

ORDINANCE NO. 2503

AN ORDINANCE PROVIDING FOR AN AIRPORT FUND FOR THE PURPOSE OF EQUIPPING, IMPROVING, OPERATING, MAINTAINING, AND REGULATING A MUNICIPAL AIRPORT FOR THE CITY OF GARDNER, KANSAS.

WHEREAS, K.S.A. 3-113 authorizes cities to acquire within or without the city limits, by purchase, lease, or otherwise, and equip, improve, operate, maintain and regulate a municipal airport or a municipal field for aviation purposes, the expense thereof to be paid out of the general funds of the city or out of funds raised by a tax levy authorized by K.S.A. 3-113; and

WHEREAS, the Governing Body of the City previously determined it to be in the best interest of the City to dissolve the Gardner Airport Committee and passed Ordinance No. 2497 dissolving the Gardner Airport Committee and revoking the legal authority granted to the Airport Committee to form a nonprofit corporation to supervise the operation of the airport and providing for the replacement of the Gardner Airport Committee with an Advisory Board to advise the City Council on matters pertaining to continued growth and improvement of the airport including: acquisition of property, construction and reconstruction of airport facilities, institution of programs and procedures which will increase usage of such facilities, and to review and make recommendations regarding the airport master plan;

WHEREAS, the Governing Body of the City of Gardner, Kansas deems it advisable and necessary to create a fiscal and accounting entity in which to record fiscal resources, together with all related expenditures, liabilities and residual equities or balances, and changes therein, which are segregated to equip, improve, operate, maintain and regulate the municipal airport;

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

SECTION ONE: FUND ESTABLISHED. An Airport Fund is hereby established.

SECTION TWO: REVENUE SOURCES. Monies shall be credited to such fund from transfers from legally available general funds of the City, from federal, state, or other grants, or from revenue generated by a tax levy as authorized by K.S.A. 3-113, or from revenues received from use charges for hangars, sale of fuel, or any and all other revenues generated from the operations of the airport facilities.

SECTION THREE: AUTHORIZED USES. Monies in such fund shall be used to equip, improve, operate, maintain and regulate the airport. Such purchases shall be approved by the Governing Body in accordance with the City's annual budget process and purchasing policy.

SECTION FOUR: INVESTMENT OF MONIES. Monies in such fund may be invested in accordance with the provisions of K.S.A. 12-1675 and amendments thereto or K.S.A. 10-131 and amendments thereto, as applicable, with the interest thereon credited to such fund.

SECTION FIVE: That this Ordinance shall take effect and be in force from and after its adoption by the City Council and publication in the official City Newspaper.

PASSED by the City Council this 23rd day of November, 2015.

SIGNED by the Mayor this 23rd day of November, 2015.

(SEAL)

CITY OF GARDNER, KANSAS

/s/ Chris Morrow
Chris Morrow, Mayor

Attest:

/s/ Jeanne Koontz
Jeanne Koontz, City Clerk

Approved as to form:

/s/ Ryan B. Denk
Ryan B. Denk, City Attorney