Legals

(Published in The Oakley Graphic on July 16, 2025)

ORDINANCE NO. 1190

AN ORDINANCE AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT BETWEEN THE CITY OF OAKLEY, KANSAS AND THE STATE OF KANSAS, ACTING BY AND THROUGH THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT FOR THE PURPOSE OF OBTAINING A LOAN FROM THE KANSAS PUBLIC WATER SUPPLY LOAN FUND FOR THE PURPOSE OF FINANCING A PUBLIC WATER SUPPLY PROJECT; ESTABLISHING A DEDICATED SOURCE OF REVENUE FOR REPAYMENT OF SUCH LOAN; AUTHORIZING AND APPROVING CERTAIN DOCUMENTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE LOAN AGREEMENT.

WHEREAS, the Safe Drinking Water Act Amendments of 1996 [PL I 04-182] to the Safe Drinking Water Act (the "Federal Act") established the Drinking Water Loan Fund to assist public water supply systems in financing the costs of infrastructure needed to achieve or maintain compliance with the Federal Act and to protect the public health and authorized the Environmental Protection Agency (the "EPA") to administer a revolving loan program operated by the individual states; and

WHEREAS, to fund the state revolving fund program, the EPA will make annual capitalization grants to the states, on the condition that each state provide a state match for such state's revolving fund; and

WHEREAS, by passage of the Kansas Public Water Supply Loan Act, K.S.A. 65-163d et seq., as amended (the "Loan Act"), the State of Kansas (the "State") has established the Kansas Public Water Supply Loan Fund (the "Revolving Fund") for purposes of the Federal Act; and

WHEREAS, under the Loan Act, the Secretary of the Kansas Department of Health and Environment ("KDHE") is given the responsibility for administration and management of the Revolving Fund; and

WHEREAS, the Kansas Development Finance Authority (the "Authority") and KDHE have entered into a Master Indenture (the "Master Indenture") pursuant to which KDHE agrees to enter into Loan Agreements with Municipalities for public water supply projects (the "Projects") and to pledge the Loan Repayments (as defined in the Master Indenture) received pursuant to such Loan Agreements to the Authority; and

WHEREAS, the Authority is authorized under K.S.A. 74-8905(a) and the Loan Act to issue revenue bonds (the "Bonds") for the purpose of providing funds to implement the State's requirements under the Federal Act and to loan the same, together with available funds from the EPA capitalization grants, to Municipalities within the State for the payment of Project Costs (as said te1ms are defined in the Loan Act); and

WHEREAS, the City of Oakley, Kansas (the "Municipality") is a municipality as said term is defined in the Loan Act which operates a water system (the "System"); and

WHEREAS, the System is a Public Water Supply System, as said term is defined in the Loan Act;
and

WHEREAS, the Municipality has, pursuant to the Loan Act, submitted an Application to KDHE to obtain a loan from the Revolving Fund to finance the costs of improvements to its System consisting of the following:

Construct transmission mains from each well to a new centralized treatment plant utilizing an ion exchange process and replace the existing user meters at each connection to the distribution system.
(the "Project"); and

WHEREAS, the Municipality has taken all steps necessary and has complied with the provisions of the Loan Act and the provisions of K.A.R. 28-15-50 through 28-15-65 (the "Regulations") applicable thereto necessary to qualify for the loan; and

WHEREAS, KDHE has info1med the Municipality that it has been approved for a loan in amount not to exceed $6,860,886.00 (the "Loan") in order to finance the Project; and

WHEREAS, the governing body of the Municipality hereby finds and determines that it is necessary and desirable to accept the Loan and to enter into a loan agreement and certain other documents relating thereto, and to take certain actions required in order to implement the Loan Agreement.

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

Section 1. Authorization of Loan Agreement. The Municipality is hereby authorized to accept the Loan and to enter into a certain Loan Agreement, with an effective date of June 10, 2025, with the State of Kansas acting by and through the Kansas Department of Health and Environment (the "Loan Agreement") to finance the Project Costs (as defined in the Loan Agreement). The Mayor and Clerk are hereby authorized to execute the Loan Agreement in substantially the form presented to the governing body this date, with such changes or modifications thereto as may be approved by the Mayor and the Municipality's legal counsel, the Mayor's execution of the Loan Agreement being conclusive evidence of such approval.

Section 2. Establishment of Dedicated Source of Revenue for Repayment of Loan. Pursuant to the Loan Act, the Municipality hereby establishes a dedicated source of revenue for repayment of the Loan. In accordance therewith, the Municipality shall impose and collect such rates, fees and charges for the use and services furnished by or through the System, including all improvements and additions thereto hereafter constructed or acquired by the Municipality as will provide System Revenues (as defined in the Loan Agreement) sufficient to (a) pay the cost of the operation and maintenance of the System, (b) pay the principal of and interest on the Loan as and when the same become due, (c) pay all other amounts due at any time under the Loan Agreement, and (d) pay the principal of and interest on Additional Revenue Obligations (as defined in the Loan Agreement) as and when the same become due; provided, however , the pledge of the System Revenues contained herein and in the Loan Agreement (i) shall be subject to reasonable expenses of operation and maintenance of the System, and (ii) shall be junior and subordinate in all respects to the pledge of System Revenues to any Additional Revenue Obligations. In the event that the System Revenues are insufficient to meet the obligations under the Loan and the Loan Agreement, the Municipality shall levy ad valorem taxes without limitation as to rate or amount upon all the taxable tangible property, real or personal, within the territorial limits of the Municipality to produce the amounts necessary for the prompt payment of the obligations under the Loan and Loan Agreement. In accordance with the Loan Act, the obligations under the Loan and the Loan Agreement shall not be included within any limitation on the bonded indebtedness of the Municipality.

Section 3. Further Authority. The Mayor, Clerk and other City officials and legal counsel are hereby further authorized and directed to execute any and all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of the Ordinance, and to make alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 4. Governing Law. The Ordinance and the Loan Agreement shall be governed exclusively by and construed in accordance with the applicable laws of the State of Kansas.

Section 5. Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the governing body of the City and publication in the official City newspaper.

PASSED by the governing body of the City on [July 7, 2025] and [signed][and APPROVED]
by the Mayor.

(SEAL)

/S/

Mayor
Shane Stephenson

ATTEST:

/S/

Clerk
Leann Hughes, CMC

[APPROVED AS TO FORM ONLY.

/S/
City Attorney
Steven Hirsch

(First published in The Oakley Graphic on July 9, July 16, and July 23, 2025.)

IN THE DISTRICT COURT OF LOGAN COUNTY, KANSAS

In the Matter of the Estate of
Myla K. Dawes,
deceased

Case No. LG-2025-PR-000013

NOTICE OF HEARING

THE STATE OF KANSAS TO ALL PERSONS CONCERNED:

You are notified that a Petition has been filed in this Court by Deveron F. Dawes, spouse of the deceased, requesting:

Descent be determined of the following described real estate situated in Logan County, Kansas:

Lots Four (4) and Five (5), in Block Four (4), Kaler's addition to the City of Oakley, Logan County, Kansas

and all personal property and other Kansas real estate owned by decedent at the time of death, and that such property and all personal property and other Kansas real estate owned by the decedent at the time of death be assigned pursuant to the laws of intestate succession.

You are required to file your written defenses to the Petition on or before **August 7, 2025 at 1:30 P.M. CST** in the City of Oakley, Logan County, Kansas, at which time and place the cause will be heard. Should you fail to file your written defenses, judgment and decree will be entered in due course upon the Petition.

Deveron F. Dawes,
Petitioner.

SUBMITTED BY:
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State of Kansas 2026
Special District

NOTICE OF BUDGET HEARING
The governing body of
Northwest Kansas Library System
Norton County
will meet on August 21st, 2025 at 3:00 PM at Pioneer Memorial Library, 375 W Fourth Street. Colby, KS 67701 for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of tax to levied.
Detailed budget information is available at nwkls.org and will be available at this hearing.

SUPPORTING COUNTIES
Norton County (home county) Cheyenne County , Decatur County, Gove County, Logan County, Sheridan Cou
Sherman County, Thomas County, Trego County, Wallace Coun

BUDGET SUMMARY
Proposed Budget 2026 Expenditures and Amount of Current Year Estimate for 2025 Ad Valorem Tax establish the maximum limits of the 2026 budget. Estimated Tax Rate is subject to change depending on the final assessed valuation.

	Prior Year Actual for 2024		Current Year Estimate for 2025		Proposed Budget Year for 2026		
FUND	Expenditures	Actual Tax Rate*	Expenditures	Actual Tax Rate*	Budget Authority for Expenditures	Amount of 2025 Ad Valorem Tax	Proposed Estimated Tax Rate*
General	645,820	1.178	743,675	1.201	938,629	683,945	1.209
Debt Service							
Employee Benefits	78,550	0.176	87,950	0.180	208,607	102,533	0.181
Capital Improvement	468		47,154		124,489		
Non-Budgeted Funds	101,171						
Non-Budgeted Funds (B)	0						
Totals	826,009	1.354	878,779	1.381	1,271,725	786,478	1.390
						*Revenue Neutral Rate ***	*1.390*
Less: Transfers	49,277		54,242		49,300		
Net Expenditures	776,732		824,537		1,222,425		
Total Tax Levied	799,141		786,886		xxxxxxxxxxxxxxxx		
Assessed Valuation	722,188,524		569,560,565		565,478,441		

Outstanding Indebtedness, Jan 1,	2023	2024	2025
G.O. Bonds	0	0	0
Revenue Bonds	0	0	0
Other	0	0	0
Lease Pur. Princ.	0	0	99,980
Total	0	0	99,980

*Tax rates are expressed in mills.
***Revenue Neutral Rate as defined by KSA 79-2988*

Mary Boller
Director

No assurance is provided.

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Moellering inspected the property at 201 W. 3rd Street. They found the walls and structure sound and straight and they asked the contractor to enclose the structure as soon as possible. Their recommendation was not to move forward with a condemnation at this time.

Enclosed in the packets was a copy of a letter from the auditors reviewing the scope of their audit services for 2025. They are waiting on the Landfill Closure Report and a couple of other items before they can finish.

Fick Fossil and History Museum celebrated their 50th Anniversary on July 1, 2025, with over 160 people attending.

Travis Hamel with Wilson and Company has emailed a set of 95% submittal plans, which are available if any of the Council would like to look at them. Once the KDHE agreement is completed, Wilson and Company will finalize the plans and specifications for KDHE review.

Staff realized the Dog Rescue to be housed in the building East of City Hall needs to be located in an I-1, Light Industrial District, to comply with the City's Zoning Ordinance; however, this property is currently zoned C-2, General Commercial District. This means the City needs to complete an application to Rezone the property and a hearing will be conducted by the Planning Commission. Sloan inquired if the Council would like to waive the application fee of $50.00 or pass it on to Ms. McDonald. It was the consensus of the Council to waive the fee since it is City-owned property.

Moellering also reported cameras have been installed at the Municipal Pool, following an incident earlier this summer.

Leann Hughes, City Clerk. No report.

MAYOR AND COUNCIL REPORTS/DISCUSSION:

Adjourn. Huddle moved to adjourn the meeting. Kahle seconded. Motion carried unanimously, (4-0). Mayor Stephenson adjourned the meeting at approximately 8:07 PM.

Leann M. Hughes, CMC
City Clerk