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Regular Council Meeting
Monday, November 14, 2022
4:30PM

The regular meeting of the City Council for the City of Marion, Kansas was held Monday, November 14, 2022 at 208 E Santa Fe, Marion KS in the lower level at 4:30pm with David Mayfield presiding as Mayor and Council Members Zach Collett and Ruth Herbel (via phone) in attendance. Also, in attendance were: Mark Skiles, City Administrator; Clinton Jeffrey, Police Chief; Tiffany Jeffrey, City Clerk; Margo Yates, Community Enrichment Director; Darin Neufeld, EBH Engineering; Chris Killough, Fire Chief; Deb Gruver, Marion Record; Jason, Donna, Saylor, Beckham & Cooper Hett; High School Cross Country Team Members: Gavin Wasmuth, Luke Wessel, Eli Klenda, Christopher Beery, Tristen Dye, Harrison Beery, Owen White, Kennan Lange, Gabe Hasenbank and Sam Calvert.

Call to Order: Meeting called to order at 4:30pm following the pledge of allegiance.

Approval of agenda: Herbel moved to approve the agenda; Collett seconded; motion carried 3-0.

Consent Agenda: Mayfield moved to approve the consent agenda; Herbel seconded; motion carried 3-0.

- Approval of the Minutes of the October 31, 2022 City Council Meeting.
- Approval of Warrants in the amount of \$48,727.16.
- Approval of payroll in the amount of \$33,914.45.
- Approval of October Treasurers Report.

Mayoral Proclamation: Honoring MHS Cross Country Team: Mayfield read the mayoral proclamation honoring, recognizing and congratulating the MHS Cross Country Team on their 3rd place finish at the 2A State Cross Country Meet.

Kansas Power Pool Annual Meeting Voting Delegates: Skiles stated the KPP Annual meeting will be held December 9th at the KMU offices in McPherson. Skiles advised that John Wheeler has agreed to be appointed as the voting delegate for the city. Skiles advised that he attends all of the KPP meetings so he plans to attend as well and recommended to be appointed as the alternate. Mayfield moved to appoint Mark Skiles as the second alternate, himself as the third alternate and the number 1 representative voting delegate John Wheeler; Collett seconded; motion carried 3-0.

Approval of 2023 Pay Schedule: T. Jeffrey presented the 2023 biweekly pay schedule with the City recognized holiday's listed on the bottom. Mayfield moved to approve the 2023 pay schedule; Herbel seconded; motion carried 3-0.

Approval of 2023 Council Meeting Dates: T. Jeffrey presented the 2023 Council Meeting dates with any adjustments needed due to holidays. Mayfield moved to approve 2023 council meeting date; Collett seconded; motion carried 3-0.

Housing Authority Unexpired Term Appointment: Mayfield moved to appoint Jay Christensen to the housing authority for the unexpired term; Collett seconded; motion carried 3-0.

2022 KDOT Cost Share Engineering Contract: Neufeld presented the 2022 KDOT cost share contract to do the design and construction inspection for the Locust & Elm Street project. Mayfield moved to approve the 2022 KDOT cost share engineering contract; Herbel seconded; Herbel asked about the 1.2.10 amend the paragraph to remove to the invoice to USD 397 as it does not apply to our project. Mayfield moved to amend the motion to reflect the correction; Herbel seconded; motion carried 3-0 with Collett abstained.

Fire Department Request of Reallocation of Equipment Reserve Funds: Chris Killough advised that truck 1372 which has a fiber glass tank that has been repaired multiple times the Middle Creek fire the tank cracked due to the rough terrain and will not hold water. Killough asked for Council consideration to reallocate the funds budgeted in the equipment reserve fund to the truck 1372 tank replacement. Killough advised that the cost estimate is \$6800 for the tank and \$1000 for the floor, hoses, fittings, etc. Discussion held. Mayfield moved to authorize the purchase of equipment for truck 1372 for the fire department not to exceed the amount of \$9000; Herbel seconded; Collett advised he is hesitant to just write a check for an unknown amount and asked if a 2-week delay until the next meeting would cause issues. Killough advised that he isn't sure how long it will take for Weis to get back to him but once they do, he would like to tell them to go ahead. Killough also advised that he has townships tentative approval because he does not have hard numbers to give them. Motion carried 3-0.

Mayoral & Council Report: Nothing further to report.

Administrator Report: Skiles asked Killough to report on the fire department driveway completed by City and Hett Construction. Killough thanked Skiles for ram-rodding the project and Council for coming up with the funds.

Community Enrichment Report: Nothing further to report.

City Clerk Report: Nothing further to report.

Police Chief Report: Nothing further to report.

City Attorney Report: N/A

Public Works Report: N/A

Economic Development Report: N/A

Public Forum: No public wished to address Council at this time.

Adjournment: Mayfield moved to adjourn meeting at 4:56pm; Collett seconded; motion carried 3-0.

David Mayfield, Mayor

ATTEST: _____
Tiffany Jeffrey, CMC, City Clerk

SCHEDULED CLAIMS LIST

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST ID	GL ACCOUNT	CK TYPE	SQ
CENTRAL NATIONAL BANK									
INV# 01576066	1	11/28/22	11/22/22	3420 ALTEC CAPITAL SERVICES, LLC LEASE RENTAL 2019 FORD F550	1,688.70	21	21-00-5450	LIQ	1
				INVOICE TOTAL	1,688.70				
				VENDOR TOTAL	1,688.70				
1214 ALTEC INDUSTRIES INC									
INV# 1214183	1	11/28/22	11/22/22	SOLENOID	298.58	02	02-04-5413	LIQ	1
	2			STATE TAX	20.75	02	02-04-5413	LIQ	1
	3			COUNTY TAX	3.20	02	02-04-5413	LIQ	1
	4			CITY TAX	2.40	02	02-04-5413	LIQ	1
	5			FREIGHT	20.90	02	02-04-5413	LIQ	1
				INVOICE TOTAL	345.83				
				VENDOR TOTAL	345.83				
4 AT & T									
DECEMBER BILL	1	11/28/22	11/22/22	6203822280	107.24	01	01-00-5015 E-PAYMNT 1308780 11/28/22	LIQ	1
	2			6203823704	107.24	01	01-00-5015 E-PAYMNT 1308780 11/28/22	LIQ	1
	3			6203822150	118.54	01	01-65-5015 E-PAYMNT 1308780 11/28/22	LIQ	1
				INVOICE TOTAL	333.02				
				VENDOR TOTAL	333.02				
38 ATMOS ENERGY									
NOVEMBER STATEMENT	1	11/28/22	11/17/22	MARION CITY SHOP	55.77	01	01-10-5015 E-PAYMNT 1308781 11/28/22	LIQ	1
	2			MARION CITY SHOP	55.77	02	02-01-5015 E-PAYMNT 1308781 11/28/22	LIQ	1
	3			MARION CITY SHOP	57.47	02	02-04-5015 E-PAYMNT 1308781 11/28/22	LIQ	1
	4			MARION FIRE	54.23	01	01-65-5015 E-PAYMNT 1308781 11/28/22	LIQ	1
	5			MARION PD/FIRE	48.28	01	01-65-5015 E-PAYMNT 1308781 11/28/22	LIQ	1
	6			MARION PD/FIRE	20.69	01	01-14-5015 E-PAYMNT 1308781 11/28/22	LIQ	1
	7			MARION WATER WORKS	76.97	01	01-10-5015 E-PAYMNT 1308781 11/28/22	LIQ	1
	8			MARION WATER WORKS	76.97	02	02-01-5015 E-PAYMNT 1308781 11/28/22	LIQ	1
	9			MARION WATER WORKS	79.29	02	02-04-5015 E-PAYMNT 1308781 11/28/22	LIQ	1
	10			MARION CITY HALL	213.23	01	01-05-5015 E-PAYMNT 1308781 11/28/22	LIQ	1
	11			MARION MUSEUM	153.22	01	01-25-5015 E-PAYMNT 1308781 11/28/22	LIQ	1
				INVOICE TOTAL	891.89				
				VENDOR TOTAL	891.89				

SCHEDULED CLAIMS LIST

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST ID	GL ACCOUNT	CK TYPE	SQ
12/2022	1	11/28/22	11/18/22	9 BLUE CROSS/BLUE SHIELD DECEMBER 2022 ADMIN	572.55	252	02-00-2452 E-PAYMNT 1308782 11/28/22	LIQ	1
	2			DECEMBER 2022 ADMIN	1,039.78	152	01-00-2452 E-PAYMNT 1308782 11/28/22	LIQ	1
	3			DECEMBER 2022 POLICE	1,084.35	152	01-00-2452 E-PAYMNT 1308782 11/28/22	LIQ	1
	4			DECEMBER 2022 POLICE	542.05	152	01-00-2452 E-PAYMNT 1308782 11/28/22	LIQ	1
	5			DECEMBER 2022 POLICE	1,544.16	152	01-00-2452 E-PAYMNT 1308782 11/28/22	LIQ	1
	6			DECEMBER 2022 WATER DIST	313.98	152	01-00-2452 E-PAYMNT 1308782 11/28/22	LIQ	1
	7			DECEMBER 2022 WATER PLANT	1,029.44	252	02-00-2452 E-PAYMNT 1308782 11/28/22	LIQ	1
	8			DECEMBER 2022 SEWER	542.05	252	02-00-2452 E-PAYMNT 1308782 11/28/22	LIQ	1
	9			DECEMBER 2022 ELECTRIC	514.72	252	02-00-2452 E-PAYMNT 1308782 11/28/22	LIQ	1
	10			DECEMBER 2022 ELETRICT	1,131.99	252	02-00-2452 E-PAYMNT 1308782 11/28/22	LIQ	1
	11			DECEMBER 2022 ELECTRIC	560.12	252	02-00-2452 E-PAYMNT 1308782 11/28/22	LIQ	1
	12			DECEMBER 2022 REC	514.72	152	01-00-2452 E-PAYMNT 1308782 11/28/22	LIQ	1
	13			DECEMBER 2022 LIBRARY	586.61	152	01-00-2452 E-PAYMNT 1308782 11/28/22	LIQ	1
	14			DECEMBER 2022 CEMETARY	475.80	152	01-00-2452 E-PAYMNT 1308782 11/28/22	LIQ	1
	15			DECEMBER 2022 S&A	1,230.18	152	01-00-2452 E-PAYMNT 1308782 11/28/22	LIQ	1
				INVOICE TOTAL	11,682.50				
				VENDOR TOTAL	11,682.50				
INV# 9501486758	1	11/28/22	11/22/22	3298 GRAINGER PORTABLE CALCULATOR	14.69	02	02-02-5020	LIQ	1
	2			TIMER	15.71	02	02-02-5020	LIQ	1
	3			FILTER CARTRIDGE	222.30	02	02-02-5020	LIQ	1
	4			CHART	133.32	02	02-02-5020	LIQ	1
				INVOICE TOTAL	386.02				
				VENDOR TOTAL	386.02				
INV# 6337411	1	11/28/22	11/15/22	3208 HAWKINS INC. 150 LB CHLORINE CYLINDER	80.00	02	02-02-5310	LIQ	1
	2			AQUA HAWK	3,204.55	02	02-02-5310	LIQ	1
	3			FUEL SURCHARGE	41.00	02	02-02-5310	LIQ	1
	4			CHLORINE	1,623.90	02	02-02-5310	LIQ	1
	5			FREIGHT CHARGE	10.00	02	02-02-5310	LIQ	1
	6			SODIUM HYDROXIDE	911.46	02	02-02-5310	LIQ	1
	7			SODIUM PERMANGANATE	2,655.58	02	02-02-5310	LIQ	1
				INVOICE TOTAL	8,526.49				

SCHEDULED CLAIMS LIST

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST ID	GL ACCOUNT	CK TYPE	SQ
				VENDOR TOTAL	8,526.49				
				3243 KANSAS POWER POOL					
OCTOBER STATEMENT	1	11/28/22	11/14/22	TRANSMISSION CHARGE	21,763.17	02	02-04-5551	LIQ	1
	2			ADMINISTRATIVE	8,612.89	02	02-04-5551	LIQ	1
	3			CAPACITY DEMAND	28,474.16	02	02-04-5551	LIQ	1
	4			ENERGY	35,407.39	02	02-04-5551	LIQ	1
	5			ENERGY COST ADJUSTMENT	14,290.32	02	02-04-5551	LIQ	1
	6			FEB 2021 STORM CHARGE	12,736.47	02	02-04-5551	LIQ	1
	7			DISTRIBUTION FACILITY CHARGE	89.76	02	02-04-5551	LIQ	1
	8			VOLTAGE UPGRADE	18,510.29	02	02-04-5553	LIQ	1
				INVOICE TOTAL	139,884.45				
				VENDOR TOTAL	139,884.45				
				3925 KDHE-BUREAU OF REMEDIATION					
AIRPORT STORAGE TANK	1	11/28/22	11/17/22	2021-2022 BACK PERMIT FEE	20.00	01	01-16-5304	LIQ	1
	2			2022-2023 PERMIT FEE	20.00	01	01-16-5304	LIQ	1
	3			2023-2024 PERMIT FEE	20.00	01	01-16-5304	LIQ	1
	4			PENALTY FEE	100.00	01	01-16-5304	LIQ	1
				INVOICE TOTAL	160.00				
				VENDOR TOTAL	160.00				
				52 KS DEPT OF REVENUE					
OCTOBER SALES TAX	1	11/28/22	11/18/22	OCT 2022 SALES TAX	7,377.85	01	01-07-5500	LIQ	1
	2			OCT 2022 AVIATION TAX	35.81	01	E-PAYMNT 1308783 11/28/22 01-16-5303	LIQ	1
				INVOICE TOTAL	7,413.66		E-PAYMNT 1308783 11/28/22		
				VENDOR TOTAL	7,413.66				
				1798 KONICA MINOLTA PREMIER FINANCE					
INV# 487287344	1	11/28/22	11/15/22	CONTRACT PAYMENT	127.29	01	01-00-5255	LIQ	1
	2			COLOR OVERAGE	32.77	01	E-PAYMNT 1308784 11/28/22 01-00-5255	LIQ	1
	3			BLACK AND WHITE OVERAGE	42.90	01	E-PAYMNT 1308784 11/28/22 01-00-5255	LIQ	1
	4			SUPPLY FREIGHT	9.00	01	E-PAYMNT 1308784 11/28/22 01-00-5255	LIQ	1
				INVOICE TOTAL	211.96		E-PAYMNT 1308784 11/28/22		
				VENDOR TOTAL	211.96				
				3873 M&T CLEANING					
OCTOBER STATEMENT	1	11/28/22	11/15/22	CLEANING PARK BATHROOMS	70.00	01	01-15-5259	LIQ	1
	2			CLEAN CITY AUDITORIUM	280.00	01	01-05-5259	LIQ	1
				INVOICE TOTAL	350.00				
				VENDOR TOTAL	350.00				

1932 MARION CO. TRANSFER STATION

SCHEDULED CLAIMS LIST

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST ID	GL ACCOUNT	CK TYPE	SQ
1932 MARION CO. TRANSFER STATION									
OCTOBER STATEMENT	1	11/28/22	11/10/22	RCYCLING TICKET 381655	62.32	02	02-06-5040	LIQ	1
	2			RCYCLING TICKET 221098	82.00	02	02-06-5040	LIQ	1
	3			RCYCLING TICKET 381671	32.80	02	02-06-5040	LIQ	1
	4			RCYCLING TICKET 381673	45.92	02	02-06-5040	LIQ	1
				INVOICE TOTAL	223.04				
				VENDOR TOTAL	223.04				
3923 MCFALL, JOSEPH & CHRISTINA									
INSURANCE REIMBURSEM	1	11/28/22	11/21/22	INSURANCE REIMBURSEMENT	10,747.00	01	01-00-5087	LIQ	1
				INVOICE TOTAL	10,747.00				
				VENDOR TOTAL	10,747.00				
3069 QUILL CORPORATION									
INV# 29112307	1	11/28/22	11/22/22	STAPLER	12.57	02	02-04-5020	LIQ	1
	2			FILE FOLDER	19.41	01	01-00-5020	LIQ	1
				INVOICE TOTAL	31.98				
				VENDOR TOTAL	31.98				
140 STANION WHOLESALE ELECTRIC CO									
INV# 5417766	1	11/28/22	11/01/22	CHAMPION WIRE/FREIGHT	9,267.50	02	02-04-5020	LIQ	1
	2			AME-LIGHT BULK REEL	586.01	02	02-04-5023	LIQ	1
	3			TAXES	48.35	02	02-04-5023	LIQ	1
	4			LITTLE FUSE	40.40	02	02-04-5023	LIQ	1
	5			DELIVERY CHARGE	5.00	02	02-04-5023	LIQ	1
	6			TAX	3.13	02	02-04-5023	LIQ	1
	7			RITZ DCCW	914.82	02	02-04-5020	LIQ	1
	8			DELIVERY CHARGE	5.00	02	02-04-5020	LIQ	1
	9			TAX	75.89	02	02-04-5020	LIQ	1
				INVOICE TOTAL	10,946.10				
				VENDOR TOTAL	10,946.10				
844 WILLIAMS SERVICE, INC.									
INV# FLO-1032604	1	11/28/22	11/22/22	NAVISTR PUMP FLEETRITE WATER	177.70	02	02-06-5402	LIQ	1
	2			NAVISTR BELT	66.85	02	02-06-5402	LIQ	1
				INVOICE TOTAL	244.55				
				VENDOR TOTAL	244.55				
				CENTRAL NATIONAL BANK TOTAL	194,067.19				
				TOTAL MANUAL CHECKS	.00				
				TOTAL E-PAYMENTS	20,533.03				
				TOTAL PURCH CARDS	.00				
				TOTAL ACH PAYMENTS	.00				
				TOTAL OPEN PAYMENTS	173,534.16				
				GRAND TOTALS	194,067.19				

GRANT WRITING PROPOSAL

November 28, 2022

To Mayor and Council
ATTN: David Mayfield, Mayor
208 E. Santa Fe
Marion, KS 66861

RE: Proposed Water Improvements Project

We are pleased to submit this agreement to provide door to door survey services to the City of Marion, Kansas. The purpose of this survey is to see whether or not the city is eligible to apply to the Kansas Department of Commerce Community Development Block Grant (CDBG) program. The previous door to door survey is no longer valid per their program requirements.

Scope of Services

We agree to provide the following professional services and such other services as, in my judgment, may be necessary and advisable:

- A. To work with City Staff to prepare the door-to-door survey for those residential users who receive potable water from the City including Marion County Improvement District No. 2.
- B. Tabulate the received surveys as they are received
- C. If necessary, we will contact those residents who have not returned a survey for responses. A 51% low to moderate income response is needed in order to apply for funding. Please note that when this is being done, we will check in with the city and the Police Department so that you are aware we are in the community.
- D. A final tabulation will be presented to the City Council for their information. This tabulation will inform the city whether or not they will be able to apply for the funding. If the city is eligible to apply to CDBG, this application can be used in conjunction with the KDHE SRF Loan program to make this project financially feasible.

Our fee for the door-to-door survey work for the proposed project is \$85.00/Hour plus mileage and relevant expenses (i.e. mileage, etc.) with a **not-to-exceed** figure of \$5,000.00. If, for some reason, the city does not achieve the needed 51% low to moderate (LMI) percentage, we will invoice the city at that time for work completed.

This agreement shall be in force for effect until the survey work has been completed or it can be subject to cancellation by either party with ten (10) days advance written notice.

This agreement is submitted in duplicate. Your acceptance will be indicated by the signature of City on both copies and by returning one executed copy to us.

Respectfully submitted,

Ranson Financial Group, LLC

Rose Mary Saunders

Municipal Consultant

Accepted this _____ day of _____, 2022.

CITY OF MARION, KANSAS

ATTEST:

Mayor

City Clerk

(Seal)

**Notice of Budget Hearing for Amending the
2022 Budget**

The governing body of

Marion

will meet on the day of December 12, 2022 at 4:30pm at Marion City Hall 208 E Santa Fe Marion, KS 66861 for the purpose of hearing and answering objections of taxpayers relating to the proposed amended use of funds.

Detailed budget information is available at Marion City Hall 208 E Santa Fe Marion, KS 66861 and will be available at this hearing.

Summary of Amendments

Fund	2022 Adopted Budget			2022 Proposed Amended Expenditures
	Actual Tax Rate	Amount of Tax that was Levied	Expenditures	
Utility			3,491,076	4,081,441
Special Law			14,000	17,350
Library	7.950	81,826	93,649	95,000
Equipment Reserve			146,100	161,835
Capital Improvements			426,600	585,193
			0	0

Tiffany Jeffrey
Official Title: City Clerk

RESOLUTION NO. 22-24

A RESOLUTION APPROVING A NAME CHANGE TO THE KANSAS POWER POOL (“KPP”), A MUNICIPAL ENERGY AGENCY (THE “KPP”); APPROVING A SECOND AMENDMENT TO THE AGREEMENT CREATING THE KPP; AND AUTHORIZING THE KPP TO EXECUTE SUCH SECOND AMENDMENT AND ALL OTHER NECESSARY ACTIONS TO CHANGE ITS NAME.

WHEREAS, the City of Marion, Kansas (the “City”) is a member of the Kansas Power Pool (“KPP”), a Municipal Energy Agency (herein, “KPP”); and

WHEREAS, the KPP desires to change its name and execute a Second Amendment to the Agreement Creating the KPP (“Second Amendment”); and

WHEREAS, pursuant to K.S.A. 12-889, an amendment to the agreement creating a municipal energy agency must be approved by resolution of the governing body of each member city and shall be executed by the mayor of each such member city; and

WHEREAS, the City and the KPP desire that the City approve the KPP name change and the mayor execute the Second Amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF MARION, KANSAS:

SECTION 1. The City hereby approves and authorizes the KPP to change its name to KPP Energy, a Municipal Energy Agency.

SECTION 2. The City hereby approves, adopts, and authorizes its Mayor to execute the Second Amendment.

SECTION 3. The Mayor and City Clerk are hereby authorized and directed to execute any documents and take all such other actions not inconsistent herewith as may be appropriate or desirable to accomplish the purposes contemplated by this Resolution, including but not limited to, the Mayor’s execution of the Second Amendment.

SECTION 4. This Resolution shall become effective upon its approval and passage by the governing body of the City.

[Remainder of Page Intentionally Left Blank]

ADOPTED, PASSED, AND APPROVED by the governing body of the City of Marion, Kansas this 28th day of November, 2022.

CITY OF MARION, KANSAS

[seal]

By _____
David Mayfield, Mayor

ATTEST:

By _____
Tiffany Jeffrey, City Clerk

**SECOND AMENDMENT TO THE
AGREEMENT CREATING
THE KANSAS POWER POOL (“KPP”),
A MUNICIPAL ENERGY AGENCY**

By resolution of the governing body of each member City named herein, executed by the Mayor of each City, the following Second Amendment to the Agreement Creating the Kansas Power Pool (“KPP”), a Municipal Energy Agency (“Agreement”) is hereby made to wit:

1. The name of the agency shall be changed to KPP Energy, a Municipal Energy Agency (for purposes of this amendment, the “KPP”).
2. All other terms and conditions contained in the Agreement and the First Amendment to the Agreement that are not in conflict with this Second Amendment remain and continue in full force and effect.
3. This Second Amendment to the Agreement is entered into by the following cities that, pursuant to Kansas statute, were either original signators to the Agreement, or cities that have joined since the original Agreement was approved. The member cities of the KPP are as follows: the City of Anthony, Kansas, the City of Attica, Kansas, the City of Augusta, Kansas, the City of Burlingame, Kansas, the City of Burlington, Kansas, the City of Chapman, Kansas, the City of Clay Center, Kansas, the City of Ellinwood, Kansas, the City of Erie, Kansas, the City of Glasco, Kansas, the City of Greensburg, Kansas, the City of Haven, Kansas, the City of Hillsboro, Kansas, the City of Holyrood, Kansas, the City of Kingman, Kansas, the City of Larned, Kansas, the City of Lucas, Kansas, the City of Luray, Kansas, the City of Marion, Kansas, the City of Minneapolis, Kansas, the City of Mount Hope, Kansas, the City of Mulvane, Kansas, the City of Osborne, Kansas, the City of Oxford, Kansas, the City of Stafford, Kansas, the City of Saint Marys, Kansas, the City of Stockton, Kansas, the City of Udall, Kansas, the City of Waterville, Kansas, the City of Wellington, Kansas, and the City of Winfield, Kansas.
4. The Mayor of each City has set his or her hand on the date written on his or her individual signature page and attested to the same.
5. This Second Amendment to the Agreement may be further amended subject to K.S.A. 12-889 by a vote of the Board of Directors of the KPP as they deem necessary. Such further amendment shall be approved by resolution of the governing body of each member City and shall be executed by the Mayor of each member City. Any amendment must be submitted to and approved by the Attorney General in the manner provided in subsection (b) of K.S.A. 12-888.
6. In the event any paragraph of this Second Amendment to the Agreement is found not to comply with Kansas statutes, the same may be deleted and the remaining portions of this Second Amendment still control, unless such deletion renders the Agreement incomplete.

7. This Second Amendment may be executed in counterparts, each of which shall be deemed an original and all of which together shall constitute the binding and enforceable agreement of the parties hereto. This Second Amendment may be executed and delivered by a party by facsimile or electronic document transmission, which transmission copy shall be considered an original and shall be binding and enforceable against such party
8. This Second Amendment, along with the Agreement and First Amendment, constitute the entire agreement of the parties and shall not be amended except in writing and in the manner provided by K.S.A. 12-889.

Executed this _____ day of _____, 2022.

CITY OF MARION, KANSAS

[seal]

By _____
David Mayfield, Mayor

ATTEST:

By _____
Tiffany Jeffrey, City Clerk