIN/(LOSS)	228,878	35,685	319,556	139.6%	(90,678)



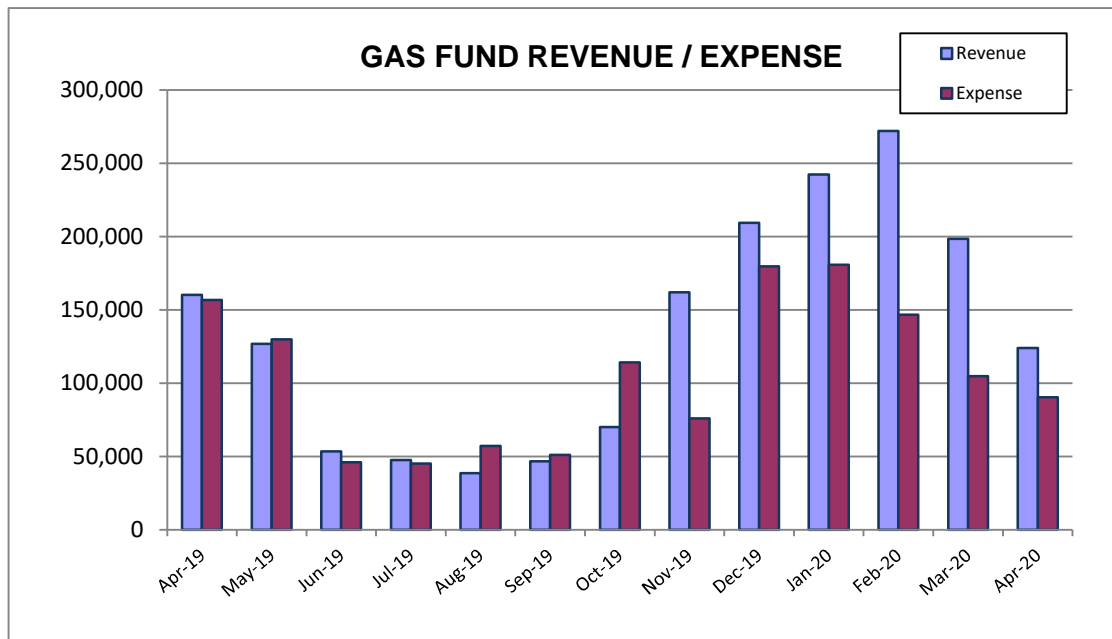
Utilities: Revenue over / (under) Expense

	2014	2015	2016	2017	2018	2019	2020
JAN	287,054	69,479	103,588	268,310	229,858	169,068	87,092
FEB	523,370	89,260	105,170	246,697	270,632	236,442	156,022
MAR	744,597	311,446	242,869	303,165	319,855	413,590	283,871
APR	816,747	276,496	320,438	448,385	408,811	394,638	319,556
MAY	747,068	317,442	368,749	466,463	490,443	430,999	0
JUN	822,929	392,735	425,627	532,825	542,898	474,762	0
JUL	900,779	472,495	475,320	617,006	662,021	537,517	0
AUG	986,012	445,584	464,355	599,973	590,399	501,057	0
SEP	1,073,394	520,844	451,480	691,684	633,244	563,220	0
OCT	1,105,724	546,762	433,275	760,301	708,449	589,865	0
NOV	1,120,085	578,976	575,301	842,849	805,091	719,774	0
DEC	1,155,029	600,932	662,867	908,409	917,580	768,607	0



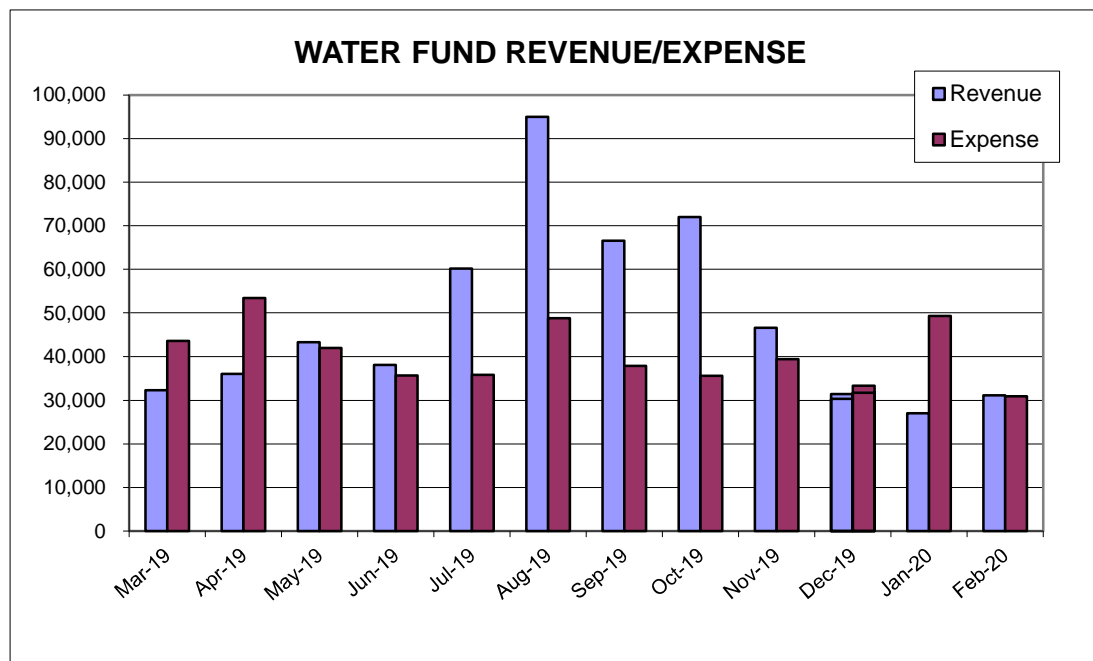
CITY OF HESSTON
GAS COMPARISON OF ACTUAL TO BUDGET
For the Fourth Month Ended April 30, 2020

ACCOUNT	ANNUAL BUDGET	CURRENT MONTH	YTD ACTUAL	% OF BUDGET	AVAILABLE BUDGET
REVENUE:					
Gas Fees & Sales	1,739,000	123,906	836,495	48.1%	902,505
Less: Gas Purchases	1,000,000	56,242	382,301	38.2%	617,699
NET GAS MARGIN	739,000	67,664	454,194	61.5%	284,806
EXPENDITURES:					
Personnel	338,556	24,638	105,734	31.2%	232,822
Contractual	52,500	7,706	20,101	38.3%	32,399
Commodities	23,000	1,216	7,062	30.7%	15,938
Capital Outlay	11,000	521	7,150	65.0%	3,850
Reimbursements	0	0	0	0.0%	0
Transfers	208,500	0	0	0.0%	208,500
TOTAL EXPENDITURES	633,556	34,081	140,046	22.1%	493,510
NET GAIN/(LOSS)	105,444	33,583	314,148	33.6%	(208,704)



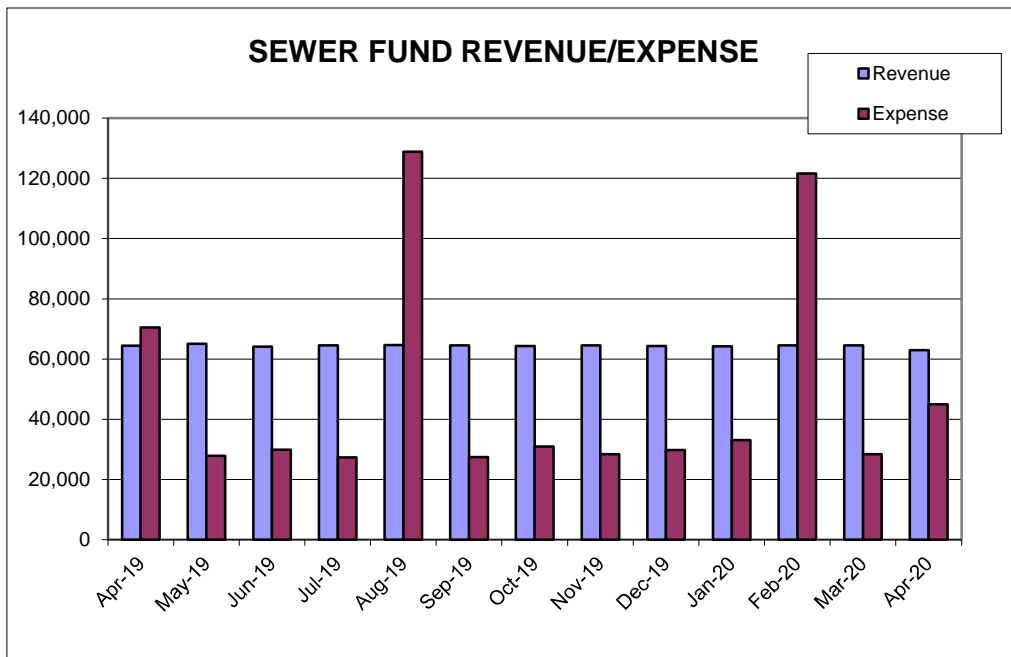
CITY OF HESSTON
WATER COMPARISON OF ACTUAL TO BUDGET
For the Fourth Month Ended April 30, 2020

ACCOUNT	ANNUAL BUDGET	CURRENT MONTH	YTD ACTUAL	% OF BUDGET	AVAILABLE BUDGET
REVENUE:					
Water Fees & Sales	639,000	30,377	88,509	13.9%	550,491
EXPENDITURES:					
Personnel	339,669	22,123	80,737	23.8%	258,932
Contractual	124,450	5,877	21,848	17.6%	102,602
Commodities	43,500	3,734	7,664	17.6%	35,836
Capital Outlay	10,000	1,632	3,303	33.0%	6,697
Reimbursements	0	0	0	0.0%	0
Transfers	118,485	0	0	0.0%	118,485
TOTAL EXPENDITURES	636,104	33,366	113,553	17.9%	522,551
NET GAIN/(LOSS)	2,896	(2,989)	(25,044)	-11.6%	27,940



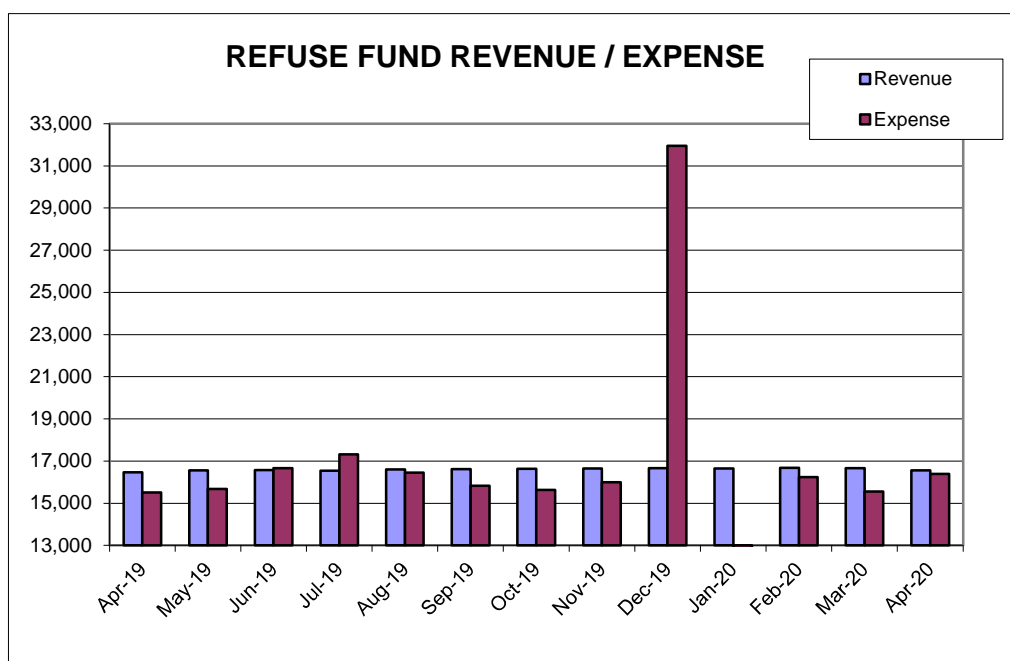
CITY OF HESSTON
SEWER COMPARISON OF ACTUAL TO BUDGET
For the Fourth Month Ended April 30, 2020

ACCOUNT	ANNUAL BUDGET	CURRENT MONTH	YTD ACTUAL	% OF BUDGET	AVAILABLE BUDGET
REVENUE:					
Sewer Fees & Sales	764,000	62,952	256,229	33.5%	507,771
EXPENDITURES:					
Personnel	234,828	20,012	79,992	34.1%	154,836
Contractual	142,650	21,252	47,389	33.2%	95,261
Commodities	22,980	2,893	5,795	25.2%	17,185
Capital Outlay	185,354	0	92,677	50.0%	92,677
Reimbursements	0	834	2,254	0.0%	(2,254)
Transfers	63,500	0	0	0.0%	63,500
TOAL EXPENDITURES	649,312	44,991	228,107	35.1%	421,205
NET GAIN/(LOSS)	114,688	17,961	28,122	24.5%	86,566



CITY OF HESSTON
REFUSE COMPARISON OF ACTUAL TO BUDGET
For the Fourth Month Ended April 30, 2020

ACCOUNT	ANNUAL BUDGET	CURRENT MONTH	YTD ACTUAL	% OF BUDGET	AVAILABLE BUDGET
REVENUE:					
Refuse Fees & Sales	196,000	16,564	66,553	34.0%	129,447
EXPENDITURES:					
Contractual	190,150	16,397	48,197	25.3%	141,953
Transfers	0	0	0	0.0%	0
TOAL EXPENDITURES	190,150	16,397	48,197	25.3%	141,953
NET GAIN/(LOSS)	5,850	167	18,356	313.8%	(12,506)



CITY OF HESSTON
ECONOMIC DEVELOPMENT COMPARISON OF ACTUAL TO BUDGET
For the Fourth Month Ended April 30, 2020

ACCOUNT	ANNUAL BUDGET	CURRENT MONTH	YTD TOTAL	% OF BUDGET	AVAILABLE BUDGET
REVENUE:					
Transfer From Utilities	20,000	0	0	0.0%	20,000
TOTAL REVENUE	20,000	0	0	0.0%	20,000
EXPENDITURES:					
Contractual Services*	7,500	0	4,597	61.3%	2,903
Commodities (33-501-315)	1,000	0	1,123	112.3%	(123)
Capital Outlay (33-501-401)	0	0	0	0.0%	0
Reimbursements	0	0	0	0.0%	0
Transfer to Transient Guest Tax (33-501-600)	0	0	0	0.0%	0
TOTAL EXPENDITURES	8,500	0	5,720	67.3%	2,780
NET GAIN / (DEFICIT)	11,500	0	(5,720)		17,220

* The housing incentive expenditure is included in the Economic Development Contractual Services line item. This line includes:
(33-501-205), (33-501-207), (33-501-219), (33-501-228)

HOUSING INCENTIVE PROGRAM (33-501-220)	5,000	0	3,000	60.0%	2,000
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Note: Housing Incentive Program activity includes incentives paid as well as those committed, but unpaid.

REVOLVING LOAN PROGRAM
As of April 30, 2020

ACCOUNT	BALANCE 1/1/19	CURRENT MONTH	YTD TOTAL	BALANCE YTD
Weaver Grocers	75,296	0	0	75,296
TOTAL	75,296	0	0	75,296
Available Funds	186,080			

CITY OF HESSTON
TRANSIENT GUEST TAX COMPARISON OF ACTUAL TO BUDGET
For the Fourth Month Ended April 30, 2020

ACCOUNT	ANNUAL BUDGET	CURRENT MONTH	YTD TOTAL	% OF BUDGET	AVAILABLE BUDGET
REVENUE:					
Transient Guest Tax	35,000	0	8,386	24.0%	26,614
Transfer From Eco Devo	0	0	0	0.0%	0
TOTAL REVENUE	35,000	0	8,386	0.0%	26,614
EXPENDITURES:					
Contractual Services					
Transfer to Chamber/CVB	35,000	0	8,386	24.0%	26,614
Transfer to Eco. Devo	0	0	0	0.0%	0
TOTAL EXPENDITURES	35,000	0	8,386	24.0%	26,614
NET GAIN / (DEFICIT)	0	0	0		0

**CITY OF HESSTON
PUBLIC BUILDING COMMISSION FUND #55**

ACCOUNT	ANNUAL BUDGET	CURRENT MONTH	YTD TOTAL	% OF BUDGET	AVAILABLE BUDGET
REVENUE:					
Transfer from General Fund	65,083	0	0	0.0%	65,083
TOTAL REVENUE	65,083	0	0	0.0%	65,083
EXPENDITURES:					
Library Bond Payment - Principal	40,000	0	0	0.0%	40,000
Library Bond Payment - Interest	25,083	0	12,541	50.0%	12,542
TOTAL EXPENDITURES	65,083	0	12,541	19.3%	52,542
NET GAIN / (DEFICIT)	0	0	(12,541)		12,541

**CITY OF HESSTON
HESSTON LAND BANK FUND #56**

ACCOUNT	ANNUAL BUDGET	CURRENT MONTH	YTD TOTAL	% OF BUDGET	AVAILABLE BUDGET
REVENUE:					
Transfer from General	15,000	0	0	0.0%	0.0%
Land Sales	0	0	0	0.0%	0.0%
TOTAL REVENUE	15,000	0	0	0.0%	0.0%
EXPENDITURES:					
Legal Fees	5,000	0	0	0.0%	5,000
Utilities	2,500	0	0	0.0%	2,500
Taxes	4,500	0	0	0.0%	4,500
Specials	0	0	0	0.0%	0
Insurance	0	30	30	0.0%	(30)
Marketing	5,000	0	0	0.0%	5,000
Misc. Expense	1,885	0	0	0.0%	1,885
TOTAL EXPENDITURES	18,885	30	30	0.2%	18,855
NET GAIN / (DEFICIT)	(3,885)	(30)	(30)		(18,855)

**CITY OF HESSTON
BUSINESS UTILITY GRANT FUND #65**

ACCOUNT	ANNUAL BUDGET	CURRENT MONTH	YTD TOTAL	% OF BUDGET	AVAILABLE BUDGET
REVENUE:					
Transfer from Community Service	5,000	5,000	5,000	100.0%	0.0%
Grant from Community Foundation	5,000	0	0	0.0%	0.0%
TOTAL REVENUE	10,000	5,000	5,000	50.0%	0.0%
EXPENDITURES:					
Business Utility Grants	10,000	0	0	0.0%	10,000
TOTAL EXPENDITURES	10,000	0	0	0.0%	10,000
NET GAIN / (DEFICIT)	0	5,000	5,000		(10,000)

Hesston Tree Board

April 2 , 2020

By: E- Mail

1. First of all this is a strange way to do a meeting . Life will someday get back to normal.
2. "Pine Wilt" right now that was has our attention .
3. Mike brought it to our attention look back to our December and January notes I did look back even to November.
4. December 6th we talked again about them talked about getting a News Letter to resident's with the Pine Wilt.
5. Then January 10th ,2020 , we talked a bit all the standing dead pines due from the Pine Wilt we need to action. Mike said he would check on ordinance then inform the board.
6. The Arbor Day seedlings got distributions to the 5th graders at Hesston Middle School
7. Then some sad news Chris Thraser resigned from board for some family needs. He will be missed.
8. I know I do a lot of driving around to deliver meals so I see a lot of "Pine Wilt" on City and Personal Property .
9. I do agree with Marty , city needs to show by getting rid of the Pine Wilt in the recreational and Golf Course.
10. I guess this is another e-mail meeting for our May meeting.
11. Next meeting I think will be August, since we take summer off. I will check with Ken let everyone know.
12. Everyone please stay safe and well.

Recorded By: Michelle Pfautz

BOARD OF DIRECTORS MEETING

MINUTES

Wednesday, March 25, 2020, 4:00 p.m.

Go to Meetings online meeting

In Attendance:

Jason Jones, Joe Turner, Ken Knepper, Ray Penner, Randy Hague, Scott Koehn, Karl Matlack, Ron Lang, Joel Gaeddert, Ethan Riemer, Carl Harris, Anthony Swartzendruber, Megan Smith, Pam Stevens, Mindy Budde, Dr. Jon Gering, Dennis Travis, Kelly McElroy, Beth Shelton, and John Waltner

Absent: Bob Myers, Jeremy Ashby, Tony Wheeler, Stephanie Ashby, Mindy Budde, Gary Emery, Josh Durner, John Torline, Rod Kreie and Bryan Chapman

I. CALL TO ORDER & OPENING REMARKS

President Karl Matlack called the meeting to order at 3:30 pm.

II. MINUTES OF PREVIOUS MEETINGS

The minutes of the February 26, 2020 meeting were presented, a motion was made by Ken Knepper for approval. Ray Penner seconded the motion, and it was unanimously approved.

III. TREASURER'S REPORT

Beth Shelton presented the February financial report. On the Statement of Revenue and Expenses: revenues Beth noted five accounts. Employee salaries were over budget due to raises and back pay back to Jan. 1, the Board D&O insurance was paid for the year, prepaid conferences for 2020 and hotel stays, the TEAM Kansas pledge was paid as well. With no further questions, Jason Jones motioned to approve the February financials as presented. Ron Lang seconded the motion, and the motion was unanimously approved.

IV. New Business

- a. Gary Denny, Harvey County Emergency Management spoke to the board about Covid-19. He explained to the group the actions of the HCEM team had two goals. 1. Reduce the exposure of the virus to the public. 2. Slow down the spread of the virus. He explained that Harvey County Health Department has taken the lead and the objective is to leverage all sectors of the community to push out information from the reliable partners. He has asked the EDC and Chambers to be apart of the Emergency Support System.
- b. The EDC office hours have been altered to closed to the public, call for an appointment and staff will be working from home when possible. The County and City offices are taking similar actions in response to Covid-19. Many meetings have been moved to conference calls and zoom meetings online.

V. EDC ACTIVITY UPDATE

- a. Beth Shelton's Report:
 - i. Beth reviewed the new projects. Project Poxima will need to be located near a mill and we have made the second round. This one will need 100 employees with a 162 million capital investment. Project Cook needs a small building for an internet broadband. They are more serious about our county this time. Midwest Transformer is looking at additional land lease and have met with the state on programs. Beth updated the group on Watherly. At this time the they have shut down operations and turned off utilities due to Covid-19 and when the all clear is given will ramp up production again.
 - ii. Beth reported at this time all conference and meeting have been postponed to be set for later date.
- b. Jennifer Mueller's Report:

- i. Jennifer gave reported that she was able to meet with Bunting Magnetics prior to the Covid-19 related guidelines. Bunting Magnetics are up to 144 employees and have two openings they would like to fill. Business is up in 2019. We have also been in touch with Harvey County manufactures. At this point only the one reported from Beth had shut down. The rest are open and hope not to lay off employees.
 - ii. Jennifer reported the upcoming meetings for the HCEDC; due to Covid-19 many meetings have been moved to online or cancelled.
- c. John Walters Report:
 - i. John Waltner was not able to give his report due to technical difficulty.

VI. New Business
No New Business

VII. Old Business
No old business

VIII. Adjourn

Respectfully Submitted,
Jennifer Mueller
Business Retention Manager
Harvey County EDC
(316) 283-6033
www.harveycoedc.org

2020 Project Tracker

Project Tesla April 2020	Manufacturing	800 acres rail served	Would create 600 jobs. Capital investment not provided. The region would like to submit a site in Harvey County but we are unable to come up with contiguous acres that are rail served and infrastructure ready. GWP will submit site in El Dorado.
Project Fish April 2020	Manufacturing/ Professional Services	Looking at 4,000 SF existing space located in Hesston	New business looking at an existing space for some fabrication, business consulting and project management work. Estimate growth potential of 4-6 employees by year 5. They are working on completing their business plan and the project questionnaire.
Project Golf March 2020	Misc.	New construction	Existing company considering expansion with construction of new facility.
Project Free March 2020	Professional Services	New business	Would create 2-3 jobs initially. Working on business plan, establishing business with the State, and project questionnaire.
Project Margie Jan. 2020	Hemp Processing	Investment group looking at specifically the Halstead Hospital	Met with the City of Halstead and potential investors for tour. Waiting on the business expansion questionnaire from lead contact. First investment group that toured is out and second investment group has toured.
Project Data 2 Jan. 2020	Data Center	6,000 sf facility	Creation of 3 jobs.
Project Proxima Jan. 2020 Kansas Department of Commerce	Manufacturing	Biotechnology Manufacturing Facility. Key driver of the site requirement is proximity to potential partners that are manufacturers processing grains such as wheat mills, corn mills, wet or dry starch mills, wet or dry bioethanol plant.	Must have 37 acres initially with expansion capability of 250 acres. Approximately 650,000 SF. 100 employees Made it to the second round but were advised this round includes 3 states with multiples sites
Project Rose Jan. 2020	Distribution Warehouse/Production	E-Commerce Distribution Warehouse/ Production of organic/	Looking for 20,000 to 30,000 square feet. 26 jobs over 3 years, \$16 to \$16.50 / hour average wage. Submitted ABI Building.

Red- Eliminated

Green- Still in running

Gray- Unable to submit

Gold- Complete/ located in HC

2020 Project Tracker

Kansas Department of Commerce		natural cosmetics, toiletries, skin care products	
Project Cook Jan. 2020	Broadband Provider	Looking for 1,500 SF Space w/ acre outdoor storage space	3 to 7 jobs
Project Mack Dec. 2019 Regional Partner	Ag Manufacturing	Processing and extraction of ag crop. Was considering another county in the region but ran into road blocks and were referred to us.	Looking for 60 acres with expansion potential. Sent over land options.
Project Transformers Nov. 2019 Existing Company- Direct	Commercial/ Industrial	Existing building, would add on an additional 10K square feet and need outside storage as well. \$350K Capital investment and 6 new FT jobs	Met with City, working on additional land availability. EDC is working on available incentives from the State. Waiting for questionnaire.
Project Eames August 2019 Kansas Department of Commerce	Manufacturing	Looking to build multiple 30,000 SF facilities across the state. Needs to be no more than 20 miles from at least 50,000 acres of corn	Would create 15-17 new jobs. Average wage: \$14-\$20/hr. We will be contacted for a site visit in December or January.
Project Ball July 2019 Existing Company	Aviation	20,000 SF new construction	Existing w. located at Newton Airport. \$750,000 capital investment. 10 new jobs over 3 years. \$28/hr average wage

Red- Eliminated

Green- Still in running

Gray- Unable to submit

Gold- Complete/ located in HC

Hesston Recreation Board Agenda

Date: 4.20.20

Time: 11:30 am

Location: Zoom meeting

Present: Employees - Skylar Hill, Susan Lamb, Kelsey Unruh

Board Members - Kris White, Chad Fuqua, Derek Roth, Rebecca Tozier, joined late Blake Buhrman

1. Action: Call to order Kris White called the meeting to order at 11:35 am

2. Action Items:

- a. Adopt Agenda - no agenda presented
- b. Approve 3.24.20 and 4.6.20 Minutes; Chad Fuqua motioned to approve, Derek Roth 2nd, passed 4-0
- c. Approve Check register Chad Fuqua made motion to approve, Derek Roth 2nd, passed 4-0

3. Employee Reports:

Susan Lamb gave an update for summer HRCE education activities. She has been in touch with instructors to see if they are available if dates change or get pushed later in summer due to COVID. Susan has asked the Chamber if they would move their Emma Creek 5K CBB money to put toward Hey Day celebration, she is awaiting approval. Susan applied for a grant from Hesston Community Foundation for \$2800 to use for special family events at the Hesston Aquatic Center, Hey Day, and MicDrop. Hesston Community Foundation operates on annual giving and all requests are processed at the same time. Susan is also working to host an HRCE Community Virtual Bingo in the coming weeks.

Kelsey Unruh shared her bio with HRCE board members which included graduating May '19 with a Sports Management Degree from Tabor College. She has spent her first month on the job working on organizing and preparing the pool for summer, working with Christine to mail contracts to previous lifeguards to hire for the 2020 summer, and looking into certification options for previous lifeguards and new lifeguards. Red Cross suspended all certifications but has issued a 90 day extension for recertification due to COVID, this would mean lifeguards that need recertification would still be able to perform duties this summer. Kelsey has also been planning special theme nights for the pool and working on adding yard games to the Aquatics Center.

4. Report Items: Skylar Hill reported on the budget, expected tax payment to be received at the end of April, and the effects of COVID on our summer and annual budget. HRCE usually operates at a loss during the summer so Skylar does not expect the delay to impact our budget negatively. He will continue to work with our League to determine on a bi-weekly basis how to proceed with summer sporting activities. Skylar reported on the sponsorship of Chris Herron to come and speak next May to the community. This will be a collaborative effort between the school, HRCE and businesses in the community. HRCE sponsorship will be funded by transferring advertising dollars in the budget from Ad Astra to Chris Herron guest speaker. Skylar reported that the current online registration software requires more work due to software glitches so he is currently looking into converting to MyRec or RecDesk for registrations. Skylar plans to attend KRPA Budget Workshop via zoom which is designed to help small community recs. Skylar proposed the following Budget timeline: May 15 - initial budget proposal, June 15 - Final budget and board members vote to publish, July 7 - publish date, July 20 - board members vote to approve.

Adjournment: Meeting adjourned 12:15 pm

Minutes

Library trustees Present: Jen Person, Becky Herron, Joel Kauffman, and Rachel Bucklin, Emma Gunden.

Absent: Frank Brenneman and Debra Voth

Melissa Carlson, Director

1. March Minutes/April Agenda- Motion to approve by Rachel Bucklin, seconded by Jen Person, all approved.

2. Circulation/Programs/Librarian's Report-

- a. Circulation and Programs Reports
- b. Calendar:
 - No Current Programs
 - Phone Lines Open Daily from 9-12
- c. Programs:
 - Virtual Peeps Program
 - Bookwalk at the Arboretum- April- July
 - Daily Facebook Post
 - Nature Book Club Via Zoom

3. Financial/Budget Report-

- a. Fund Report- **hold off on any non-essential spending until we know how the economy is going to affect our funds. Goal is still to pay staff during this time as we will need them when we reopen. This is also the standard procedure for other libraries in Kansas.**
- b. Waiting on numbers from the City for the Budget update
- c. Budget Meeting with Gary in May to discuss our request.

4. Other:

- a. Re-opening Procedures- **See attached document. Will order partitions from Kropf Lumber to put at the circulation desk. Plan for a slow phased reopening when the state has lifted the stay home order.**
- b. Summer Reading Program- **No programming through the summer. Will provide a weekly zoom storytime and grab and go craft kits along with the reading tickets. This will keep us from gathering in larger groups this summer.**
- c. Staff Reports- **All staff is doing well and helping each other through text and zoom meetings. Some staff will be nervous about coming back when we reopen, need to make sure we offer protective equipment and flexible scheduling so we can keep staff safe.**
- d. Insignia Update- **We are thankful we were closed during this time as we had some import issues. Things are starting to fall into place and we are excited by the system and its capabilities. The support has been amazing and Insignia has been very responsive.**
- e. Carpet Cleaning- **Hold off until we know more budget information.**

HESSTON PUBLIC LIBRARY GOALS (EST. 2019)

Goals...

- Hesston Public Library, in collaboration with Board and Staff, will offer a variety of resources for community members to experience economic benefits and well-being.
- Hesston Public Library, in collaboration with Board and Staff, will engage in and promote projects that have a collective impact on the community.
- Hesston Public Library, in collaboration with Board and Staff, will provide technology and resources to support the diverse needs of community members of all ages and digital abilities.

Next meeting: May 18th, 2020

DATE	ADDRESS	OWNER	CONTRACTOR	RESIDENT COST	BUSINESS COST	PERMIT #
1/3/2020	23 PARK VIEW RD. REROOF	L. DECKER Other	ROOFING SERVICES	14,000		20-3008
1/14/2020	15 SUNSET DR. REROOF	J. JONES Other	ROOFING SERVICES	4,000		20-3009
1/15/2020	719 RANDOM RD. REROOF	M. HOLMES Other	ROOFING SERVICES	6,000		20-3010
1/16/2020	9201 EMMA CREEK RD METAL SHED	AG SERVICE, INC. Other	SELF		5,000	20-3011
1/22/2020	407 S. HOOVER RD. CUSTOM HOME	D. KLASSEN New Residential	HERITAGE HOME WOR	418,000		20-3012
2/18/2020	101 N . HESS ADDITION	E. BROWN Remodel Residential	PREFERRED BUILDERS	35,000		20-3013
2/25/2020	330 E. KNOTT FENCE	M. KING Other	LOWES	3,800		20-3014
3/3/2020	16 PARK VIEW RD. REMODEL BATHROOM	G. EMRY Remodel Residential	SELF	20,000		20-3015
3/5/2020	726 / 728 SOUTH MEAD DUPLEX	D. WOODWARD New Residential	PREFERRED BUILDERS	219,000		20-3016
3/25/2020	101 WILLOW LANE FENCE	K. TUCKER Other	SELF	2,000		20-3017
3/27/2020	104 WILLOW LANE REROOF	J. GARVER Other	ROOFING SERVICES	7,000		20-3018
4/1/2020	440 S. MAIN SWIMMING POOL	E. HABEGGER Other	EBELING POOLS, INC.	30,000		20-3019
4/8/2020	405 MORNING DEW FENCE	T. LOWE Other	FENCE DOCTORS, LLC	5,000		20-3020
4/9/2020	715 RANDOM RD. REROOF	G. VOTH Other	ROOFING SERVICES	7,000		20-3021
4/20/2020	600 PLAZA BLVD. REMODEL DECK	C. FLAMING Remodel Residential	SELF	7,500		20-3022
4/24/2020	112 W. RANDALL REROOF	M. BROWN Other	SHIELD ROOFING	6,646		20-3023
4/24/2020	409 S. WEAVER REROOF	C. MASON Other	ROOFING SERVICES	6,700		20-3024
4/24/2020	712 RANDOM RD. NEW ELECTRIC SERVICE	J. GRILLIOT Other	KRAFT ELECTRIC, INC.	2,480		20-3025
4/24/2020	314 PARK RD. FENCE	J. HADAWAY Other	SELF	1,100		20-3026
4/24/2020	344 S. WEAVER SHED	D. HASTINGS Other	SELF	1,000		20-3027
4/24/2020	100 N HESS BATH REMODEL	J. MATZ Remodel Residential	HERITAGE HOME WOR	34,815		20-3028
4/24/2020	613 CLOVER LANE GARAGE ADDITION	C. STOPPEL Other	SELF	7,000		20-3029
5/4/2020	47 PARK VIEW RD. SHED	M. DILLER Other	SELF	3,000		20-3030

2020 Year to Date Building Permit Totals

<u>Type of Permit</u>	<u>YTD Total # Permits</u>	<u>YTD Total Val.</u>
New Residential	2	637,000
Remodel Residential	4	97,315
New Institutional	0	0
Remodel Institutional	0	0
New Business	0	0
Remodel Business	0	0
Addition to Business	0	0
Demolish	0	0
Move In	0	0
Residential Garage	0	0
Other	17	111,726
Total	23	\$846,041

BUILDING PERMITS ISSUED BY MONTH								
HESSTON 2020								
Type of Permit	Jan-20 # Permits	Jan-20 Total Val.	Feb-20 # Permits	Feb-20 Total Val.	Mar-20 # Permits	Mar-20 Total Val.	Apr-20 # Permits	Apr-20 Total Val.
New Residential	1	418,000			1	219,000		
Remodel Residential			1	35,000	1	20,000	2	42,315
New Institutional								
Remodel Institutional								
New Business								
Remodel Business								
Addition to Business								
Demolish								
Move In								
Residential Garage								
Other	4	29,000	1	3,800	2	9,000	9	66,926
Total	5	447,000	2	38,800	4	248,000	11	109,241
Type of Permit	May-20 # Permits	May-20 Total Val.	Jun-20 # Permits	Jun-20 Total Val.	Jul-20 # Permits	Jul-20 Total Val.	Aug-20 # Permits	Aug-20 Total Val.
New Residential								
Remodel Residential								
New Institutional								
Remodel Institutional								
New Business								
Remodel Business								
Addition to Business								
Demolish								
Move In								
Residential Garage								
Other	1	3,000						
Total	1	3,000	0	0	0	0	0	0
Type of Permit	Sep-20 # Permits	Sep-20 Total Val.	Oct-20 # Permits	Oct-20 Total Val.	Nov-20 # Permits	Nov-20 Total Val.	Dec-20 # Permits	Dec-20 Total Val.
New Residential								
Remodel Residential								
New Institutional								
Remodel Institutional								
New Business								
Remodel Business								
Addition to Business								
Demolish								
Move In								
Residential Garage								
Other								
Total	0	0	0	0	0	0	0	0



Agenda Item Summary

Meeting date: May 11, 2020

Subject: Constituency Comments

Recommendation: Mayor Kauffman opens the floor to constituency comments.

Background Information:

Members of the audience may address the City Council on any item not listed on the agenda. Please limit your comments to 5 minutes.

If your comment pertains to an item listed on the agenda the Mayor will solicit public comments specific to that issue when the agenda item is taken up by the Council.



Agenda Item Summary

Meeting date: May 11, 2020

Subject: PBC Bond Refinance – Accept Winning Bid

Recommendation: Accept the recommended bid.

Background Information:

Bid Tabulation Briefed by: John Haas with Ranson Citycode

Summary: On March 9th the City Council authorized the refinance of 2010 PBC Bonds in the amount of \$560,000. Bids for the refinancing of the bonds were due May 11th at 11:00 a.m.

Attachment:

Bid tabulation provided at meeting.



Agenda Item Summary

Meeting date: May 11, 2020

Subject: Ordinance No. 010-2020-219: Authorizes 2020 PBC Refunding Bonds in the amount of \$560,000

Recommendation: Adopt the Ordinance

Background Information:

Briefed by: City Attorney J.T. Klaus

Summary: Ordinance No. 010-2020-219 authorizes the issuance of Series 2020 PBC Refunding Bonds in the amount of \$560,000 for the purpose of refinancing Series 2010 PBC Bonds.

Financial Impact: Approx. \$50,000 savings over 10 years.

Attachment: Ordinance No. 010-2020-219

TRIPLETT WOOLF GARRETSON, LLC

ORDINANCE NO. 010-2020-219

OF THE

CITY OF HESSTON, KANSAS

RELATING TO THE ISSUANCE OF
\$560,000
HESSTON, KANSAS PUBLIC BUILDING COMMISSION
REFUNDING REVENUE BONDS
SERIES 2020

(Published in *The Hesston Record* on May 21, 2020)

ORDINANCE NO. 010-2020-219

AN ORDINANCE OF THE CITY OF HESSTON, KANSAS APPROVING THE ISSUANCE OF \$560,000 AGGREGATE PRINCIPAL AMOUNT OF THE HESSTON, KANSAS PUBLIC BUILDING COMMISSION REFUNDING REVENUE BONDS, SERIES 2020 FOR THE PURPOSE OF REFUNDING AND REDEEMING CERTAIN BONDS OF THE ISSUER; PRESCRIBING THE FORM AND AUTHORIZING THE EXECUTION OF A FIRST SUPPLEMENTAL LEASE OF THE PROJECT BY AND BETWEEN THE PUBLIC BUILDING COMMISSION AND THE CITY; AND APPROVING AN OFFICIAL STATEMENT WITH RESPECT TO THE BONDS.

WHEREAS, the Hesston, Kansas Public Building Commission (the “Issuer”) has previously issued its Revenue Bonds, Series 2010 (the “2010 Bonds”) in the original principal amount of \$855,000 of which \$565,000 currently remains outstanding for the purpose of acquiring, constructing, furnishing and equipping a certain public library (the “Project”) located in the City of Hesston, Kansas (the “City”); and

WHEREAS, pursuant to K.S.A. 12-1757 et seq., as amended and supplemented, and as amended by and as chartered from with substitute and additional provisions under Charter Ordinance No. 140-2008-037 of the City, and K.S.A. 10-116a, as amended, the Issuer is authorized and has determined to issue its Refunding Revenue Bonds, Series 2020 (the “2020 Bonds”) for the purpose of refunding and redeeming the 2010 Bonds maturing on and after September 1, 2022 (the “Refunded Bonds”); and

WHEREAS, the City finds and determines that it is necessary and desirable in connection with the issuance of the 2020 Bonds to enter into a First Supplemental Lease Agreement, dated as of June 1, 2020 (the “First Supplemental Lease”), which supplements and amends a Lease Agreement, dated as of March 1, 2010 (the “2010 Lease” and collectively with the First Supplemental Lease, the “Lease”), with the Issuer pursuant to which the City shall continue to lease the Project in consideration of payments of Basic Rent, Additional Rent and other charges provided for therein.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HESSTON, KANSAS AS FOLLOWS:

Section 1. Definition of Terms. All terms and phrases not otherwise defined herein shall have the respective meanings set forth in the 2010 Lease, as supplemented and amended by the First Supplemental Lease herein authorized and defined above.

Section 2. Approval of the 2020 Bonds. The governing body of the City hereby approves the issuance of the 2020 Bonds by the Issuer.

Section 3. Authorization of the First Supplemental Lease. The City is hereby authorized to continue to lease the Project and to enter into and deliver the First Supplemental Lease (defined above).

Section 4. Authorization of Official Statement. The City hereby approves the form and content of the Official Statement prepared in the offering and sale of the 2020 Bonds, and approves and authorizes the use of the Official Statement in the reoffering of the 2020 Bonds by [ORIGINAL PURCHASER], [ORIGINAL PURCHASER CITY AND STATE] (the “Original Purchaser”). The Mayor and City Clerk are hereby authorized, ordered and directed to execute the Official Statement for and on behalf of the City.

Section 5. Execution of Documents. The Mayor is hereby authorized and directed to execute and deliver the First Supplemental Lease, for and on behalf of and as the act and deed of the City, with such minor corrections or amendments thereto as the Mayor shall approve, which approval shall be evidenced by his or her execution thereof, and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the purposes and intent of this Ordinance. The City Clerk, or any deputy thereof or assistant thereto, is hereby authorized and directed to attest the execution of the First Supplemental Lease and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 6. Further Authority. The City shall, and the officers, agents and employees of the City are hereby authorized and directed to, take such action and execute such other documents, certificates and instruments (including without limitation any necessary deed or the Arbitrage Rebate Compliance Agreement) as may be necessary or desirable to carry out and comply with the provisions of this Ordinance and to carry out, comply with and perform the duties of the City with respect to the Lease, all as necessary to carry out and give effect to the transactions contemplated hereby and thereby.

Section 7. Qualified Tax Exempt Obligations. The City hereby designates the Bonds as “qualified tax-exempt obligations” as defined in Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

Section 8. Effective Date. This Ordinance shall take effect and be in full force from and after its adoption by the governing body of the City and publication once in the official newspaper of the City.

[Remainder of Page Intentionally Left Blank]

PASSED AND APPROVED by the governing body of the City of Hesston, Kansas this
11th day of May 2020.

CITY OF HESSTON, KANSAS

[seal]

By _____
David K. Kauffman, Mayor

ATTEST:

By _____
Jason Thrasher, City Clerk

EXCERPT OF MINUTES

The governing body of the City of Hesston, Kansas met in regular session at the usual meeting place in said City on May 11, 2020, at 6:00 p.m., with Mayor David Kauffman presiding, and the following members of the governing body present:

and the following members absent:

Among other business, there came on for consideration an Ordinance entitled:

AN ORDINANCE OF THE CITY OF HESSTON, KANSAS APPROVING THE ISSUANCE OF \$560,000 AGGREGATE PRINCIPAL AMOUNT OF THE HESSTON, KANSAS PUBLIC BUILDING COMMISSION REFUNDING REVENUE BONDS, SERIES 2020 FOR THE PURPOSE OF REFUNDING AND REDEEMING CERTAIN BONDS OF THE ISSUER; PRESCRIBING THE FORM AND AUTHORIZING THE EXECUTION OF A FIRST SUPPLEMENTAL LEASE OF THE PROJECT BY AND BETWEEN THE PUBLIC BUILDING COMMISSION AND THE CITY; AND APPROVING AN OFFICIAL STATEMENT WITH RESPECT TO THE BONDS.

Thereupon, the Ordinance was considered and discussed; and on motion of _____, seconded by _____, the Ordinance was adopted by the majority of all members present.

Thereupon, the Ordinance was given No. 010-2020-219 and was directed to be signed by the Mayor and attested by the City Clerk and was directed to be published once in the official newspaper of the City of Hesston, Kansas as required by law.

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 May 11, 2020 meeting of the Governing Body of the City of Hesston, Kansas.

[seal]

Jason Thrasher, City Clerk



Agenda Item Summary

Meeting date: May 11, 2020

Subject: Resolution No. PBC-2020-002: Authorizes Sale of 2020 PBC Refunding Bonds

Recommendation: Adopt the Resolution

Background Information:

Motion to recess the meeting of Hesston City Council and convene a meeting of the Hesston Public Building Commission.

Briefed by: City Attorney J.T. Klaus

Summary: Resolution No. PBC-2020-002 authorizes the sale of Series 2020 PBC Refunding Bonds in the amount of \$560,000.

Attachments:

PBC Minutes of March 9, 2020

Resolution No. PBC-2020-002

Motion to approve PBC Minutes of March 9, 2020

Motion to approve Resolution No. PBC-2020-002

Motion to adjourn the meeting of the Hesston Public Building Commission and reconvene the meeting of the Hesston City Council.

**CITY OF HESSTON
PUBLIC BUILDING COMMISSION MEETING**

MINUTES of March 9, 2020

PBC Meeting No. 1

The regular meeting of the Hesston Public Building Commission was held on Monday, March 9, 2020 at 6:00 p.m. in the City Council Chambers / Municipal Court Building.

PRESENT

Commissioners Larry Fuqua, Jason Jones, Clare Moore, Susan Swartzendruber, City Administrator Gary Emry, City Attorney J.T. Klaus and Secretary Jason Thrasher with Chairman David Kauffman presiding. A quorum was present.

ABSENT

Commissioner Brad Unruh

OTHERS PRESENT

Hesston Public Library Director Melissa Carlson, Library Board Members Debra Voth, Joel Kauffman, Emma Gunden, Jen Person, Rachel Bucklin, and Becky Herron; Chad Fuqua, owner of Fuqua Insurance Group, Financial Advisor Larry Kleeman representing Ranson Citycode, Parks and Recreation Superintendent Mike Hulteen, Chamber Director Megan Smith and Adam Strunk with the Hesston Record.

CONVENE MEETING

Jason Jones made a motion to recess the regular meeting of the Hesston City Council and convene a meeting of the Hesston Public Building Commission. Clare Moore seconded. Motion carried 4-0.

APPROVE MINUTES

Clare Moore made a motion to approve the PBC minutes of 10/22/19. Jason Jones seconded. Motion carried 4-0.

RESOLUTION NO. PBC-2020-001: AUTHORIZE PUBLIC SALE OF PBC BONDS

City Attorney J.T. Klaus and Financial Adviser Larry Kleeman briefed the Council on this topic and answered questions.

Larry Fuqua moved to adopt PBC-2020-001 which authorizes the sale of PBC Bonds in the approximate principal amount of \$560,000. Jason Jones seconded. Motion carried 4-0.

ADJOURNMENT

Jason Jones made a motion to adjourn the meeting of the Hesston Public Building Commission and reconvene the meeting of the Hesston City Council. Larry Fuqua seconded. Motion carried 4-0.

Recorded by
Jason Thrasher
Secretary

TRIPLETT WOOLF GARRETSON, LLC

RESOLUTION NO. PBC-2020-002

OF THE

HESSTON, KANSAS PUBLIC BUILDING COMMISSION

ADOPTED MAY 11, 2020

AUTHORIZING THE ISSUANCE OF

\$560,000
HESSTON, KANSAS PUBLIC BUILDING COMMISSION
REFUNDING REVENUE BONDS
SERIES 2020

DATED AS OF JUNE 3, 2020

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RESOLUTION NO. PBC-2020-002

A RESOLUTION OF THE HESSTON, KANSAS PUBLIC BUILDING COMMISSION AUTHORIZING AND PROVIDING FOR THE REFUNDING AND EARLY REDEMPTION OF THE COMMISSION'S REVENUE BONDS, SERIES 2010; AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF THE COMMISSION'S REFUNDING REVENUE BONDS, SERIES 2020, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$560,000, FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS THEREOF; PRESCRIBING THE FORM AND DETAILS OF THE 2020 BONDS; AUTHORIZING THE CONTINUED LEASE OF THE PROJECT TO THE CITY OF HESSTON, KANSAS BY A FIRST SUPPLEMENTAL LEASE; MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS WITH RESPECT TO THE FOREGOING; AND AUTHORIZING THE EXECUTION OF CERTAIN AGREEMENTS AND SUPPORTING DOCUMENTS.

WHEREAS, the Hesston, Kansas Public Building Commission (the "Commission" or the "Issuer") is a public building commission established under K.S.A. 12-1757, *et seq.*, as amended and supplemented and as amended by and as chartered from with substitute and additional provisions under Charter Ordinance No. 140-2008-037 of the City of Hesston, Kansas (collectively, the "PBC Act"); and

WHEREAS, pursuant to the PBC Act and K.S.A. 10-116a, all as amended and supplemented (collectively, the "Act"), the Commission is authorized to (i) issue revenue bonds for the purpose of providing funds to acquire, erect, equip, repair, maintain and operate buildings or other facilities maintained and operated by the City of Hesston, Kansas (the "City") for City offices or such other purposes as are commonly carried on in connection with such facilities (including a public library), (ii) to fix rates, rentals, fees and charges for the use of such buildings sufficient at all times to pay the maintenance and operation costs of the buildings and retire any bonds issued for their acquisition or improvement, and (iii) to issue revenue bonds to refund any such revenue bonds previously issued; and

WHEREAS, the Commission previously issued its Revenue Bonds, Series 2010 (the "2010 Bonds") in the original principal amount of \$855,000, of which \$565,000 currently remains outstanding for the purpose of acquiring, constructing, equipping and furnishing a certain public library in the City (the "Project"); and

WHEREAS, the Commission finds it desirable and necessary to issue its Refunding Revenue Bonds, Series 2020, dated June 3, 2020, in the aggregate principal amount of \$560,000 (the "2020 Bonds") for the purpose of refunding and redeeming the 2010 Bonds maturing on and after September 1, 2022 (the "Refunded Bonds"); and

WHEREAS, the Commission will continue to lease the Project to the City under and pursuant to a First Supplemental Lease Agreement, dated as of June 1, 2020 (the "First Supplemental Lease"), which supplements and amends a Lease Agreement, dated as of March 1, 2010 (the "2010 Lease") (the 2010 Lease and the First Supplemental Lease are collectively

hereinafter known as the “Lease”), each by and between the Commission, as lessor, and the City, as lessee, such Lease payments to produce sufficient revenue to repay the 2020 Bonds (hereinafter defined); and

WHEREAS, the Commission hereby further finds and determines it to be necessary to authorize and provide for (i) the execution and delivery of certain documents to effectuate the refunding of the Refunded Bonds, (ii) the continued leasing of the Project to the City, (iii) the issuance of the 2020 Bonds, and (iv) the various transactions contemplated thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE HESSTON, KANSAS PUBLIC BUILDING COMMISSION:

ARTICLE I

DEFINITIONS; AUTHORITY FOR PROJECT

Section 1.1 Definitions. In addition to the words and terms elsewhere defined in this Bond Resolution, the following words and terms as used herein, whether or not the words have initial capitals, shall have the following meanings unless the context or use indicates another or different meaning or intent and such definitions shall be equally applicable to both the singular and plural forms of any of the words and terms herein defined:

“Act” shall mean K.S.A. 12-1757, *et seq.*, as amended and supplemented and as amended and chartered from with substitute and additional provisions being provided under Charter Ordinance No. 140-2008-037 of the City of Hesston, Kansas, and K.S.A. 10-116a, as amended and supplemented.

“Additional Bonds” shall mean any Bonds issued in addition to the 2020 Bonds in accordance with this Bond Resolution.

“Annual Debt Service” for any Fiscal Year for any Bonds shall mean the amount of principal of and interest on such Bonds becoming due in such Fiscal Year, taking into account any redemption made or to be made pursuant to any mandatory sinking fund deposits.

“Arbitrage Rebate Compliance Agreement” shall mean, with respect to the 2020 Bonds, the Arbitrage Rebate Compliance Agreement, executed by the Commission and the City, dated as of June 3, 2020 and delivered on the Date of Issuance, and relating to certain matters within the scope of Section 148 of the Code, as the same may be amended or supplemented in accordance with its terms.

“Authorized Investments” means investments authorized for bond proceeds by State law applicable to the Commission.

“Bond Counsel” shall mean J. T. Klaus of Triplett Woolf Garretson, LLC, Wichita, Kansas, or any other attorney or firm of attorneys whose expertise in matters relating to the issuance of

obligations by states and their political subdivisions is nationally recognized and acceptable to the Commission and the City.

“Bond Registrar” shall mean the Treasurer of the State of Kansas, Topeka, Kansas.

“Bond Resolution” shall mean this Resolution as adopted by the Commission on May 11, 2020.

“Bondowner(s)” shall mean the Owner(s) of the Bonds.

“Bonds” shall mean the 2020 Bonds authorized by this Bond Resolution, and any Additional Bonds issued pursuant to and in accordance with Article V hereof.

“Business Day” shall mean a day which is not a Saturday, Sunday or a day designated as a holiday by the Congress of the United States or by the Legislature of the State and on which banks in the State are not authorized to be closed.

“Change of Circumstances” means the occurrence of any of the following events:

(A) All or a substantial portion of the Project is damaged or destroyed by fire or other casualty, or title to, or the temporary use of, all or a substantial portion of the Project is condemned or taken for any other public or quasi-public use by any other authority exercising the power of eminent domain or title thereto is found to be deficient, to such extent that in the determination of the City (i) the Project cannot be reasonably restored or replaced to the condition thereof preceding such event, or (ii) the City is thereby prevented from carrying on the normal operations of the Project, or (iii) the cost of restoration or replacement thereof would exceed the net proceeds of any casualty insurance, title insurance or condemnation awards with respect thereto; or

(B) as a result of any changes in the Constitution of the State of Kansas or the Constitution of the United States of America or of legislative or administrative action (whether state or federal) or by final direction, judgment or order of any court or administrative body (whether state or federal) entered after the contest thereof by the City in good faith, the Lease becomes void or unenforceable or impossible of performance; or

(C) if, after an Event of Default under the Lease has occurred and is continuing, (i) the City determines in good faith that continued operation of the Project, or any substantial part thereof, is not financially feasible or is otherwise disadvantageous to the City, and (ii) as a result thereof, the City, in accordance with the terms and provisions of the Bond Resolution and the Lease, sells, leases or otherwise disposes of, or changes or allows a change in the use of all of the Project or any substantial part thereof, to a person or entity unrelated to the City.

“City” shall mean the City of Hesston, Kansas.

“Code” shall mean the Internal Revenue Code of 1986, as from time to time amended and supplemented, together with Regulations promulgated thereunder by the United States Department of the Treasury.

“Commission” shall mean the Hesston, Kansas Public Building Commission.

“Costs of Issuance” shall mean any and all expenses of whatever nature incurred in connection with the issuance and sale of the Bonds, including, but not limited to underwriting fees and expenses, underwriting discount, bond and other printing expenses, fees and expenses of the Financial Advisor, City’s Counsel, Counsel to the Commission, and Bond Counsel.

“Costs of Issuance Account” shall mean the Costs of Issuance Account for 2020 Bonds created by Section 6.1 hereof.

“Date of Issuance” shall mean the date on which the Bonds are delivered to the Original Purchaser and the Commission receives from the Original Purchaser the Purchase Price therefor.

“Dated Date” shall mean the date of the Bonds. The Dated Date of the 2020 Bonds is June 3, 2020.

“Excess Earnings Fund” shall mean the Excess Earnings Fund created pursuant to Section 6.1 hereof.

“First Supplemental Lease” means the First Supplemental Lease Agreement, dated as of June 1, 2020, by and between the Commission and the City.

“Fiscal Agent Agreement” shall mean the Agreement Between Issuer and Agent by and between the City and the Fiscal Agent which is authorized by Section 2.3 hereof.

“Fiscal Agent” shall mean the Treasurer of the State of Kansas, or any successor thereto acting as bond registrar and paying agent for the Bonds.

“Fiscal Year” shall mean the Fiscal Year of the City, currently being the 12 months ending each December 31.

“Government Securities” shall mean direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America.

“Impositions” means all taxes and assessments, general and special, which be lawfully taxed, charged, levied, assessed or imposed upon or against or payable for or in respect of the Project or any part thereof, or any improvements at any time thereon or the City’s interest therein, including any new lawful taxes and assessments not of the kind enumerated above to the extent that the same are lawfully made, levied or assessed in lieu of or in addition to taxes or assessments now customarily levied against real or personal property, and further including all water and sewer charges, assessments and other governmental charges and impositions whatsoever, foreseen or

unforeseen, which if not paid when due would encumber the City's or the Commission's interest in the Project.

"Interest Payment Dates" shall mean the semiannual dates on which the interest is paid on Bonds. The Interest Payment Dates for the 2020 Bonds are March 1 and September 1 of each year commencing March 1, 2021, and ending at such time as the 2020 Bonds shall have been fully paid or provision has been made for such payment.

"Lease" means the 2010 Lease and the First Supplemental Lease, each by and between the Commission, as lessor, and the City as lessee, as amended and supplemented from time to time.

"Net Proceeds" shall mean any insurance proceeds or condemnation award, paid with respect to the Project, remaining after payment therefrom of all expenses incurred in the collection thereof.

"Original Proceeds" shall mean all proceeds, including accrued interest, derived from the sale of the Bonds to the Original Purchaser.

"Original Purchaser" shall mean [ORIGINAL PURCHASER NAME], [ORIGINAL PURCHASER CITY AND STATE].

"Outstanding" when used with reference to the Bonds shall mean, as of a particular date, all Bonds theretofore authenticated and delivered under this Bond Resolution, except:

(A) Bonds theretofore canceled by the Bond Registrar or delivered to the Bond Registrar for cancellation;

(B) Bonds for which moneys for payment or Government Securities (the principal of and interest on which Government Securities, if any, when due, provide sufficient moneys to pay, with such other moneys so deposited with the Paying Agent, the principal of and the interest on such Bonds being paid), or both, in the necessary amount have theretofore been deposited with the Paying Agent, or other depository as provided in this Bond Resolution, in trust for the Owners thereof (whether upon or prior to maturity of such Bonds); and

(C) Bonds in exchange for or in lieu of which other Bonds have been authenticated and delivered pursuant to this Bond Resolution.

"Owner(s)" or "Registered Owner(s)" shall mean the owners of the Bonds as they appear on the Registration Books.

"Paying Agent" shall mean the Treasurer of the State of Kansas, Topeka, Kansas, and its lawful successor or assigns.

"Payment Date" shall mean the dates on which the principal of, redemption premium, if any, or interest on any Bonds is payable.

“PBC Act” shall mean K.S.A. 12-1757, *et seq.*, as amended and supplemented and as amended and chartered from with substitute and additional provisions being provided under Charter Ordinance No. 140-2008-037 of the City of Hesston, Kansas.

“Principal and Interest Account” shall mean the Principal and Interest Account created by Section 6.1 of this Bond Resolution.

“Principal Payment Date” shall mean for purposes of the 2020 Bonds, September 1 of each year thereafter beginning September 1, 2021 and continuing until the principal of, redemption premium, if any, and interest on the 2020 Bonds has been paid in full.

“Project” means a certain public library facility situated in the City of Hesston, Kansas on the real property more particularly described on Schedule I attached hereto, which is owned by the Commission and known as Library Project, and shall include all land, buildings, improvements, fixtures, machinery and equipment now existing or hereinafter constructed or acquired.

“Project Replacement Fund” shall mean the Project Replacement Fund created by Section 6.1 of this Bond Resolution.

“Purchase Price” shall mean, with respect to the 2020 Bonds, the price paid by the Original Purchaser for the 2020 Bonds and shall equal the principal amount of the 2020 Bonds, plus accrued interest from the Dated Date of the 2020 Bonds to the Date of Issuance, plus net original issue premium in the amount of \$____.____ and less an original purchaser’s discount of \$____.____.

“Record Date” shall mean the 15th day of a month next preceding an Interest Payment Date.

“Redemption Fund” shall mean the Redemption Fund created by Section 6.1 of this Bond Resolution.

“Refunded Bonds” means the 2010 Bonds maturing September 1, 2022 and thereafter.

“Registration Books” shall mean the books maintained on behalf of the Commission by the Bond Registrar for the registration and transfer from time to time of ownership of the Bonds.

“Rental Payments” means the payments of Basic Rent and Additional Rent received by the Commission from the City pursuant to the terms of the Lease.

“State” shall mean the State of Kansas.

“2010 Bonds” means the Commission’s Revenue Bonds, Series 2010, issued in the original principal amount of \$855,000 and dated March 1, 2010.

“2010 Bond Resolution” means Resolution No. PBC-2010-003, as adopted by the Commission on February 8, 2010.

“2010 Lease” means the Lease Agreement, dated as of March 1, 2010, by and between the Commission and the City.

“2010 Bonds Redemption Date” means October 1, 2020.

“2020 Bonds” means the Commission’s Refunding Revenue Bonds, Series 2020, issued in the original principal amount of \$560,000 and dated June 3, 2020.

Section 1.2. Authority to Pay 2010 Bonds. It is hereby authorized, ordered and directed that the outstanding 2010 Bonds be fully paid and retired on a date which is not later than the 2010 Bonds Redemption Date, as follows:

(A) That the Refunded Bonds be called for redemption and payment, in accordance with the requirements therefor set forth in the 2010 Bond Resolution, on September 1, 2020 (the “2010 Bonds Redemption Date”); and

(B) That the proceeds of the 2020 Bonds in the amount set forth in Section 6.3(C), together with certain funds of the Commission, shall be deposited in the Redemption Fund to be expended to pay the principal of and interest on the outstanding 2010 Bonds on the 2010 Bonds Redemption Date; and

(C) That from moneys available for such purpose in the Redemption Fund, there is, or shall be, deposited with the paying agent for the 2010 Bonds, at the time necessary, sufficient funds to pay the principal and accrued interest on the outstanding 2010 Bonds on the 2010 Bonds Redemption Date.

The sufficiency of cash and investments held for the purpose of providing for the payment of the outstanding 2010 Bonds shall be determined in accordance with the provisions contained in the 2010 Bond Resolution.

ARTICLE II

THE BONDS

Section 2.1 Authorization and Security for 2020 Bonds; Pledge of Rental Payments. The Commission authorizes issuance and delivery of a series of the Commission’s refunding revenue bonds which shall be designated “Hesston, Kansas Public Building Commission, Refunding Revenue Bonds, Series 2020”, in the total principal amount of Five Hundred Sixty Thousand Dollars (\$560,000), as provided by and under the authority of the Act and this Bond Resolution; and the proceeds from the sale of the 2020 Bonds shall be used for the purpose of refunding and redeeming the Refunded Bonds and paying a portion of the Costs of Issuance related to the 2020 Bonds.

The 2020 Bonds shall constitute special obligations of the Commission, the principal and interest, and premium, if any, of which shall be payable, solely and only from the Rental Payments received under the terms of the Lease (except to the extent paid out of moneys attributable to proceeds of the 2020 Bonds or refunding bond proceeds or income from the investment thereof and, under certain circumstances, proceeds of insurance, sale and condemnation awards) and not from any other moneys or sources; and the Rental Payments are hereby irrevocably pledged to the payment of the 2020 Bonds and the interest thereon, and premium, if any. The 2020 Bonds shall not be nor constitute general obligations of the Commission or the City within the meaning of any constitutional or statutory provision, and the Commission shall be under no obligation to levy any taxes to pay any of the principal of or interest on the 2020 Bonds.

The 2020 Bonds shall have no priority with respect to the payment of principal or interest over any revenue bonds of the Commission hereafter issued in accordance with the provisions of Article V of this Bond Resolution which are on a parity with the 2020 Bonds, nor shall any other revenue bonds of the Commission heretofore or hereafter issued have any priority over the payment from the Rental Payments of the principal of or the interest on the 2020 Bonds.

Section 2.2 Description of 2020 Bonds. The 2020 Bonds shall consist of fully registered certificated bonds in denominations of \$5,000, or integral multiples thereof not exceeding the principal amount thereof maturing on any Principal Payment Date, and shall be numbered in such manner as the Bond Registrar shall determine. The 2020 Bonds shall be dated June 3, 2020. The 2020 Bonds shall mature and become due and payable in the amounts and on the respective Principal Payment Dates, and shall bear interest at the rates per annum as follows:

SERIAL BONDS

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
09/01/2021	50,000.00	
09/01/2022	55,000.00	
09/01/2023	55,000.00	
09/01/2024	55,000.00	
09/01/2025	55,000.00	
09/01/2026	55,000.00	
09/01/2027	55,000.00	
09/01/2028	60,000.00	
09/01/2029	60,000.00	
09/01/2030	60,000.00	

TERM BONDS

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
09/01/2030	____,000.00	

Interest on the 2020 Bonds at the rates aforesaid (computed on the basis of a 360-day year of twelve 30-day months) from the most recent Interest Payment Date to which interest has been paid or duly provided for, shall be payable on the Interest Payment Dates, to the Owners as their names appear on the Registration Books at the close of business on the Record Date.

Section 2.3 Designation of Fiscal Agent: Fiscal Agent Agreement. Pursuant to K.S.A. 10-620 *et seq.*, the Commission hereby elects to have the provisions of the Kansas Bond Registration Law apply to the Bonds and pursuant thereto, does hereby designate and appoint Treasurer of the State of Kansas, Topeka, Kansas, as the Registrar and Paying Agent for the Bonds (the “Fiscal Agent”, “Paying Agent”, or “Registrar”). The terms, conditions and provisions under which the Paying Agent will perform its duties as Registrar and Paying Agent for the Bonds are set forth in a “Agreement between Issuer and Agent”, dated as of June 3, 2020 (the “Fiscal Agent Agreement”). The form and text of the Fiscal Agent Agreement is hereby approved and accepted by the governing body, and all of the covenants, duties and responsibilities therein contained which are to be performed by and on behalf of the City are hereby declared to be the covenants, duties and responsibilities of the City as though fully set forth at this place. The Chairman and Secretary are hereby authorized to execute and deliver the Fiscal Agent Agreement for and on behalf of the Commission, as well as any subsequent Fiscal Agent Agreement with successor Paying Agents and Registrars. The entire text of the Fiscal Agent Agreement is by reference hereby incorporated in and made a part of this Resolution as though fully set forth at this place.

Section 2.4 Method and Place of Payment of Bonds. Subject to the provisions of Section 2.10, the principal of, premium, if any, and the interest on the Bonds shall be payable in lawful money of the United States of America by check or draft of the Paying Agent. The principal of and any premium, if any, on the Bonds shall be paid to the Owner of each Bond upon presentation and surrender of the Bond to the Paying Agent for payment and cancellation on the maturity, or redemption, date of the Bond, as the case may be. The interest on the Bonds shall be mailed by the Paying Agent to the Owner of each Bond at the Owner’s address as it appears on the Registration Books on the Record Date, or at such other address as is provided in writing by an Owner to the Bond Registrar.

Section 2.5 Execution and Authentication of Bonds.

(A) The Bonds shall be executed on behalf of the Commission by the manual or facsimile signature of the Chairman and attested by the manual or facsimile signature of its Secretary, and shall have the official seal of the Commission affixed thereto or imprinted thereon. The Bonds shall be registered in the office of the County Clerk of Harvey County, which registration shall be evidenced by the manual or facsimile signature of said County Clerk on a Certificate of Registration which shall be printed on the reverse of the Bonds and the seal of the County or a facsimile thereof shall be affixed or impressed opposite said signature on the Certificate of Registration. The Bonds shall be registered by the State Treasurer in the municipal

bond register in said office, which registration shall be evidenced by the manual or facsimile signature on a Certificate of State Treasurer which shall be printed on the reverse of the Bonds, and which shall be attested by the official seal affixed or imprinted opposite said signature. In case any officer whose signature or facsimile thereof appears on any Bonds shall cease to be such officer before the delivery of such Bonds, such signature or facsimile thereof shall nevertheless be valid and sufficient for all purposes, the same as if such person had remained in office until delivery. Any Bond may be signed by such persons as at the actual time of the execution of such Bond shall be the proper officers to sign such Bond although on the date of such Bond such persons may not have been such officers.

(B) The Bonds shall have endorsed thereon a Certificate of Authentication substantially in the form prescribed by Article IV hereof, which shall be manually executed by the Fiscal Agent. No Bond shall be entitled to any security or benefit under this Bond Resolution or shall be valid or obligatory for any purpose unless and until such Certificate of Authentication shall have been duly executed by the Fiscal Agent. Such executed Certificate of Authentication upon any Bond shall be conclusive evidence that such Bond has been duly authenticated and delivered under this Bond Resolution. The Certificate of Authentication on any Bond shall be deemed to have been duly executed if signed by any authorized officer or employee of the Fiscal Agent, but it shall not be necessary that the same officer or employee sign the Certificate of Authentication on all of the Bonds that may be issued hereunder at any one time.

Section 2.6 Registration, Transfer and Exchange of Ownership Mutilated Lost Stolen or Destroyed Bonds. Pursuant to the Fiscal Agent Agreement, the Fiscal Agent shall maintain books for the initial registration and subsequent transfers of ownership of the Bonds; subject to the provisions of Section 2.10 hereof, and the person in whose name any Bond is registered as shown on such Registration Books shall be deemed and regarded as the absolute Owner thereof for all purposes. Payment of, or on account of the principal of and the interest on any Bond shall be made only to or upon the order of the Owner or his duly authorized agent. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including the interest thereon, to the extent of the sum or sums so paid.

The provisions, terms, conditions and requirements for the transfer and exchange of the Bonds, and for the replacement of a mutilated, lost, stolen or destroyed Bond are set forth in the Fiscal Agent Agreement.

Section 2.7 Cancellation and Destruction of Bonds Upon Payment. Whenever any Bond shall be delivered to the Paying Agent for payment of the principal amount thereof and the interest represented thereby, or for replacement pursuant to this Bond Resolution, such Bond shall be canceled and destroyed by the Paying Agent and counterparts of a Certificate of Destruction describing the Bond so destroyed and evidencing such destruction shall be furnished to the Commission.

Section 2.8 Temporary Bonds. Until definitive Bonds are prepared, the Commission may execute, in the same manner as is provided in this Bond Resolution, and, upon the request of the Commission, the Bond Registrar shall authenticate and deliver, in lieu of definitive printed Bonds, but subject to the same provisions, limitations and conditions as the definitive printed

Bonds, one or more temporary bonds substantially of the tenor of the definitive printed Bonds in lieu of which such temporary bonds are issued, in authorized denominations and with such omissions, insertions and variations as may be appropriate to temporary bonds. The Commission at its own expense shall prepare and execute and, upon the surrender of such temporary bonds for exchange and upon the cancellation of such surrendered temporary bonds, the Bond Registrar shall authenticate and, without charge to the Owner thereof, deliver in exchange therefor definitive printed Bonds of the same aggregate principal amount and maturity as the temporary bonds so surrendered.

If the Commission shall authorize the issuance of temporary bonds in more than one denomination, the Owner of any temporary bond may, at the Owner's option, surrender the same to the Bond Registrar in exchange for another temporary bond of like aggregate principal amount and maturity of any other authorized denomination or denominations, and thereupon the Commission shall execute and the Bond Registrar shall authenticate and, upon payment of any applicable taxes, fees and charges, shall deliver a temporary bond or bonds of like aggregate principal amount and maturity in such other authorized denomination or denominations as shall be requested by such Owner.

All temporary bonds surrendered in exchange either for another temporary bond or for a definitive printed Bond shall be forthwith canceled by the Bond Registrar.

Section 2.9 Execution and Delivery of 2020 Bonds. The Chairman and Secretary are hereby empowered, authorized and directed to prepare and execute the 2020 Bonds without unnecessary delay in the form and manner herein specified, including a reasonable quantity of replacement bond certificates for use in accordance with the provisions of this Bond Resolution; and when executed, the 2020 Bonds shall be registered in the Office of the County Clerk of Harvey County and in the Office of the State Treasurer, as required by law and as hereinbefore provided, and shall thereupon be deposited with the Bond Registrar for authentication. When the 2020 Bonds shall have been executed, registered and authenticated as required by this Bond Resolution, the 2020 Bonds shall be delivered at one time to or upon the order of the Original Purchaser, but only upon receipt by the Commission of the full Purchase Price therefor; and the proceeds of the 2020 Bonds shall immediately be applied as hereinafter in this Bond Resolution provided.

Upon the issuance of the 2020 Bonds, there shall be filed with the Fiscal Agent and with the Commission the following:

- (A) An executed original or certified copy of this Bond Resolution;
- (B) An original executed counterpart of the First Supplemental Lease;
- (C) An opinion of Bond Counsel to the effect that the 2020 Bonds constitute valid and legally binding special obligations of the Commission and that the interest on the 2020 Bonds is not includable in gross income for purposes of Federal income taxation and is exempt from Kansas income taxation, subject to such restrictions and limitations as shall be described therein;

(D) Such other certificates, opinions, statements, receipts and documents as are required by the Act or as Bond Counsel shall reasonably require for delivery of the 2020 Bonds.

Section 2.10 Book-Entry-Only Bonds. The Bonds shall be initially distributed in book-entry-only form through The Depository Trust Company, New York, New York (“DTC”), by depositing with DTC one certificate for each maturity in fully registered form, registered in the name of DTC’s nominee, Cede & Co., in an amount equal to the total principal amount of the Bonds maturing on the respective Principal Payment Dates as authorized herein. Notwithstanding anything in this Resolution to the contrary, so long as the Bonds remain in book-entry-only form the manner of payment of the principal of and the interest on the Bonds to DTC, and other matters relating to the distribution of the Bonds in book-entry-only form through DTC, shall be governed by the provisions of this Section 2.10 and a Letter of Representations from the Commission to DTC (the “Letter of Representations”), which the Chairman or Secretary is hereby authorized to execute and deliver on behalf of the City.

One certificate per maturity registered in the name of DTC’s nominee, Cede & Co., for the total principal amount of the Bonds maturing on the respective Principal Payment Dates will be issued to DTC in New York, New York; and such certificates will be immobilized in its custody. Purchases of the Bonds in denominations permitted by Section 2.2 hereof must be made by or through Direct Participants of DTC (as defined in the Letter of Representation), which will receive a credit for the Bonds on DTC’s records. The ownership interest of each actual purchaser of each Bond (the “Beneficial Owner”) is in turn to be recorded on the Direct and Indirect Participants’ records. Transfers of ownership will be effected on the records of DTC and its Participants pursuant to the rules and procedures established by DTC and its Participants. Payment of principal and interest on the Bonds will be made in same day funds directly to DTC. The transfer of principal and interest to Participants of DTC will be the responsibility of DTC; the transfer of principal and interest to beneficial owners by Participants of DTC will be the responsibility of such Participants. Neither the Commission nor the Paying Agent will be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its Participants or persons acting through such Participants.

In the event the Bond Registrar receives written notice from Participants having interest in not less than 50% of the Bonds outstanding, as shown on the records of DTC (and certified to such effect by DTC), that the continuation of a book-entry only system to the exclusion of any Bonds being issued to any Registered Owner other than Cede & Co., is no longer in the best interest of the Beneficial Owners of the Bonds, then the Bond Registrar shall notify the registered owners of such determination or such notice, and the Bond Registrar shall register in the name of and authenticate and deliver replacement Bonds to the Beneficial Owners or their nominees in principal amounts representing the interest of each, making such adjustments as it may find necessary or appropriate as to accrued interest and previous calls for redemption (“Replacement Bonds”). If issued in certificated form, the certificates representing the Bonds shall be numbered in such manner as the Bond Registrar shall determine.

All references to DTC herein shall relate to the period of time when DTC has possession of at least one Bond. Upon the issuance of Replacement Bonds, all references herein to obligations

imposed upon or to be performed by DTC shall be deemed to be imposed upon and performed by the Bond Registrar, to the extent applicable with respect to such Replacement Bonds. If DTC resigns and the Commission, the Bond Registrar or the Owners are unable to locate a qualified successor of the securities depository, then the Bond Registrar shall authenticate and cause delivery of Replacement Bonds to Owners, as provided herein. The Bond Registrar may rely on information from DTC and its Participants as to the names of the Beneficial Owners of the Bonds. The cost of printing, registration, authentication, and delivery of Replacement Bonds shall be paid for by the Commission and subject to reimbursement from the City.

In the event DTC resigns, is unable to properly discharge its responsibilities, or is no longer qualified to act as a DTC and registered clearing agency under the Securities and Exchange Act of 1934, as amended, the Commission may appoint a successor securities depository provided the Bond Registrar receives written evidence satisfactory to the Bond Registrar with respect to the ability of the successor securities depository to discharge its responsibilities. Any such successor securities depository shall be a securities depository which is a registered clearing agency under the Securities and Exchange Act of 1934, as amended, or other applicable statute or regulation that operates a securities depository upon reasonable and customary terms. The Bond Registrar upon its receipt of a Bond or Bonds for cancellation shall cause the delivery of the Bonds to the successor securities depository in appropriate denominations and form as provided in this Resolution.

ARTICLE III

REDEMPTION OF BONDS

Section 3.1 Mandatory Redemption Upon Change of Circumstances. The 2020 Bonds shall be subject to mandatory redemption and payment at any time upon the occurrence of a Change of Circumstances at a Redemption Price equal to the principal amount thereof, plus accrued interest thereon to the Redemption Date, without premium, provided all the 2020 Bonds are so redeemed and paid according to their terms.

Section 3.2 Optional Redemption of 2020 Bonds. At the option of the Commission upon written instructions from the City, the 2020 Bonds maturing September 1, 2028, and thereafter, may be called for redemption and payment prior to their respective maturities, in whole or in part at any time on and after September 1, 2027, at a redemption price equal to the principal amount thereof, plus accrued interest to the date established for such redemption and payment, without premium.

Section 3.3 Sinking Fund Redemption. Each of the 2020 Bonds maturing in 20__ (the “Term Bonds”) shall be subject to mandatory redemption by lot and payment from the sinking fund on each September 1 as hereafter described, pursuant to the redemption schedule hereafter set forth, at the principal amount thereof, plus accrued interest thereon to the date fixed for redemption and payment, without premium.

As and for a sinking fund for the redemption of the Term Bonds, the Commission shall deposit or cause to be deposited in the Principal and Interest Account, on or before the dates set forth below, a sum in immediately available funds which, together with other moneys available

therefor in the Principal and Interest Account, is sufficient to redeem the Term Bonds as indicated below, plus accrued interest thereon to the date of redemption. Subject to the provisions of the next paragraph of this Section, the Basic Rent payments specified in the Lease which are to be deposited in the Principal and Interest Account created by this Bond Resolution (the "Sinking Fund"), shall be sufficient to redeem (after credit as hereinafter provided), and the Commission hereby agrees to redeem, the following principal amounts of such Term Bonds on September 1 in each of the following years:

20 Term Bonds

<u>Year</u>	<u>Principal Amount</u>
20__	__,000

(Leaving \$__,000 to mature September 1, 20__)

The Term Bonds to be redeemed and paid pursuant to the operation of the Sinking Fund shall be selected by lot by the Paying Agent in such equitable manner as it may designate. The Paying Agent shall each year in which the Term Bonds are to be redeemed pursuant to the terms of said Sinking Fund make timely selection of Term Bonds to be so redeemed and shall give notice thereof as provided in this Bond Resolution without further instructions from the Commission or the City.

To the extent that the Term Bonds of a particular maturity subject to the sinking fund provisions of this Section have previously been purchased or called for redemption in part, otherwise than as due pursuant to the Sinking Fund installments, each Sinking Fund payment applicable to the Term Bonds of the same maturity shall be reduced by the amount obtained by multiplying the principal amount of such Term Bonds so previously purchased or called for redemption by the ratio which each Sinking Fund payment applicable to the Term Bonds of the same maturity bears to the total of such Sinking Fund installments and by rounding each Sinking Fund payment to the nearest integral multiple of \$5,000.

In the case of a Term Bond in a denomination larger than \$5,000, a portion of such Term Bond (\$5,000 or any integral multiple thereof) may be redeemed, but Term Bonds shall be redeemed pursuant to this Bond Resolution only in the principal amount of \$5,000 each or any integral multiple thereof.

On or before the 30th day prior to each Sinking Fund payment date, the Paying Agent shall proceed to select for redemption (by lot in such manner as the Paying Agent may determine) from all of the Outstanding Term Bonds subject to Sinking Fund redemption on such date, a principal amount of such Term Bonds redeemable with the required Sinking Fund payment, and shall call such Term Bonds or portions thereof (\$5,000 or any integral multiple thereof) for redemption from such Sinking Fund on the next Sinking Fund payment date and given notice of such redemption.

Section 3.4 Selection of Bonds to be Redeemed.

(A) Bonds shall be redeemed only in the principal amount of \$5,000, or integral multiples thereof. When less than all of the Outstanding Bonds are to be redeemed and paid prior

to maturity, the particular Bonds or portions thereof to be redeemed will be redeemed in such manner as the City shall determine, with Bonds of less than a full maturity to be selected by the Fiscal Agent in \$5,000 units of face value in such equitable manner as it may determine.

(B) In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then Outstanding, then for all purposes in connection with such redemption each \$5,000 of face value shall be treated as though it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of face value represented by any Bond is selected for redemption, then upon notice of intention to redeem such \$5,000 unit or units, the Owner or the Owner's duly authorized agent shall forthwith present and surrender such Bond to the Fiscal Agent (i) for payment of the redemption price (including the redemption premium, if any, and interest to the date fixed for redemption) of the \$5,000 unit or units of face value called for redemption, and (ii) for exchange, without charge to the Owner thereof, for a new Bond(s) of the aggregate principal amount of the unredeemed portion of the principal amount of such Bond. If the Owner of any Bond of a denomination greater than \$5,000 shall fail to present such Bond as aforesaid, such Bond shall, nevertheless, become due and payable on the redemption date to the extent of the amount called for redemption.

Section 3.5 Fiscal Agent's Duty to Redeem Bonds. The Fiscal Agent shall call Bonds for redemption and payment as herein provided and shall give notice of redemption as provided in the following Section 3.6 hereof upon receipt by the Fiscal Agent at least forty-five (45) days prior to the redemption date of the written request of the Commission, together with consent or request of the City if such request is required pursuant to the provisions of the Bond Resolution, such request to specify the principal amount and the respective maturities of the Bonds to be called for redemption, the applicable redemption price or prices and the provision or provisions of this Bond Resolution pursuant to which such Bonds are to be called for redemption.

Section 3.6 Notice of Redemption. The Fiscal Agent shall give written notice of any call for redemption of the Bonds to the Owners of such Bonds by United States first class mail at least thirty (30) days prior to the date fixed for redemption; provided, however, that failure to give such notice by mailing as aforesaid, or any defect therein, shall not affect the validity of any proceedings for the redemption of Bonds. Any notice of redemption shall state the date of redemption, the place or places at which the Bonds subject to the call shall be presented for payment, the maturities and numbers of the Bonds or portions of the Bonds to be redeemed (and in the case of the redemption of a portion of any bond, the principal amount thereof subject to the call) and the redemption price, and shall also state that interest on the Bonds described in such notice will cease to accrue from and after the redemption date.

With respect to optional redemptions, at the option of the Commission, such notice may be conditional upon moneys being on deposit with the Fiscal Agent on or prior to the redemption date in an amount sufficient to pay the redemption price on the redemption date. If such notice is conditional and moneys are not received, such notice shall be of no force and effect, the Fiscal Agent shall not redeem such Bonds and the Fiscal Agent shall give notice, in the same manner in which the notice of redemption was given, that such moneys were not so received and that such Bonds will not be redeemed.

Section 3.7 Effect of Call for Redemption. On or before the date established for redemption and payment of any Bonds, funds or Government Securities, as defined herein, shall be deposited with the Paying Agent in an amount sufficient to provide for the payment of the redemption price of the Bonds called for redemption on the date established for redemption. Upon the deposit of such funds or Government Securities, and notice having been given as provided in Section 3.6 above, the Bonds or portions thereof thus called for redemption shall cease to bear interest on the specified redemption date and shall no longer be entitled to the protection, benefit or security of this Bond Resolution and shall not be deemed to be Outstanding under the provisions hereof.

ARTICLE IV

FORM OF BONDS

Section 4.1 Form of Bonds Generally. The definitive printed form of the certificates representing Bonds issued under this Bond Resolution, including the registration certificates and certificate of authentication thereon, shall be in the form required by the laws of the State of Kansas, and shall contain the usual and required recitals and provisions, including a recital that they are issued under the authority of the Act. The text of the approving legal opinion of Bond Counsel shall be printed on the reverse side of the Bonds, together with a certificate of the Secretary relating thereto which shall be signed by the facsimile signature of the Secretary.

Section 4.2 Form of 2020 Bonds. The form of the 2020 Bonds is attached hereto as Exhibit A and made a part hereof by reference as though fully set forth herein. The Commission hereby approves the form and text of the bond certificates, and directs Bond Counsel to cause same to be printed for the 2020 Bonds.

ARTICLE V

ADDITIONAL BONDS

Section 5.1 Additional Bonds. The Commission covenants that so long as any of the 2020 Bonds remain Outstanding and unpaid, it will not issue any additional revenue bonds or other obligations payable from the Rental Payments, or any part thereof, which are superior in lien, security or otherwise to the first and prior lien of the 2020 Bonds on the Rental Payments.

The Commission may, however, issue refunding bonds or additional revenue bonds for extensions, enlargements and improvements to the Project, which shall be co-equal in stature and priority to the 2020 Bonds (the "Parity Bonds"), but only if each and all of the following conditions are met:

(A) When the issuance of revenue bonds of equal stature and priority to existing revenue bonds of the Project is permitted by State statutes; and the issuance of any such Parity Bonds will not affect the exclusion of the interest on the 2020 Bonds from gross income for purposes of Federal income taxation, as stated in an opinion of Bond Counsel;

(B) When the Commission shall not be in default in the making of any other payments at the time required to be made by it into the respective funds and accounts for the Project created hereby, and shall not be in default in any covenants or procedures established in this or any other resolution of the Commission authorizing existing indebtedness of the Project;

(C) When funds or accounts (or subaccounts) for the payment of such Parity Bonds are created and established by the resolution authorizing such Parity Bonds completely separate and distinct from any of the funds and accounts created and established by this Bond Resolution for payment of the 2020 Bonds;

(D) When the resolution authorizing such Parity Bonds shall additionally contain substantially the same terms, conditions, covenants and procedures as are established in and by this Bond Resolution; and

Any Parity Bonds issued under the conditions hereinbefore set forth which are payable from the Rental Payments shall stand on a parity with the 2020 Bonds, and shall enjoy complete equality of lien on and claim against the Rental Payments as the 2020 Bonds; and the Commission shall make equal provision for paying the Parity Bonds and the interest thereon out of the Rental Payments, and shall likewise provide for the creation of a reasonable fund for the payment of the principal of and the interest on the Parity Bonds and for reasonable reserves therefor out of the Rental Payments.

Nothing contained in the Resolution shall prohibit or restrict the right of the Commission to issue additional revenue bonds or other obligations of the Project for the purpose of reconstructing, altering, repairing, improving, extending or enlarging the Project and to provide that the principal of and the interest thereon shall be paid from the Rental Payments; provided, that at the time such additional revenue bonds or other obligations are issued, the Commission shall not be in default in the performance of any covenant or agreement contained in this Bond Resolution; and provided further, that such additional revenue bonds or other obligations shall be junior and subordinate to the 2020 Bonds so that if at any time the Commission shall be in default in the payment of either the interest on or the principal of the 2020 Bonds, or if the Commission shall be in default in making any other payments required to be made by it under the provisions of this Bond Resolution, it shall make no payments of either the principal of or the interest on the junior and subordinate revenue bonds or other obligations until said default or defaults under the covenants, agreements and conditions contained in this Bond Resolution shall be cured and no longer existing on the part of the Commission. In the event of the issuance of any junior and subordinate revenue bonds or other obligations, the Commission, subject to the provisions aforesaid, may make provision for payment of the interest on and the principal of said junior and subordinate revenue bonds or other obligations out of the Rental Payments.

ARTICLE VI

FUNDS AND ACCOUNTS

Section 6.1 Creation of Funds and Accounts. The Commission appoints the Treasury of the City as a depository for the Commission under this Bond Resolution for the purpose of receiving, holding, investing and otherwise maintaining and having custody of and disbursing certain moneys derived in connection with the ownership and operation of the Project. There is created and established in the custody of the Treasury of the City, on behalf of the Commission, the following funds and accounts:

- (A) “Costs of Issuance Account” (the “Costs of Issuance Account”),
- (B) “Principal and Interest Account” (the “Principal and Interest Account”),
- (C) “Excess Earnings Fund” (the “Excess Earnings Fund”), and
- (D) “Project Replacement Fund” (the “Project Replacement Fund”), and
- (E) “Redemption Fund” (the “Redemption Fund”).

Section 6.2 Administration of Funds and Accounts. The City shall hold the Costs of Issuance Account, the Principal and Interest Account, the Excess Earnings Fund, the Project Replacement Fund, and the Redemption Fund, in trust for and on behalf of the Commission, separate and apart from all other funds and accounts of the City so long as any of the 2020 Bonds remain outstanding and unpaid (except that the Costs of Issuance Account shall be terminated on such earlier dates as hereinafter provided), and shall make deposits to and disbursements therefrom only as provided by this Bond Resolution. The Commission and the City hereby covenant and agree that (i) that the Costs of Issuance Account referred to in subsection (A) of Section 6.1 shall be administered and terminated as provided by Section 6.5(C) hereof; (ii) the Principal and Interest Account referred to in subsection (B) of Section 6.1 shall be continued for the security and benefit of the Owners of the 2020 Bonds for so long as any of the 2020 Bonds remain Outstanding and unpaid; (iii) that the Excess Earnings Fund referred to in subsection (C) of Section 6.1 shall be administered and terminated as provided by Section 7.1 hereof and the Arbitrage Rebate Compliance Agreement; (iv) that the Project Replacement Fund referred to in subsection (D) of Section 6.1 shall be administered in accordance with the provisions of the Lease and Section 6.5(B) hereof; and (v) that the Redemption Fund referred to in subsection (E) of Section 6.1 shall be administered and terminated as provided by Section 6.5(D) hereof.

Section 6.3 Disposition of Bond Proceeds. The Original Proceeds of the 2020 Bonds when received shall be deposited as follows:

- (A) All accrued interest received from the sale of the 2020 Bonds shall be deposited into the Principal and Interest Account, and shall be applied towards the payment of the first maturing interest on the 2020 Bonds;
- (B) The sum of \$ __, __. __ shall be deposited to the Costs of Issuance Account, and shall be immediately expended for payment of the Costs of Issuance of the 2020 Bonds; and

(C) The balance of the Original Proceeds, in the sum of \$____,____.____, along with available funds of the City in the sum of \$____,____.____ shall be deposited to the Redemption Fund and shall be expended for paying and redeeming the outstanding 2010 Bonds.

Section 6.4 Deposits into Various Funds and Accounts.

(A) The City shall, on behalf of the Commission, deposit into the Principal and Interest Account, as and when received, the following:

- (1) All accrued interest received from the sale of the 2020 Bonds;
- (2) All monthly rent payments received under the Lease which are attributable to payments of principal of, redemption premium, if any, or interest on the 2020 Bonds;
- (3) All amounts appropriately transferred to the credit of the Principal and Interest Account from any other fund or account created by and pursuant to any of the terms of this Bond Resolution;
- (4) All interest and other income derived from the investment of moneys held in the Principal and Interest Account; and
- (5) All other moneys received by the Commission under and pursuant to any of the provisions of the Lease or otherwise, when accompanied by directions from the person depositing such moneys that such moneys are to be paid into the Principal and Interest Account.

(B) The City shall, on behalf of the Commission, deposit into the Project Replacement Fund proceeds received in connection with insurance and/or condemnation claims in accordance with the provisions of Article X of the Lease.

(C) The City shall, on behalf of the Commission, deposit into the Costs of Issuance Account, as and when received, the amounts specified by Section 6.3(B) of this Bond Resolution.

(D) The City shall, on behalf of the Commission, deposit into the Excess Earnings Account the amounts required by Section 7.1 of this Bond Resolution.

(E) The City shall, on behalf of the Commission, deposit into the Redemption Fund, as and when received, the amounts specified by Section 6.3(C) of this Bond Resolution.

Section 6.5 Application of Moneys in Funds and Accounts.

(A) Application of Moneys in Principal and Interest Account.

(1) Except as provided in Paragraph (4) of this subsection, moneys in the Principal and Interest Account shall be expended solely for the payment of the principal

of, premium, if any, and interest on the 2020 Bonds as the same shall mature and become due or upon the redemption thereof prior to maturity.

(2) The Commission hereby authorizes and directs the City to withdraw sufficient funds from the Principal and Interest Account to pay the principal of, premium, if any, and the interest on the 2020 Bonds as the same become due and payable and to make said funds so withdrawn available to the Paying Agent for the purpose of paying said principal, premium, if any, and interest.

(3) The Commission, upon written directions of the City, shall use any moneys in the Principal and Interest Account to redeem all or part of the Outstanding 2020 Bonds in accordance with and to the extent permitted by Article III hereof so long as there is no default with respect to any payments under the Lease or under this Bond Resolution and to the extent said moneys are in excess of the amount required for payment of such 2020 Bonds theretofore matured or called for redemption and not presented for payment. The City may direct such excess money in the Principal and Interest Account or such part thereof, or other moneys of the City to be applied by the Commission for the purchase of 2020 Bonds in the open market for the purpose of cancellation at prices not exceeding the principal amount thereof plus accrued interest thereon to the date of delivery for cancellation.

(4) Any amount remaining in the Principal and Interest Account after the principal of, premium, if any, and interest on the 2020 Bonds shall have been paid in full or provision made therefor in accordance with Article XIII hereof, shall be paid to the City by the Commission.

(B) Application of Moneys in Project Replacement Fund. Moneys held in the Project Replacement Fund shall be applied in accordance with the provisions of Article X of the Lease.

(C) Application of Moneys in Costs of Issuance Account. The Commission covenants that the moneys deposited to the Costs of Issuance Account shall be immediately expended, to the extent possible, to pay the Costs of Issuance of the 2020 Bonds; and, that all moneys remaining in the Costs of Issuance Account on the date which is Thirty (30) days prior to the first Principal Payment Date of the 2020 Bonds shall be transferred to the Principal and Interest Account to pay a portion of the first principal due on the 2020 Bonds; and that the Costs of Issuance Account shall thereafter be terminated.

(D) Application of Moneys in Redemption Fund. The Commission covenants that the moneys deposited to the Redemption Fund shall be immediately expended, to the extent possible, to pay, refund, and redeem the outstanding 2010 Bonds on September 1, 2020; and, that all moneys, if any, remaining in the Redemption Fund on the date which is thirty (30) days prior to the first Principal Payment Date of the 2020 Bonds shall be transferred to the Principal and Interest Account to pay a portion of the first principal due on the 2020 Bonds; and that the Redemption Fund shall thereafter be terminated.

Section 6.6 Insufficient Moneys in Funds and Accounts. If at any time the amounts in the funds and accounts created by this Bond Resolution shall be insufficient to make any payments or credits hereinbefore specified on the date or dates required therein, the Commission shall make good the amount of such deficiency by making such payments or credits out of the first available Rental Payments thereafter received.

Section 6.7 Excess Moneys in Funds and Accounts. After payment in full of the Bonds and any other amounts required to be paid under the terms of this Bond Resolution, all amounts remaining in any fund or account created and governed by this Bond Resolution, shall be paid to the City.

ARTICLE VII

EXCESS EARNINGS FUND; ARBITRAGE REBATE COMPLIANCE AGREEMENT; DEPOSITS AND INVESTMENTS OF MONEYS; TAX COVENANTS

Section 7.1 Deposits Into and Application of Moneys in Excess Earnings Fund.

(A) The Commission shall cause to be deposited into the Excess Earnings Fund such amounts as are required to be deposited therein pursuant to the Arbitrage Rebate Compliance Agreement. All earnings on investments of moneys held in the Excess Earnings Fund shall be retained in the Excess Earnings Fund. Subject to the payment provisions provided in subsection (B) below, all amounts on deposit in the Excess Earnings Fund shall be held in trust, to the extent required to satisfy the Rebate Amount (as defined in the Arbitrage Rebate Compliance Agreement), for payment to the United States of America, and neither the Commission, the City, nor the Owner of any 2020 Bond shall have any right in or claim to such money. All amounts held in the Excess Earnings Fund shall be governed by this Section and by the Arbitrage Rebate Compliance Agreement.

(B) The Commission shall cause part or all of the balances in the Excess Earnings Fund to be remitted to the United States of America in accordance with the Arbitrage Rebate Compliance Agreement. Any funds remaining in the Excess Earnings Fund after redemption and payment of all of the 2020 Bonds and payment and satisfaction of any Rebate Amount, or provision having been made therefor, shall be withdrawn and released from the Excess Earnings Fund and shall be paid to the City.

(C) Notwithstanding any other provision of this Bond Resolution, including in particular the provisions of this Section, the Commission's obligation to remit the Rebate Amount to the United States of America and to comply with all other requirements of this Section and the Arbitrage Rebate Compliance Agreement shall survive the defeasance or payment in full of the 2020 Bonds.

(D) The Commission shall maintain, or cause to be maintained, records designed to show compliance with the provisions of this Section and the Arbitrage Rebate Compliance

Agreement for at least six (6) years after the date on which no 2020 Bonds shall remain Outstanding.

(E) The terms, conditions and provisions under which the Commission will perform its duties, or cause such duties to be performed, regarding the Excess Earnings Fund and any Rebate Amount are set forth in the Arbitrage Rebate Compliance Agreement. The form and text of the Arbitrage Rebate Compliance Agreement is hereby approved and accepted by the Commission, and all of the covenants, duties and responsibilities therein contained which are to be performed by and on behalf of the Commission are hereby declared to be the covenants, duties and responsibilities of the Commission as though fully set forth at this place. The Chairman and Secretary are hereby authorized to execute and deliver the Arbitrage Rebate Compliance Agreement for and on behalf of the Commission.

Section 7.2 Deposits. Cash moneys in each of the funds and accounts herein created and established shall be deposited in a bank(s) or Federal or state chartered savings and loan association(s) with home offices located in the State of Kansas, which are members of the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation, and all such deposits shall be adequately secured by the banks or savings and loan associations holding such deposits in accordance with the laws of the State.

Section 7.3 Investments. Moneys held in the funds and accounts herein created or established may be invested by, or at the direction of, the Commission in Authorized Investments in such amounts and maturing at such times as shall reasonably provide for moneys to be available when required in said funds and accounts; provided that, such moneys shall not be invested in such manner as will violate the provisions of the Arbitrage Rebate Compliance Agreement. Interest on any obligations held in any fund or account shall (except in amounts which are required to be deposited into the Excess Earnings Fund in accordance with the Arbitrage Rebate Compliance Agreement) accrue to and become a part of the originating fund or account, except as might hereafter or elsewhere in this Bond Resolution be required. The value of the investments held in the funds and accounts as provided by this Article shall be determined as of the final Payment Date in each Fiscal year.

All investments shall be made in accordance with the Arbitrage Rebate Compliance Agreement.

Section 7.4 Tax Covenants. The Commission hereby covenants and agrees that so long as any of the 2020 Bonds remain Outstanding and unpaid, that it will not take any action, or fail to take any action in its power, if any such action or the failure to take such action, would adversely affect the continued exclusion from gross income for purposes of Federal income taxation of the interest on the 2020 Bonds under Section 103 of the Code, and further covenants to comply with all other provisions of the Code, as the same be amended, and any applicable Rules and Regulations of the United States Treasury Department thereunder, to the extent applicable to the 2020 Bonds.

The Commission hereby further covenants that it will use and expend the proceeds of the 2020 Bonds for the purpose for which they are issued as soon as practicable and with all reasonable

dispatch, and that it will not directly or indirectly use or permit the use of the proceeds of the 2020 Bonds or any other funds of the Commission or the Project, or take or omit to take any action which, if such use or taking or omission of action had been reasonably expected on the Date of Issuance, would have caused the 2020 Bonds to be “arbitrage bonds” within the meaning of the Code; and that to that end, it will comply with all applicable requirements of Section 148 of the Code and the Rules and Regulations of the United States Treasury Department thereunder to the extent applicable to the 2020 Bonds for so long as any of the 2020 Bonds remain Outstanding and unpaid.

Without limiting the generality of the foregoing, the Commission agrees that there shall be paid from time to time, all amounts required to be rebated to the United States of America pursuant to Section 148(F) of the Code, and any temporary, proposed or final Treasury Regulations as may be applicable to the 2020 Bonds from time to time. This covenant shall survive payment in full or the defeasance of the 2020 Bonds; and the Commission specifically hereby covenants to pay or cause to be paid to the United States of America, at the times and in the amounts determined under this Bond Resolution, the Rebate Amounts as described in the Arbitrage Rebate Compliance Agreement.

ARTICLE VIII

GENERAL COVENANTS AND PROVISIONS

Section 8.1 Payment of 2020 Bonds. The Commission covenants that it will promptly pay or cause to be paid the principal of, premium, if any, and interest on the 2020 Bonds as the same become due and payable at the place, on the dates and in the manner provided herein and in the 2020 Bonds according to the true intent and meaning thereof, but solely from the moneys made available for such purpose under this Bond Resolution.

Section 8.2 Covenant to Operate and Maintain Rates, Fees and Charges. The Commission hereby covenants that it will cause the City to operate the Project as a Project to fix, establish, maintain and collect such rates, fees or charges for the use of and services provided by or through the Project, which shall, together with any other available funds therefor, be sufficient to pay the expenses of operating and maintaining the Project, to pay the principal of and interest on the 2020 Bonds and any Additional Bonds, as and when the same become due, and to create and maintain reasonable reserves as herein specified.

Section 8.3 Enforcement of Rights Under the Lease. The Commission covenants and agrees that it shall enforce all of its rights and all obligations of the City under the Lease to the extent necessary to preserve the Project in good order and repair, and to protect the rights of the Owners with respect to the pledge of the rents, revenues and receipts coming due under the Lease.

Section 8.4 Possession and Use of the Project. So long as not otherwise provided in this Bond Resolution, the City shall be permitted to possess, use and enjoy the Project so as to carry out its obligations under the Lease.

Section 8.5 Maintenance Taxes and Insurance. The Commission represents that pursuant to the provisions of the Lease, the City has agreed to cause the Project to be maintained and kept in good condition, repair and working order, to pay, as the same respectively become due, all taxes, assessments and other governmental charges at any time lawfully levied or assessed upon or against the Project, and to keep the Project constantly insured to the extent provided for therein, all at the cost of the City.

Section 8.6 Authorization of Lease. The governing body hereby approves and accepts the terms and provisions of the Lease, and the Chairman and Secretary are hereby authorized, ordered and directed to execute the Lease for and on behalf of the Commission.

ARTICLE IX

EVENTS OF DEFAULT; REMEDIES; RIGHTS OF OWNERS; AMENDMENTS

Section 9.1 Default; Event of Default. An Event of Default under this Bond Resolution shall occur upon the happening of any of the following events:

- (A) Default in the due and punctual payment of any interest on any Bond;
- (B) Default in the due and punctual payment of the principal of or premium, if any, on any Bond on the stated maturity or accelerated maturity date thereof, or at the redemption date thereof; or
- (C) Default in the performance or observance of any other of the covenants, agreements or conditions on the part of the Commission in this Bond Resolution or in the Bonds contained, and the continuance thereof for a period of thirty (30) days after written notice thereof shall have been given to the Commission by the Owners of not less than ten percent (10%) in aggregate principal amount of Bonds then Outstanding; provided, however, if any default shall be such that it cannot be corrected within such 30-day period, it shall not constitute an Event of Default if corrective action is instituted by the Commission within such period and diligently pursued until such default is corrected.

Section 9.2 Acceleration of Maturity in Event of Default. The Commission agrees that if it shall default in payment of principal or interest on any of the Bonds as the same shall become due, and such default shall continue for a period of thirty (30) days, or if the Commission, or any of the officers, agents or employees thereof, shall fail or refuse to comply with any of the provisions of this Bond Resolution or of the statutes of the State, then, at any time thereafter and while such default shall continue, the Owners of not less than twenty-five percent (25%) of the Bonds then Outstanding may, by written notice to the Commission, filed in the office of or delivered in person to the City Clerk, declare the principal of all of the Bonds then Outstanding to be immediately due and payable; and upon any such declaration given as aforesaid, all of the Bonds shall become and be immediately due and payable, nothing in this Bond Resolution or in the Bonds contained to the contrary notwithstanding. This provision, however, is subject to the condition that if, at any time after the principal of the Bonds shall have been so declared to be due and

payable, all arrears of interest upon all of the Outstanding Bonds, except interest accrued but not yet due on the Bonds, and all arrears of principal of the Bonds shall have been paid in full, and all other defaults, if any, by the Commission under the provisions of this Bond Resolution and the provisions of the statutes of the State shall have been cured, then and in every such case the Owners of a majority in principal amount of the Bonds then Outstanding, by written notice to the Commission given as hereinbefore specified, may rescind and annul such declaration and its consequences, but no such rescission or annulment shall extend to or affect any subsequent default or impair any rights consequent thereon.

Section 9.3 Bond Resolution Constitutes Contract; Remedies of Owners. The provisions of this Bond Resolution, and all of the covenants and agreements herein contained, shall constitute a contract between the Commission and the Owners of the 2020 Bonds, and the Owner(s) of not less than ten percent (10%) of the 2020 Bonds at the time Outstanding shall have the right, for the equal benefit and protection of all Owners similarly situated:

(A) By mandamus or other suit, action or proceeding at law or in equity, to enforce his or their rights against the Commission and its officers, agents and employees, and to require and compel the Commission and its officers, agents and employees to perform all duties and obligations required by the provisions of this Bond Resolution or by the Constitution and laws of the State,

(B) By suit, action or other proceeding in equity or at law, to require the Commission, its officers, agents and employees to account as if they were the trustees of an express trust, and

(C) By suit, action or other proceeding in equity or at law, to enjoin any acts or things which may be unlawful or in violation of the rights of the Owners.

Nothing contained in this Bond Resolution, however, shall be construed as imposing on the Commission any duty or obligation to levy any taxes either to meet any obligation incurred herein or to pay the principal of or any interest on the 2020 Bonds.

Section 9.4 Limitation on Actions by Owners; Remedies Cumulative; Delay or Omission Not Waiver. No one or more of the Owners secured hereby shall have any right in any manner whatsoever by his or their action to affect, disturb or prejudice the security granted and provided for herein, or to enforce any right hereunder, except in the manner herein provided, and all proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all Owners of the Outstanding Bonds. Nothing in this Bond Resolution or in the Bonds shall affect or impair the obligations of the Commission to pay at the respective dates of maturity thereof, the principal of and the interest on the Bonds to the respective Owners thereof or affect or impair the right of action of any Owner to enforce payment of the Bonds held by him, or to reduce to judgment his claim against the Commission for payment of the principal and interest on the Bonds without reference to or consent of any other Owner. No remedy herein conferred upon the Owners is intended to be exclusive of any other remedy or remedies, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity or by statute, and may be exercised without exhausting and without

regard to any other remedy however given. No delay or omission of any Owner to exercise any right or power accruing upon any default occurring and continuing as aforesaid shall impair any such default or be construed as an acquiescence therein, and every right, power and remedy given by this Bond Resolution to the Owners, respectively, may be exercised from time to time and as often as may be deemed expedient. In case any proceeding taken by any Owner on account of any default shall have been discontinued or abandoned for any reason, or shall have been determined adversely to the Owner, then in every such case the Commission and the Owners shall be restored to their former positions and rights hereunder, respectively, and all rights, remedies, powers and duties of the Owners shall continue as though no such proceedings had been taken.

Section 9.5 Inspection by Owners. Any Owner shall have the right at all reasonable times to inspect the Project and all books, records, accounts and data relating thereto, and shall be furnished, at Owner's expense, with all information concerning the Project and the operations thereof which the Owner may reasonably request.

Section 9.6 Application of Moneys. Anything in this Bond Resolution to the contrary notwithstanding, if at any time moneys in the Principal and Interest Account shall not be sufficient to pay the interest on or the principal of the Bonds as the same shall become due and payable, such moneys, together with any moneys then available or thereafter becoming available for such purpose, whether through the exercise of the remedies provided for in this Section or otherwise, shall, after payment of the cost and expense of any proceedings resulting in the collection of such moneys, be applied by the Commission as follows:

(A) If the principal of all the Bonds shall not have become due and payable, all such moneys shall be applied:

first: to the payment of the persons entitled thereto of all installments of interest then due and payable in the order in which such installments became due and payable, and, if the amount available shall not be sufficient to pay in full any particular installments, then to the payment, ratably, according to the amounts due on such installment, to the persons entitled thereto, without any discrimination or preference except as to any difference in the respective rates, of interest specified in the Bonds;

second: to the payment of the persons entitled thereto of the unpaid principal of any of the Bonds which shall have become due and payable (other than Bonds called for redemption for the payment of which moneys are held pursuant to the provisions of this Bond Resolution), in the order of their due dates, with interest on the principal amount of such Bonds at the respective rates specified therein from the respective dates upon which such Bonds became due and payable, and, if the amount available shall not be sufficient to pay in full the principal of the Bonds due and payable on any particular date, together with such interest, then to the payment first of such interest, ratably, according to the amount of such interest due on such date, and then to the payment of such principal, ratably, according to the amount of such principal due on such date, to the persons entitled thereto without any discrimination or preference; and

third: to the payment of the interest on and the principal of the Bonds, to the purchase and retirement of the Bonds and to the redemption of the Bonds, all in accordance with the provisions of this Bond Resolution.

(B) If the principal of all of the Bonds shall have become due and payable, all such moneys shall be applied:

first: to the payment of the persons entitled thereto of all installments of interest due and payable on or prior to maturity, if any, in the order in which such installments became due and payable and, if the amount available shall not be sufficient to pay in full any particular installment, then to the payment ratably, according to the amounts due on such installment, to the persons entitled thereto, without any discrimination or preference except as to any difference in the respective rates of interest specified in the Bonds, and then to the payment of any interest due and payable after maturity on the Bonds, ratably, to the person entitled thereto, without any discrimination or preference except as to any difference in the respective rates of interest specified in the Bonds; and

second: to the payment of the principal of the Bonds, ratably, to the persons entitled thereto, without preference or priority of any Bond over any other Bond.

Section 9.7 Amendments. The Commission may, with the written consent of the City, but without the consent of the Owners, amend or supplement the provisions of this Bond Resolution (i) to more fully and completely describe the Project, or (ii) to cure any ambiguity herein or to correct or supplement any provision herein which may be inconsistent with any other provision herein or to correct errors, provided such action shall not materially adversely affect the interest of the Owners, or (iii) to grant or confer upon the Owners any additional rights, remedies, powers or security. The rights and duties of the Commission and the Owners and the terms and provisions of this Bond Resolution may be modified or altered in any respect by a resolution of the Commission with the consent of the Owners of not less than sixty percent (60%) in principal amount of the Bonds then Outstanding, such consent to be evidenced by an instrument or instruments executed by the Owners and duly acknowledged or proved in the manner of a deed to be recorded, and such instrument or instruments shall be filed with the Secretary of the Commission; provided that, no such modification or alteration shall, except with the written consent of one hundred percent (100%) of the Owners of the then Outstanding Bonds:

(A) Extend the maturity of any payment of principal or interest due upon any Bond,

(B) Effect a reduction in the amount which the Commission is required to pay by way of principal or interest on any Bond,

(C) Permit the creation of a lien on the Rental Payments which is prior or equal to the lien of the Bonds, except as hereinbefore provided,

(D) Permit a preference or priority of any Bond or Bonds over any other Bond or Bonds, or

(E) Reduce the percentage of the principal amount of the then Outstanding Bonds for which the written consent of the Owners is required for any modification or alteration of the provisions of this Bond Resolution.

Any and all modifications made in the manner hereinabove provided shall not become effective until there has been filed with the Secretary of the Commission a copy of the resolution of the Commission authorizing said modifications, as hereinabove provided for, duly certified and published, as well as proof of consent to such modification by the City and by the Owners of not less than the percentage of the principal amount of Bonds then Outstanding as hereinabove required therefor. It shall not be necessary to note on any of the Outstanding Bonds any reference to such amendment or modification.

ARTICLE X

MISCELLANEOUS PROVISIONS

Section 10.1 Defeasance. When the principal of, the premium, if any, and the interest on the Bonds shall have been paid and discharged, then the requirements contained in this Bond Resolution and the pledge of the Rental Payments made hereunder and all other rights granted hereby shall cease and terminate. The Bonds shall be deemed to have been paid and discharged within the meaning of this Bond Resolution if there shall have been deposited with the Paying Agent, or with a bank located in the State and having full trust powers, at or prior to the date of maturity or redemption, as the case may be, of the Bonds, in trust for and irrevocably appropriated thereto, moneys and/or Government Securities consisting of direct obligations of, or obligations the payment of the principal of and interest on which are guaranteed by the United States of America, which, together with the interest to be earned on such investments, will be sufficient for the payment of the principal amount of, the premium, if any, and the interest accrued to the date of maturity or earlier redemption, as the case may be, of the Bonds, or if default in such payment shall have accrued on such date, then to the date of the tender of such payments; provided that, if such payment and discharge are to be made on a redemption date, that notice of such redemption has been duly and properly given as provided by the terms and provisions of this Bond Resolution and that all of the other terms and provisions of this Bond Resolution relative to the call for and redemption and payment of the Bonds shall have been complied with. Any moneys and obligations which at any time shall be deposited with the Paying Agent or such Kansas bank by or on behalf of the Commission for the purpose of paying and discharging any of the Bonds, or the interest thereon, shall be and hereby are assigned, transferred and set over to the Paying Agent or such Kansas bank in trust for the respective Owners of the Bonds, and such moneys shall be and hereby are irrevocably appropriated to the payment and discharge thereof. All moneys deposited with the Paying Agent or any such Kansas bank shall be deemed to be deposited in accordance with and subject to all of the provisions contained in this Bond Resolution.

Section 10.2 Agreements of Commission. All covenants, stipulations and obligations of the Commission or, after approval of this Bond Resolution by the City, of the City contained in

this Bond Resolution shall be deemed to be the covenants, stipulations, obligations and agreements of the Commission or the City, as the case may be, to the full extent authorized or permitted by law, and all such covenants, stipulations, obligations and agreements shall be binding upon the Commission and/or the City, as the case may be, and its successors from time to time and upon any board, body or agency to which any powers or duties affecting such covenants, stipulations, obligations and agreements shall be transferred by or in accordance with law. Except as otherwise provided in this Bond Resolution, all rights, powers and privileges conferred and duties and liabilities imposed upon the Commission or the City, as the case may be, or any officials thereof by the provisions of this Bond Resolution, shall be exercised or performed by the Commission or the City, as the case may be, or by such officers as may be required by law to exercise such powers and to perform such duties. No covenant, stipulation, obligation or agreement herein contained shall be deemed to be a covenant, stipulation, obligation or agreement of any official, officer, agent or employee of the Commission or the City in his or her individual capacity, and neither the officials of the Commission or the City nor any officer executing the Bonds shall be liable personally on the Bonds or by such for any personal liability or accountability by reason of the issuance thereof.

Section 10.3 Severability. In case any one or more of the provisions of this Bond Resolution or of the Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Bond Resolution or the Bonds appertaining thereto, but this Bond Resolution and the Bonds shall be construed and enforced as if such illegal or invalid provision had not been contained therein. In case any covenant, stipulation, obligation or agreement contained in the Bonds or in this Bond Resolution shall for any reason be held to be in violation of law, then such covenant, stipulation, obligation or agreement shall be deemed to be the covenant, stipulation, obligation or agreement of the Commission to the full extent permitted by law.

Section 10.4 Further Authority; Official Statement. The Commission shall, and the officers, agents and employees thereof, are hereby authorized and directed to, take such actions, expend such moneys and execute such other documents, certificates and instruments as may be necessary or desirable in order to carry out and comply with the provisions of this Bond Resolution and to give effect to the transactions contemplated hereby.

The Commission hereby approves the form and content of the Official Statement prepared in the offering and sale of the 2020 Bonds, and approves and authorizes the use of the Official Statement in the reoffering of the 2020 Bonds by the Original Purchaser. The Chairman and Secretary are hereby authorized, ordered and directed to execute the Official Statement for and on behalf of the Commission.

Section 10.5 Qualified Tax Exempt Obligations. The Commission hereby designates the 2020 Bonds as “qualified tax-exempt obligations” as defined in Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

Section 10.6 Effective Date. This Bond Resolution shall take effect and be in full force from and after its adoption and approval.

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ADOPTED AND APPROVED by the Hesston, Kansas Public Building Commission on the 11th day of May, 2020.

HESSTON, KANSAS
PUBLIC BUILDING COMMISSION

[seal]

By _____
David K. Kauffman, Chairman

ATTEST:

By _____
Jason Thrasher, Secretary

“COMMISSION”

SCHEDULE I

LEGAL DESCRIPTION

- (A) The following described real estate located in Harvey County, Kansas, to wit:

Lots One (1), Two (2), Three (3), Four (4), Five (5) and Six (6), in
Block (5), City of Hesston, Harvey County, Kansas.

EXHIBIT A

FORM OF 2020 BONDS

(Face of the Bond)

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the Issuer or its agent for registration of transfer, exchange, or payment, and any certificate issued is registered in the name of Cede & Co., or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

No. UNITED STATES OF AMERICA \$
STATE OF KANSAS

HESSTON, KANSAS PUBLIC BUILDING COMMISSION
REFUNDING REVENUE BOND
SERIES 2020

Rate of Interest: Maturity Date: Dated Date: June 3, 2020 CUSIP:

Registered Owner:

Principal Amount:

The Hesston, Kansas Public Building Commission (the "Issuer" or "Commission"), for value received, acknowledges itself to be indebted to and promises to pay, but solely from the sources hereinafter pledged, to the Registered Owner identified above (the "Owner"), or registered assigns as of the Record Date as hereinafter defined, the Principal Amount hereof on the above Maturity Date, and in like manner to pay interest on the Principal Amount from the most recent Interest Payment Date immediately preceding the Authentication Date set forth below to which interest has been paid, unless such Authentication Date shall be an Interest Payment Date in which case this Bond shall bear interest from such Interest Payment Date, or unless the Authentication Date shall be prior to the first Interest Payment Date in which case this Bond shall bear interest from the Dated Date, at the above Rate of Interest per annum, payable semiannually on March 1 and September 1 (the "Interest Payment Dates") commencing March 1, 2021, until the Principal Amount is paid.

The Principal Amount of this Bond shall be payable in lawful money of the United States of America by check or draft of Treasurer of the State of Kansas, the Issuer's designated "Paying Agent" and "Bond Registrar", upon the presentation and surrender of this Bond for payment and cancellation at the Paying Agent's principal office in the City of Topeka, Kansas. The interest on

this Bond shall be payable in lawful money of the United States of America by check or draft of the Paying Agent mailed to the Owner at the Owner's address appearing on the Registration Books maintained by the Bond Registrar, or at such other address as the Owner may advise the Bond Registrar in writing by the close of business on the 15th day of the month next preceding the applicable Interest Payment Date (the "Record Date").

The Bonds are limited obligations of the Issuer, payable solely and only from the rents, revenues and receipts derived by the Issuer from the lease of a certain public library (the "Project") to the City of Hesston, Kansas (except to the extent paid out of moneys attributable to proceeds of the Bonds or refunding bond proceeds or income from the investment thereof and, under certain circumstances, proceeds of insurance, sale and condemnation awards). The Bonds do not constitute a general obligation of the Issuer, are not payable in any manner from funds raised by taxation, nor do they constitute an indebtedness of the Issuer within the meaning of any constitutional or statutory provision, limitation or restriction.

The terms and provisions of this Bond are continued on the reverse hereof and shall for all purposes have the same effect as though fully set forth in this place.

It is hereby certified and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of this Bond do exist in due and regular form and manner as required by the Constitution and Laws of the State of Kansas; and that the Issuer's total outstanding indebtedness, including the Bonds, does not exceed any constitutional or statutory limitation respecting such indebtedness.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been lawfully executed by the Bond Registrar by the manual signature of an authorized officer or signatory thereof.

IN WITNESS WHEREOF, the Issuer, has caused this Bond to be executed by its Chairman and attested by its Secretary, by their facsimile signatures, and a facsimile of its official seal to be imprinted hereon, all as of June 3, 2020.

HESSTON, KANSAS PUBLIC BUILDING COMMISSION

(Facsimile Seal)

(Facsimile Signature of David K. Kauffman)
David K. Kauffman, Chairman

ATTEST:

(Facsimile Signature of Jason Thrasher)
Jason Thrasher, Secretary

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Hesston, Kansas Public Building Commission, Refunding Revenue Bonds, Series 2020, described in the within mentioned Bond Resolution.

Registration Date: _____

OFFICE OF THE STATE TREASURER
Topeka, Kansas, as Registrar
and Paying Agent

By _____

State Registration No. 0162-040-060320-906

(Reverse of the Bond)

FURTHER TERMS AND PROVISIONS

This Bond is one of a duly authorized Series issued in the aggregate principal amount of \$560,000, by the authority of a Resolution adopted by the Commission on May 11, 2020 (the “Bond Resolution”). The Bonds are issued by the authority of and in full compliance with the provisions, restrictions and limitations of the Constitution and Laws of the State of Kansas, including particularly K.S.A. 12-1757 *et seq.*, as amended and supplemented, and as amended and chartered from with substitute and additional provisions being provided under Charter Ordinance No. 140-2008-037 of the City of Hesston, Kansas, and K.S.A. 10-116a, as amended and supplemented, for the purpose of refunding a portion of the Issuer’s Revenue Bonds, Series 2010, originally issued for the purpose of paying the costs of acquiring, constructing, furnishing and equipping the Project and paying a portion of the costs and expenses of issuing the Bonds. The Project will continue to be leased by the Commission to the City of Hesston, Kansas (the “City”) pursuant to a certain First Supplemental Lease Agreement, dated as of June 1, 2020, which supplements and amends a Lease Agreement, dated as of March 1, 2010 (collectively, the “Lease”).

The Bonds are issued under, and are equally and ratably secured by and entitled to the protection of, the Bond Resolution. The Bonds are issued as fully registered certificated bonds in denominations of \$5,000, or integral multiples thereof not exceeding the principal amount of Bonds maturing on the respective Principal Payment Dates, and the Bonds shall be numbered in such manner as the Bond Registrar shall determine. Reference is made to the Bond Resolution for a complete description of the provisions, among others, with respect to the nature and extent of the security for the Bonds, the rights, duties and obligations of the Issuer, the Paying Agent and Bond Registrar and the registered owners of the Bonds, and the terms upon which the Bonds are issued and secured.

Upon certain conditions specified in the Bond Resolution, the Issuer may issue additional bonds which may be on a parity with and co-equal in stature and priority to the first and prior lien of the Bonds on the rents, revenues and receipts derived by the Issuer under the terms of the Lease.

The Issuer and the Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute Owner hereof for the purpose of receiving payment of, or on account of, the Principal Amount hereof or the interest due hereon, and for all other purposes.

This Bond is transferable by the Owner in person or by his agent duly authorized in writing at the principal office of the Bond Registrar, but only in the manner, subject to the limitations, and upon payment of the charges provided in the Bond Resolution, and upon surrender and cancellation of this Bond to the Bond Registrar. Upon any transfer, a replacement bond or bonds of authorized denominations of the same maturity and for the same aggregate Principal Amount as this Bond will be issued to the transferee in exchange therefor. The Issuer shall pay out of the proceeds of the Bonds all costs incurred in connection with the issuance, transfer, exchange, registration, redemption or payment of the Bonds, except (i) reasonable fees and expenses in connection with the replacement of a Bond or Bonds mutilated, stolen, lost or destroyed, or (ii) any tax or other

governmental charge imposed in relation to the transfer, exchange, registration, redemption or payment of the Bonds.

REDEMPTION OF BONDS

Mandatory Redemption Upon Change of Circumstances. Each of the Bonds shall be subject to redemption and payment at any time upon the occurrence of a Change in Circumstances (as defined in the Bond Resolution), provided all of the Bonds are so redeemed and paid according to their terms. If called for redemption by reason of any of the foregoing events, the Bonds shall be subject to redemption at a Redemption Price equal to the principal amount thereof, plus accrued interest thereon to the Redemption Date, without premium. “Change of Circumstances” is defined in the Bond Resolution to mean the occurrence of any of the following events: (A) All or a substantial portion of the Project is damaged or destroyed by fire or other casualty, or title to, or the temporary use of, all or a substantial portion of the Project is condemned or taken for any other public or quasi-public use by any other authority exercising the power of eminent domain or title thereto is found to be deficient, to such extent that in the determination of the City (i) the Project cannot be reasonably restored or replaced to the condition thereof preceding such event, or (ii) the City is thereby prevented from carrying on the normal operations of the Project, or (iii) the cost of restoration or replacement thereof would exceed the net proceeds of any casualty insurance, title insurance or condemnation awards with respect thereto; or (B) as a result of any changes in the Constitution of the State of Kansas or the Constitution of the United States of America or of legislative or administrative action (whether state or federal) or by final direction, judgment or order of any court or administrative body (whether state or federal) entered after the contest thereof by the City in good faith, the Lease becomes void or unenforceable or impossible of performance; or (C) if, after an Event of Default under the Lease has occurred and is continuing, (i) the City determines in good faith that continued operation of the Project, or any substantial part thereof, is not financially feasible or is otherwise disadvantageous to the City, and (ii) as a result thereof, the City, in accordance with the terms and provisions of the Bond Resolution and the Lease, sells, leases or otherwise disposes of, or changes or allows a change in the use of all of the Project or any substantial part thereof, to a person or entity unrelated to the City.

Optional Redemption. At the option of the Commission upon written instructions from the City, the 2020 Bonds maturing September 1, 2028, and thereafter, may be called for redemption and payment prior to their respective maturities, in whole or in part at any time on and after September 1, 2027, at a redemption price equal to the principal amount thereof, plus accrued interest to the date established for such redemption and payment, without premium.

Sinking Fund Redemption. Each of the 2020 Bonds maturing in 20__ (the “Term Bonds”) shall be subject to mandatory redemption by lot and payment from the sinking fund on each September 1 as hereafter described, pursuant to the redemption schedule hereafter set forth, at the principal amount thereof, plus accrued interest thereon to the date fixed for redemption and payment, without premium.

As and for a sinking fund for the redemption of the Term Bonds, the Commission shall deposit or cause to be deposited in the Principal and Interest Account, on or before the dates set forth below, a sum in immediately available funds which, together with other moneys available

therefor in the Principal and Interest Account, is sufficient to redeem the Term Bonds as indicated below, plus accrued interest thereon to the date of redemption. Subject to the provisions of the next paragraph of this Section, the Basic Rent payments specified in the Lease which are to be deposited in the Principal and Interest Account created by the Bond Resolution (the "Sinking Fund"), shall be sufficient to redeem (after credit as hereinafter provided), and the Commission hereby agrees to redeem, the following principal amounts of such Term Bonds on September 1 in each of the following years:

20 Term Bonds

<u>Year</u>	<u>Principal Amount</u>
20__	__,000

(Leaving \$__,000 to mature September 1, 20__)

The Term Bonds to be redeemed and paid pursuant to the operation of the Sinking Fund shall be selected by lot by the Paying Agent in such equitable manner as it may designate. The Paying Agent shall each year in which the Term Bonds are to be redeemed pursuant to the terms of said Sinking Fund make timely selection of Term Bonds to be so redeemed and shall give notice thereof as provided in the Bond Resolution without further instructions from the Commission or the City.

Selection of Bonds to be Redeemed. The Bonds shall be redeemed only in principal amounts of \$5,000 or integral multiples thereof. If less than all of the Bonds are to be called for redemption and payment prior to maturity, the particular Bonds or portions thereof to be redeemed will be redeemed in inverse order of maturity, and by lot within maturities, with Bonds of less than a full maturity to be selected by the Paying Agent in \$5,000 units of face value in such equitable manner as it may determine.

In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then Outstanding, then for all purposes in connection with such redemption each \$5,000 of face value shall be treated as though it was a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of face value represented by any fully registered Bond is selected for redemption, then the registered owner of such Bond, or his attorney or legal representative, shall forthwith present and surrender such Bond to the Paying Agent (1) for payment of the redemption price (including premium, if any, and interest accrued to the redemption date) of the \$5,000 unit or units of face value called for redemption, and (2) for exchange, without charge to the registered owner thereof, for a new Bond or Bonds equal to the aggregate principal amount of the unredeemed portion of the principal amount of such Bond. If the Owner of any such Bond of a denomination greater than \$5,000 shall fail to present such Bond to the Paying Agent for payment and exchange as aforesaid, such Bond shall, nevertheless, become due and payable on the redemption date to the extent of the principal amount thereof called for redemption (and to that extent only).

Paying Agent's Duty to Redeem Bonds. The Paying Agent shall call Bonds for redemption and payment as herein provided and shall give notice of redemption as provided in the following paragraph hereof upon receipt by the Paying Agent of the written request of the Issuer, such request

to specify the series, the principal amount and the respective maturities of the Bonds to be called for redemption, the applicable redemption price or prices and the provision or provisions of the Bond Resolution pursuant to which such Bonds are to be called for redemption.

Notice of Redemption. The Paying Agent shall give written notice of any call for redemption of the Bonds to the registered owners of the Bonds subject to the call by United States registered or certified mail at least thirty (30) days prior to the date fixed for redemption; provided, however, that failure to give such notice by mailing as aforesaid, or any defect therein, shall not affect the validity of any proceedings for the redemption of Bonds. Any notice of redemption shall state the date of redemption, the place or places at which the Bonds subject to the call shall be presented for payment, the series, maturities and numbers of the Bonds or portions of Bonds to be redeemed (and in the case of the redemption of a portion of any Bond, the principal amount thereof subject to the call) and the redemption price, and shall also state that interest on the Bonds described in such notice will cease to accrue from and after the redemption date.

With respect to optional redemptions, at the option of the Commission, such notice may be conditional upon moneys being on deposit with the Fiscal Agent on or prior to the redemption date in an amount sufficient to pay the redemption price on the redemption date. If such notice is conditional and moneys are not received, such notice shall be of no force and effect, the Fiscal Agent shall not redeem such Bonds and the Fiscal Agent shall give notice, in the same manner in which the notice of redemption was given, that such moneys were not so received and that such Bonds will not be redeemed.

Effect of Call for Redemption. On or before the date established for any redemption and payment of any of the Bonds, the Issuer shall deposit with the Paying Agent sufficient funds to pay the redemption price of the Bonds so called, together with the accrued interest thereon to the date of such payment and redemption. Upon the deposit of such funds and the giving of notice of redemption as hereinbefore specified, the Bonds so called for redemption and payment shall cease to bear interest from and after the specified redemption date and shall no longer be entitled to the protection, benefit or security of the Bond Resolution and shall not be deemed to be Outstanding under the provisions of the Bond Resolution.

The Bonds and the interest thereon are limited obligations of the Issuer payable exclusively out of the rents, revenues and receipts to be received by the issuer under and pursuant to the Lease, all as provided in the Bond Resolution. The Bonds and the interest thereon do not constitute a debt or general obligation of the Issuer, the State of Kansas or any municipal corporation thereof. The Bonds shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction. Pursuant to the provisions of the Lease, rental payments are to be made by the City and deposited in a special trust account created by the City, on behalf of the Commission and designated "Principal and Interest Account."

CERTIFICATE OF COUNTY CLERK

The undersigned, County Clerk of Harvey County, Kansas, hereby certifies that the within mentioned Refunding Revenue Bond, Series 2020, of said Public Building Commission has been duly registered in my office according to law as of June 3, 2020.

WITNESS my hand and official seal.

(Facsimile Seal)

(Facsimile Signature of Rick Piepho)
County Clerk

CERTIFICATE OF STATE TREASURER

1, JAKE LATURNER, Treasurer of the State of Kansas, do hereby certify that a transcript of the proceedings leading up to the issuance of this Bond has been filed in my office and this Bond was registered in my office according to law on _____.

WITNESS my hand and official seal.

(Facsimile Seal)

Treasurer of the State of Kansas

LEGAL OPINION

The undersigned, Secretary of the Hesston, Kansas Public Building Commission, hereby certifies that the following is a true and correct copy of the complete final legal opinion of Triplett Woolf Garretson, LLC, Bond Counsel, Wichita, Kansas, on the within Bond and the Series of which it is a part, except that said opinion omits the date thereof; that said legal opinion was manually executed, dated and issued as of the Date of Issuance of the Bonds, and a manually signed copy of said opinion is on file with the undersigned and with Bond Registrar, in the City of Topeka, Kansas.

(Facsimile Signature of Jason Thrasher)

Secretary

[INSERT TWG LOGO AND LEGAL OPINION]

BOND ASSIGNMENT

FOR VALUE RECEIVED, the undersigned do(es) hereby sell, assign and transfer to

(Name and Address)

(Social Security or Taxpayer Identifying No.)

the Bond to which this assignment is affixed in the outstanding principal amount of \$_____ standing in the name of the undersigned on the books of the Bond Registrar. The undersigned do(es) hereby irrevocably constitute and appoint

as agent to transfer said Bond on the books of said Bond Registrar with full power of substitution in the premises.

Dated _____

Name

Social Security or Taxpayer Identifying No.

Signature (Sign Here Exactly as Name(s)
Appear on Face of Certificate)

Signature Guaranty:

By: _____

EXCERPT OF MINUTES

The Hesston, Kansas Public Building Commission met in regular session, in the City of Hesston, Kansas on May 11, 2020 at 6:00 p.m., with Chairman David K. Kauffman presiding, and the following commissioners present:

and the following commissioners absent:

Among other business, there was presented to the Hesston, Kansas Public Building Commission, a Resolution entitled:

A RESOLUTION OF THE HESSTON, KANSAS PUBLIC BUILDING COMMISSION AUTHORIZING AND PROVIDING FOR THE REFUNDING AND EARLY REDEMPTION OF THE COMMISSION'S REVENUE BONDS, SERIES 2010; AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF THE COMMISSION'S REFUNDING REVENUE BONDS, SERIES 2020, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$560,000, FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS THEREOF; PRESCRIBING THE FORM AND DETAILS OF THE 2020 BONDS; AUTHORIZING THE CONTINUED LEASE OF THE PROJECT TO THE CITY OF HESSTON BY A FIRST SUPPLEMENTAL LEASE; MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS WITH RESPECT TO THE FOREGOING; AND AUTHORIZING THE EXECUTION OF CERTAIN AGREEMENTS AND SUPPORTING DOCUMENTS.

Thereupon, the Resolution was considered and discussed; and on motion of _____, seconded by _____, the Resolution was adopted by the majority of all members present.

Thereupon, the Resolution having been adopted by majority vote of the Commissioners, it was given No. PBC-2020-002; and was directed to be signed by the Chairman and attested by the Secretary.

SECRETARY'S
CERTIFICATION OF EXCERPT OF MINUTES

I hereby certify that the foregoing is a true and correct Excerpt of the Minutes of a May 11,
2020 meeting of the Hesston, Kansas Public Building Commission.

[seal]

Jason Thrasher, Secretary



Agenda Item Summary

Meeting date: May 11, 2020

Subject: Golf Course Clubhouse

Recommendation: Discussion/ Action

Background Information:

Briefed by: City Administrator Gary Emry

Summary: Last month the governing body took action to refuse all his proposals to construct a 4,000sf addition and remodel of the existing footprint of the Hesston Golf Park Clubhouse.

I have been meeting with the architect to work towards a downsized project that would only include remodeling of the existing footprint and an addition of covered outdoor patio space to gain additional seating for tournaments and entertainment.

Recommendation: Our first effort on this project was to do it under Design-Build contract. We selected a contractor who engaged an architect to be part of their design team. The fees for his services was outside the acceptable range for the project. It was then decided to take the engineering services into a hybrid approach to save budget. Doing so saved the project approximately \$10,000.

After going through the proposal process for construction and finding all bids well outside the budget, it is my recommendation that we return to the Design-Build process using a local contractor and retaining the current architect. Although the design has been completed, with the elimination of the 4,000sf addition it is quite possible that by utilizing the current construction plans and value-engineering, the project can be completed without formal engineering or very little. Therefore, I propose the following plan for

consideration and discussion by the governing body to get this project to construction in 2020 as planned:

1. Take action to increase the construction budget to \$550,000. We currently have approximately \$450,000 remaining in the budget. That level of funding would be a dollar-for-dollar match to the private donation (that number excludes fees and engineering costs already obligated). It would be an additional \$100,000 obligation by the city.
2. Select Preferred Builders as the contractor.
3. Select Next Designs Kansas, Cody McMillan as the architect to address any changes required to downsize.
4. Reduce the scope of the project to a remodel of the existing footprint and the addition of an outdoor covered patio to accommodate larger golf events.

Proposed Financial Impact: Donation of \$300,000 – Match by the City of Hesston

Funding Source: Capital Improvement Fund



Agenda Item Summary

Meeting date: May 11, 2020

Subject: Tennis Court Resurfacing

Recommendation: Discussion/ Approval

Background Information:

Briefed by: City Administrator Gary Emry

Summary: In accordance with the facilities agreement with USD 460, the city is responsible for 40% of the cost of maintenance and repair of the tennis courts at the High School. The USD Superintendent approached the City Administrator last December stating the courts needed resurfacing. Upon inspection I discovered the surface on most of the courts were experiencing a release of the surfacing agent due to deterioration caused by water soilage, subsurface failure in some spots due to moisture infiltration.

I mentioned this to you last year and explained that due to the timing of the repairs, it would be in our best interest if the USD could delay repairs until this budget year. The project is complete.

Financial Impact: \$13,160

Funding Source: _45 – Parks Equipment Reserve

Recommendation: Approve

Attachments: Invoice



Mid-American Courtworks

Darrel Snyder
Certified Court Builder



230 N. Byron Rd.
Wichita, KS 67212

Office/fax: 316.558.5920
Mobile: 316.650.8620
Email: midamericacts@cox.net

INVOICE

Date: 5-3-20

TO: Hesston USD # 460

Attention: Accounts Payable (Kaye Linton)
P.O. Box 2000
Hesston, KS. 67062

JOB DESCRIPTION: SURFACING OF EXISTING 6 CONCRETE TENNIS COURTS (P.O. # 00021273)

INVOICED AMT. (As per Bid Amt.) \$32,900.00

Thanks,

Darrel Snyder (Mid-American Courtworks)

Send Payment To: MID-AMERICAN COURTWORKS
230 N. Byron Rd.
Wichita, KS. 67212



Agenda Item Summary

Meeting date: May 11, 2020

Subject: Adjourn Meeting

At the conclusion of the agenda the Mayor can request a motion to adjourn the meeting.

Next Regular Council Meeting: June 8, 2020