

RESOLUTION NO. 73-4

A RESOLUTION RELATING TO CERTAIN PROPOSED IMPROVEMENTS TO THE MUNICIPAL WATER SYSTEM OF THE CITY OF WATHENA, EXPRESSING AN INTENTION TO COOPERATE, UNDER CERTAIN CONDITIONS, WITH THE CITIES OF ST. JOSEPH, MISSOURI, AND ELWOOD, KANSAS, AND THE ST. JOSEPH WATER COMPANY IN A JOINT UNDERTAKING ON THE PART OF SUCH IMPROVEMENTS, AND EXPRESSING APPROVAL OF CERTAIN TERMS TO BE INCLUDED IN AN AGREEMENT BETWEEN THE CITIES OF WATHENA AND ELWOOD IN THE EVENT THAT A JOINT UNDERTAKING IS ACCOMPLISHED.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WATHENA, KANSAS:

1. That said City does hereby declare that the most feasible method and means of providing an additional potable water supply for use and sale by the City to accommodate and serve the anticipated future growth and development in the City and its surrounding area is through a joint and cooperative undertaking and agreement with the Cities of Elwood, Kansas, and St. Joseph, Missouri, and the St. Joseph Water Company, which would provide for the construction of a water supply main under the Missouri River from the St. Joseph Water Company plant to Rosser's Airport and thence to the Kansas-Missouri boundary and, from there, to existing water facilities of the City for the purpose of enabling the St. Joseph Water Company to sell and deliver potable water to the City of Wathena and the other participants in any such joint agreement.

2. That the City of Wathena does hereby declare that it is ready, willing, and able to participate and join in the proposed joint project and undertaking described in paragraph numbered one above subject to the following conditions: (a) That the total actual construction cost involved in such joint project which shall be chargeable to and payable by the City of Wathena, Kansas, for the complete project, including all contingencies for actual construction, shall not exceed the sum of One Hundred Seventy Thousand and No/100 Dollars (\$170,000.00), and (b) That the pro rata share of the cost attributable and chargeable to the City of Wathena for constructing the sixteen inch water supply main from the St. Joseph Water Company plant under the Missouri River and thence to the Kansas-Missouri boundary line, including actual construction cost, engineering and all other expenses and contingencies, shall not exceed the sum of One Hundred Eight Thousand and No/100 Dollars (\$108,000.00) or Twenty-Five percent (25%) of the total cost of such installation which is chargeable to the Cities of Wathena and Elwood, Kansas, and St. Joseph, Missouri, whichever is the lesser.

3. That in the event that the joint four party construction project described above is undertaken, then, concurrently therewith, the City of Wathena hereby declares that it is ready, willing, and able to enter into a two party interlocal cooperative agreement with the City of Elwood, Kansas, to provide for the joint construction and installation of a water supply line from the Kansas-Missouri boundary (being the terminus of the four party project above described) South to Old Highway No. 36 and thence West to the boundary line between the Elwood and Wathena School Districts (being the North-South center section line for Section 35, Township 3, Range 22, Doniphan County, Kansas) which said agreement shall provide, among other things, for the following: (a) That the total cost of constructing and installing such line initially and, thereafter, the cost of repairing and maintaining such line shall be borne by the two cities involved in the following proportions: Wathena Thirty-Five Percent (35%) and Elwood Sixty-Five Percent (65%), and (b) That the City of Elwood will service, supply, and sell water to all water users and customers, present and future, who are situate and located East of the North-South boundary line between the School Districts of Wathena and Elwood (such line being more legally described as beginning at a point on the North-South center section line of Section 26, Township 3, Range 22, on the Kansas-Missouri boundary line in the center of the abandoned Missouri River channel, thence South on said center section line and on the center section line of Section 35 and the center section line of Section 2, Township 4, Range 22 to the Missouri River) and the City of Wathena shall service, supply and sell water to all water customers, present and future, that are, or may hereafter be, situate and located West of the last before described dividing line.

APPROVED and ADOPTED this 16th day of October, 1973.

ATTEST:  
(CITY SEAL)

Donna E. Procken  
City Clerk

James J. Samuel  
Mayor, City of Wathena, Kansas