



COUNCIL MEETING AGENDA

March 4th, 2024 5:00 p.m.

Community Center – **Lower Level**

203 N. 3rd, Marion Kansas 66861

PUBLIC HEARING

1. Call of Public Hearing for vacation of the following streets and alleyways in the City of Marion, Ks;
All alleys in Block 13 and Block 14 of Beebe's Addition to Marion Center and Spruce Street from the north right of way line of Washington Street to the south right of way line of Jefferson Street located in Beebe's Addition to Marion Center
2. Public Comment
3. Adjourn Public Hearing

REGULAR CITY COUNCIL MEETING

1. Flag Salute – Mayor Powers
2. Call the Regular City Council meeting to order – Mayor Powers
3. Approval of Agenda - Mayor Powers
4. Approval of consent agenda – Mayor Powers
 - Approval of the Minutes of the February 20th, 2024 Council Meeting
 - Approval of warrants in the amount of \$29,483.91
 - Approval of payroll in the amount \$ 36,768.98
 - Public Comment on Matters included in this Meeting's Agenda
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5. Public Comment on Matters Included in this Meeting's Agenda
6. KPP PACE Solar Project – James Ging/Brooke Carroll
7. Executive Session – Enter into executive session for consultation with City Attorney, Brian L. Bina, for the public body which would be deemed privileged in the attorney-client relationship to discuss pending litigation, regular meeting will resume in the Community Center – Lower Level, 208 E. Santa Fe, Marion, KS 66861
8. 202 Miller property – James Masters
9. Zoning Board Appointment – Mayor Powers
10. Agreement for management of video/audio recording of council meetings – Mayor Powers
11. Scheduling a Council Work/Study Meeting – Mayor Powers
12. Councilor, Department, & Staff Reports
13. Public Forum
14. Motion to Adjourn Council Meeting

The next regularly scheduled City Council meeting is on March 18th, 2024 @ 5:00 p.m.

(It is possible that sometime between 4:30pm and 7:00pm immediately prior to this meeting, during breaks, and directly after the meeting, a majority of the Governing Body may be present in the commission chambers or lobby of City Hall. No one is excluded from these areas during those times.)

Council Meeting Procedures

- Please silence your personal electronic devices (cell phones, tablets, watches, etc.). Emergency responders are to have their radios on vibrate.
- The council is interested in questions, concerns and comments from the public and has established a Public Forum agenda item during the meeting. This is a time for individuals or groups to address the council. For both the public comment and public forum sections of the agenda, speakers must state their name and topic they wish to address. Comments will be limited to 3 minutes. Questions by councilors, mayor or city staff are not included in the three (3) minute presentation.
- Topics are limited to City Council business. Public comment is not permitted on personnel matters or legal matters. Items introduced may become agenda items at a future date.
- Please refrain from individual conversations during the council meeting & please be courteous and respectful at all times to your elected officials, appointed officials, city staff, and fellow residents. While we all may not agree, civil discourse will lead to better understanding and brighter future for our community.

RESOLUTION NO. 2024-01

**A RESOLUTION INDICATING INTENT TO VACATE
CERTAIN STREETS AND ALLEYWAYS IN THE CITY
OF MARION, KANSAS, RESERVING UTILITY
EASEMENTS AND PROVIDING FOR NOTICE BY
PUBLICATION OF PUBLIC HEARING**

WHEREAS, the official plat of the City of Marion, Kansas, as filed in the Office of the Register of Deeds of Marion County, Kansas, designates and dedicates streets and alleys, some of which for many years have not been maintained or utilized as public thoroughfares;

WHEREAS, the City of Marion, Kansas intends to review plans for a solar power generation facility within the area subject to street and alley vacations;

AND WHEREAS, the City Council of the City of Marion, Kansas, as authorized by the provisions of K.S.A. 14-423 to vacate streets and alleyways whenever necessary or expedient and is further authorized by the provisions of K.S.A. 12-512a to reserve utilities easements on vacated streets and alleyways;

WHEREAS, the governing body of the City of Marion, Kansas, deems it necessary and expedient to investigate whether vacation of streets and alleyway hereinafter described would be in the interest to the citizenry of Marion, Kansas:

All alleys in Block 13 and Block 14 of Beebe's Addition to Marion Center, and

Spruce Street from the north right of way line of Washington Street to the south right of way line of Jefferson Street, located in Beebe's Addition to Marion Center.

WHEREAS, pursuant to K.S.A. 12-504, notice shall be provided through publication one (1) time in the Marion County Record at least twenty (20) days prior to the hearing before the governing body of the City of Marion, Kansas. Said hearing shall be held on the 4th day of March, 2024.

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

1. Publication shall be made one (1) time in the Marion County Record at least twenty (20) days prior to the hearing to be held on the 4th day of March, 2024 before the Governing Body of the City of Marion, Kansas, notifying the constituency of said hearing.
2. The Public Hearing shall involve the possible vacation of the following streets and alleyways in the City of Marion, Kansas, to wit:

All alleys in Block 13 and Block 14 of Beebe's Addition to Marion Center, and

Spruce Street from the north right of way line of Washington Street to the south right of way line of Jefferson Street, located in Beebe's Addition to Marion Center.

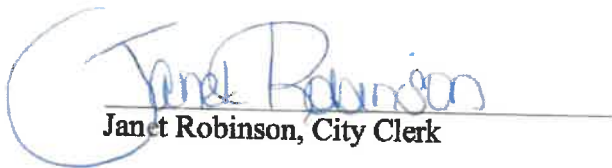
3. This Resolution shall be effective from its adoption.

Passed and adopted this 22nd day of January, 2024.



Michael F. Powers, Mayor

ATTEST:



Janet Robinson, City Clerk

PROOF ONLY

STATE OF KANSAS, MARION COUNTY, ss:

Debra Steele, being first duly sworn, deposes and says:

That she is the sales manager of the Marion County Record, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Marion County, Kansas, with a general paid circulation on a weekly basis in Marion County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

That said newspaper is a weekly newspaper published at least 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at one or more post offices in said County as Periodical Class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper, the first publication thereof being made as aforesaid on the 31st day of January, 2024.

PROOF ONLY

Subscribed and sworn to before me this
31st day of January, 2024

PROOF ONLY

Notary Public, Marion County, Kansas
My appointment expires

(Seal)

PUBLICATION FEE: \$197.00

First published Jan. 31, 2024 in the
Marion County Record (1 time)

RESOLUTION NO. 2024-01

A RESOLUTION INDICATING
INTENT TO VACATE CERTAIN
STREETS AND ALLEYWAYS IN THE
CITY OF MARION, KANSAS,
RESERVING UTILITY EASEMENTS
AND PROVIDING FOR NOTICE BY
PUBLICATION OF PUBLIC HEARING

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to Marion Center, and
Spruce Street from the north
right of way line of Wash-
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Street, located in Beebe's Ad-
dition to Marion Center.

3. This Resolution shall be effective
from its adoption.

Passed and adopted this 22nd day of
January, 2024.

/s/ Michael F. Powers, Mayor

ATTEST:

/s/ Janet Robinson, City Clerk

M-20-2415

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City Council Meeting
February 20th, 2024
Monday, 4:30 p.m.

The regular meeting of the City Council of the City of Marion, Kansas was held Monday, February 20th, 2024 at 203 N. 3rd, Marion, Kansas in the lower level at 4:30 p.m. with Mayor, Michael Powers presiding as Mayor and Council Members, Zach Collett, Kevin Burkholder, Amy Smith and Tim Baxa, Mayor Powers absent. Also in attendance, Janet Robinson, City Clerk, Zach Hudlin, Margo Yates, Community Enrichment Director, Ruth Herbel, Ron Herbel, Steven Wilson, Donald Wilson, Gene Winkler, and Marion County Record reporters, Phyllis Zorn and Eric Meyer.

Call to Order: Mayor Powers called the meeting to order following the Pledge of Allegiance.

Public Forum: Nothing further to report.

Approval of the Consent Agenda: T. Baxa made a motion to approve the consent agenda, pending questions that K. Burkholder had regarding purchases made to amazon for clothing, and the company Utility Services. The amazon clothing purchased, was for the electrical department, and the Utility Services bill was for the annual inspection of the water tower Robinson stated; K. Burkholder 2nd; motion carried 5-0.

Kansas Transportation Concept Paper: Mayor Powers told council members that Mike Mills, who is an attorney with the Kansas Transportation Alternatives, contacted him and asked if the City of Marion would support to do the engineering research for a trail that would involve Marion in some way, no specifics yet on how the city would be involved, and was asking to list the City of Marion as a supporter for the funding to proceed with the concept study for a trail grant they are applying for. Powers stated that the city would not be obligated for any funding, they would just like to list Marion as a supporter. After discussion, K. Burkholder made a motion to approve supporting the Sunflower Santa Fe Trail Committee applying for the KDOT Transportation Alternative Grant to do the engineering research for a trail, with no obligation going forward financially; Baxa 2nd. Motion carried 5-0.

Ordinance 1508 - Meeting Dates and Time Change: Z. Collett made a motion to approve Ordinance 1508 changing the meeting date to the first and third Monday's of every month, and changing with the meeting start time to 5:00 p.m., starting March 4th, 2024; A. Smith 2nd. Motion carried 5-0.

Public Hearing Notice - Ordinance 1509 Revisions to Floodplain Regulations: T. Baxa made a motion to approve setting the hearing date for the floodplain regulation changes for April 1st, 2024 at 5:00 p.m.; K. Burkholder 2nd; motion carried 5-0.

2025 Budget Engagement Letter with Loyd Group: Z. Collett made a motion to approve the 2025 budget engagement with Loyd Group at a cost of \$2,500.00; T. Baxa 2nd; motion carried 5-0.

Department and Staff Reports: S. Hart told council members that the new bucket truck was delivered today, which was not scheduled to be delivered until November of 2024. Hart stated that funding for the purchase of the truck would be brought to an upcoming council meeting.

M. Yates told council members that she was working on updating the 2025 Travel Guide, and that new vendors have been signing up for Art in the Park. Mayor Powers asked that Yates furnish a list of her job duties, so plans could be made before she retires.

Z. Hudlin reported that Dustin Woodford joined the department and would be starting the academy on February 25th, 2024.

Councilor Reports: T. Baxa reported he had toured the water plant with Jason Wheeler, which was very informative, and in the upcoming future, upgrades were going to be needed, and our equipment was getting old and replacement parts were becoming hard to find.

K. Burkholder asked for an update regarding the housing project with Lange Real Estate. Mayor Powers stated that the property had been deeded over to Lange Real Estate, and a meeting would be set up in the near future with Lange Real Estate. Burkholder asked about the runway at the airport. Mayor Powers reported that the project was not forgotten, and Darin Neufeld was working on a plan.

Z. Collett asked Donald Wilson if he had received a punch list from James Masters on what needed to be done to get his property in compliance. D. Wilson stated he had, however the letter he received was confusing, but he was doing his best to meet the March deadline. Z. Collett suggested that two public forums be on the agenda, one at the beginning, and one at the end of the meeting.

A. Smith also toured the water plant and complimented the water department staff on the good job they do. Smith stated that she had a conversation with Brad Yazel about the cemetery holding water issue. Yazel suggested that dirt be placed on the graves that have settled, which was a process.

Mayor Powers suggested that department heads attend at least one Council Meeting per month so if concerns were brought up, questions could be answered. Mayor Powers suggested that council members have study session meetings, and also suggested that a tour of the entire City Building be scheduled either 30 minutes before a meeting or after, to address maintenance issues that need to be addressed. Mayor Powers asked Mark McAnarney how he was settling in to his position. M. McAnarney stated he was getting out meeting people, and trying to learn as much as he can about Marion.

Motion to Adjourn Council Meeting: A. Smith made a motion to adjourn the meeting; T. Baxa 2nd; motion carried 5-0.

Michael Powers, Mayor

Janet Robinson, 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 7842/7831/7726	1	3/04/24	3/04/24	3813 56 EXPRESS TIRE & SERVICE THERMOSTAT	108.52	02	02-04-5408	LIQ	1
	2			LABOR	136.50	02	02-04-5408	LIQ	1
	3			SHOP SUPPLIES	2.45	02	02-04-5408	LIQ	1
	4			ST205/75R15/8 TIRES	398.76	01	01-10-5450	LIQ	1
	5			TIRE TAX	1.00	01	01-10-5450	LIQ	1
	6			TIRE DISPOSAL	20.00	01	01-10-5450	LIQ	1
	7			SHOP SUPPLIES	3.99	01	01-10-5450	LIQ	1
	8			20 H POWER KING SUPER HWY	671.22	01	01-10-5422	LIQ	1
	9			TIRE TAX	.50	01	01-10-5422	LIQ	1
	10			SHOP SUPPLIES	6.71	01	01-10-5422	LIQ	1
	11			HAZMAT	9.95	01	01-10-5422	LIQ	1
				INVOICE TOTAL	1,359.60				
				VENDOR TOTAL	1,359.60				
171 AFLAC									
INV# 179029	1	3/04/24	2/26/24	MARCH PREMIUM	22.70	156	01-00-2456 E-PAYMNT 1309350 3/04/24	LIQ	1
	2			MARCH PREMIUM	26.92	156	01-00-2456 E-PAYMNT 1309350 3/04/24	LIQ	1
	3			MARCH PREMIUM	60.98	256	02-00-2456 E-PAYMNT 1309350 3/04/24	LIQ	1
	4			MARCH PREMIUM	26.92	256	02-00-2456 E-PAYMNT 1309350 3/04/24	LIQ	1
	5			MARCH PREMIUM	45.32	156	01-00-2456 E-PAYMNT 1309350 3/04/24	LIQ	1
	6			MARCH PREMIUM	52.76	156	01-00-2456 E-PAYMNT 1309350 3/04/24	LIQ	1
	7			MARCH PREMIUM	26.52	156	01-00-2456 E-PAYMNT 1309350 3/04/24	LIQ	1
				INVOICE TOTAL	262.12				
				VENDOR TOTAL	262.12				
3420 ALTEC CAPITAL SERVICES, LLC									
INV# 01899435	1	3/04/24	2/13/24	LEASE RENTAL 2019 FORD F550	1,688.70	21	21-00-5450	LIQ	1
				INVOICE TOTAL	1,688.70				
				VENDOR TOTAL	1,688.70				
1633 BAKER BROS. PRINTING									
INV# 71610	1	3/04/24	2/29/24	RESTAURANT FLYERS	60.58	01	01-11-5276	LIQ	1
	2			SALES TAX	4.54	01	01-11-5276	LIQ	1
				INVOICE TOTAL	65.12				
				VENDOR TOTAL	65.12				
3403 CDW GOVERNMENT									
INV#PM49661	1	3/04/24	2/07/24	HP SB 450 G10	4,673.35	01	01-00-5032	LIQ	1
				INVOICE TOTAL	4,673.35				
				VENDOR TOTAL	4,673.35				

SCHEDULED CLAIMS LIST

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST ID	GL ACCOUNT	CK TYPE	SQ
INV# 5600	1	3/04/24	2/15/24	1024 CORE & MAIN LP HACH SAMPLE CELL	122.37	02	02-02-5020	LIQ	1
	2			UPS GROUND	16.49	02	02-02-5020	LIQ	1
					INVOICE TOTAL	138.86			
					VENDOR TOTAL	138.86			
INV# SMI-100676	1	3/04/24	2/13/24	3499 DOUBLE CHECK COMPANY, INC. PEDESTAL SURGE PROTECTOR	160.67	01	01-16-5259	LIQ	1
	2			11 PC SET, KEYS #300-#523	60.50	01	01-16-5259	LIQ	1
	3			LAP TOP TO P/C CABLE	73.00	01	01-16-5259	LIQ	1
	4			INCOMING FREIGHT	25.00	01	01-16-5259	LIQ	1
	5			LABOR-BROOKS WICHITA 2/14/24	360.00	01	01-16-5259	LIQ	1
	6			MILEAGE	157.50	01	01-16-5259	LIQ	1
	7			LABOR-BROOKS WICHITA 2/21/24	480.00	01	01-16-5259	LIQ	1
	8			MILEAGE	157.50	01	01-16-5259	LIQ	1
	9			SHOP SUPPLIES	29.48	01	01-16-5259	LIQ	1
				INVOICE TOTAL	1,503.65				
				VENDOR TOTAL	1,503.65				
INV# 205544	1	3/04/24	2/12/24	1707 ENVIRONMENTAL COMPLIANCE SOLUT AUDIT AND 1 YEAR CONSULT	1,300.00	02	02-04-5040	LIQ	1
					INVOICE TOTAL	1,300.00			
				VENDOR TOTAL	1,300.00				
INV# KSMCP297795	1	3/04/24	2/15/24	1297 FASTENAL COMPANY AG JOBBER 5/64	13.50	01	01-10-5020	LIQ	1
	2			AG JOBBER 3/32	12.89	01	01-10-5020	LIQ	1
	3			AG JOBBER 7/64	13.90	01	01-10-5020	LIQ	1
	4			AG JOBBER 9/64	15.55	01	01-10-5020	LIQ	1
	5			AG JOBBER 11/64	17.93	01	01-10-5020	LIQ	1
	6			T190GF JOBRNGDRI	26.10	01	01-10-5020	LIQ	1
				INVOICE TOTAL	99.87				
				VENDOR TOTAL	99.87				
INV# 18075/18070/180	1	3/04/24	2/28/24	1147 GPC&N LLC AVAST CLOUDCARE SUBSCRIPTION	46.55	01	01-00-5022	LIQ	1
	2			AVAST CLOUDCARE PATCH	26.75	01	01-00-5022	LIQ	1
	3			AVAST CLOUDCARE PATCH	585.00	01	01-00-5022	LIQ	1
	4			AVAST CLOUDCARE PATCH	390.00	01	01-00-5022	LIQ	1
	5			SET UP EMAIL ROUTE FOR ASMITH	47.50	01	01-00-5022	LIQ	1
	6			SET UP ACCESS TO M365 ACCOUNT	71.25	01	01-00-5022	LIQ	1
	7			CHECK BACK UPS/CLEAN UP SPACE	47.50	01	01-00-5022	LIQ	1
	8			EMAILS/WEBSITE ISSUES	285.00	01	01-00-5022	LIQ	1
	9			SET UP MPOWERS LAPTOP	142.50	01	01-00-5022	LIQ	1
				INVOICE TOTAL	1,642.05				
				VENDOR TOTAL	1,642.05				
INV# 6693452	1	3/04/24	2/20/24	3208 HAWKINS INC. S-300 PUMP	2,600.00	02	02-02-5020	LIQ	1

SCHEDULED CLAIMS LIST

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST ID	GL ACCOUNT	CK TYPE	SQ
	2			150LB CHLORINE CYLINDER	130.00	02	02-02-5020	LIQ	1
				INVOICE TOTAL	2,730.00				
				VENDOR TOTAL	2,730.00				
				66 HOCH PUBLISHING CO INC.					
RUN DATE 2/28/24	1	3/04/24	2/28/24	FLOODPLAINT PUBLIC HEARING	80.00	01	01-00-5028	LIQ	1
	2			AFFIDAVIT	5.00	01	01-00-5028	LIQ	1
	3			ORDINANCE 1508	160.00	01	01-00-5028	LIQ	1
	4			AFFIDAVIT	5.00	01	01-00-5028	LIQ	1
				INVOICE TOTAL	250.00				
				VENDOR TOTAL	250.00				
				3948 JONES, MEGAN					
FINAL PAYMENT	1	3/04/24	2/29/24	FINAL CDBG GRANT PAYMENT	2,500.00	26	26-00-5649	LIQ	1
				INVOICE TOTAL	2,500.00				
				VENDOR TOTAL	2,500.00				
				52 KS DEPT OF REVENUE					
JANUARY SALES TAX	1	3/04/24	2/28/24	JANUARY SALES TAX	4,285.51	01	01-07-5500	LIQ	1
							E-PAYMNT 1309352 3/04/24		
				INVOICE TOTAL	4,285.51				
				VENDOR TOTAL	4,285.51				
				1798 KONICA MINOLTA PREMIER FINANCE					
INV# 522502475	1	3/04/24	2/14/24	CONTRACT PAYMENT	127.29	01	01-00-5255	LIQ	1
							E-PAYMNT 1309353 3/04/24		
	2			COLOR OVERAGE	57.29	01	01-00-5255	LIQ	1
							E-PAYMNT 1309353 3/04/24		
	3			BLACK AND WHITE OVERAGE	110.29	01	01-00-5255	LIQ	1
							E-PAYMNT 1309353 3/04/24		
	4			SUPPLY FREIGHT	9.00	01	01-00-5255	LIQ	1
							E-PAYMNT 1309353 3/04/24		
				INVOICE TOTAL	303.87				
				VENDOR TOTAL	303.87				
				1296 LAMPTON WELDING SUPPLY CO. INC					
INV# 0020016897	1	3/04/24	2/15/24	WDA PAD WIRE KLEEN RED	11.65	01	01-10-5020	LIQ	1
	2			WDA LUBEMATIC LIQ 3.75 OZ	10.24	01	01-10-5020	LIQ	1
	3			PRL DISC 4-1 2X7	11.15	01	01-10-5020	LIQ	1
	4			NOR FLAP DISC	8.10	01	01-10-5020	LIQ	1
	5			WAL FLAP DISC	12.49	01	01-10-5020	LIQ	1
	6			VIC OUTFIT PERFORMER W/EDGE	350.00	01	01-10-5021	LIQ	1
	7			SAS GLOVE NITRILE	15.50	01	01-10-5021	LIQ	1
	8			ASTRO GRIP 100 BOX	15.50	01	01-10-5021	LIQ	1
	9			WES COUPLER HOSE	2.00	01	01-10-5021	LIQ	1
	10			WES COUPLER HOSE	2.04	01	01-10-5021	LIQ	1
				INVOICE TOTAL	438.67				
				VENDOR TOTAL	438.67				

SCHEDULED CLAIMS LIST

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST ID	GL ACCOUNT	CK TYPE	SQ
3682 LIBERTY NATIONAL									
2/27/24	1	3/04/24	2/27/24	MARCH PREMIUM	32.59	0245	02-00-2445	LIQ	1
	2			MARCH PREMIUM	12.00	0245	E-PAYMNT 1309351 3/04/24 02-00-2445 E-PAYMNT 1309351 3/04/24	LIQ	1
				INVOICE TOTAL	44.59				
				VENDOR TOTAL	44.59				
3873 M&T CLEANING									
FEBRUARY CLEANING	1	3/04/24	2/29/24	CLEANING 2/8/24	90.00	01	01-05-5259	LIQ	1
	2			CLEANING 2/15/24	40.00	01	01-05-5259	LIQ	1
	3			CLEANING 2/29/24	80.00	01	01-05-5259	LIQ	1
				INVOICE TOTAL	210.00				
				VENDOR TOTAL	210.00				
1470 MARION COUNTY IMP. DIST. NO. 2									
FEBRUARY	1	3/04/24	2/18/24	WATER AT AIRPORT	36.00	01	01-16-5015	LIQ	1
				INVOICE TOTAL	36.00				
				VENDOR TOTAL	36.00				
1128 PITNEY BOWES									
1024870843	1	3/04/24	2/25/24	MAILSTATION METER RENT	89.97	01	01-00-5016	LIQ	1
	2			POSTAGE REFILL	15.98	01	E-PAYMNT 1309354 3/04/24 01-00-5016 E-PAYMNT 1309354 3/04/24	LIQ	1
				INVOICE TOTAL	105.95				
				VENDOR TOTAL	105.95				
3069 QUILL CORPORATION									
INV# 37369677	1	3/04/24	2/22/24	COMMAND STRIPS	14.59	01	01-00-5020	LIQ	1
				INVOICE TOTAL	14.59				
				VENDOR TOTAL	14.59				
3941 RENSENHOUSE									
INV# 1996-1056693	1	3/04/24	2/16/24	8IN PRUNING SAW	282.50	02	02-04-5020	LIQ	1
	2			2-1/2 SCHED40 PVC	641.80	02	02-04-5020	LIQ	1
				INVOICE TOTAL	924.30				
				VENDOR TOTAL	924.30				
3967 ROBINSON, JANET									
REIMBURSEMENT	1	3/04/24	2/16/24	QUICK CLAIM DEED	21.00	01	01-00-5010	LIQ	1
				INVOICE TOTAL	21.00				
				VENDOR TOTAL	21.00				
3903 ROOFING SERVICES UNLIMITD									
INV# 21412	1	3/04/24	2/07/24	ROOF REPAIRS	963.00	01	01-25-5259	LIQ	1
				INVOICE TOTAL	963.00				

SCHEDULED CLAIMS LIST

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST ID	GL ACCOUNT	CK TYPE	SQ
				VENDOR TOTAL	963.00				
				3929 ROY-BACHMAN, BRANDY					
MARCH JUDGE FEE1	1	3/04/24	3/01/24	MARCH JUDGE FEE	350.00	01	01-85-5001	LIQ	1
				INVOICE TOTAL	350.00				
				VENDOR TOTAL	350.00				
				1192 VERIZON WIRELESS					
9957053711	1	3/04/24	2/19/24	6202666051	29.02	01	01-00-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	2			6202666055	24.79	01	01-16-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	3			6203810019	41.47	01	01-55-5089 E-PAYMNT 1309355 3/04/24	LIQ	1
	4			6203810212	29.02	01	01-00-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	5			6203810309	29.92	01	01-10-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	6			6203810647	29.02	01	01-00-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	7			6203810716	52.28	01	01-00-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	8			6203810928	29.92	01	01-00-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	9			6203810967	29.02	01	01-00-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	10			6203811285	41.47	01	01-00-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	11			6203813101	24.30	01	01-14-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	12			6203813240	29.02	01	01-00-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	13			6203814043	24.79	01	01-75-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	14			6203814631	40.01	01	01-14-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	15			6203814663	40.01	01	01-14-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	16			6203814706	40.01	01	01-14-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	17			6203814714	40.01	01	01-14-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	18			6203814891	40.01	01	01-14-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	19			6203822355	29.02	02	02-02-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	20			6203822442	24.79	01	01-75-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	21			6203822561	9.67	02	02-04-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	22			6203822561	9.67	02	02-01-5015 E-PAYMNT 1309355 3/04/24	LIQ	1
	23			6203822561	9.68	01	01-10-5015	LIQ	1

SCHEDULED CLAIMS LIST

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST ID	GL ACCOUNT	CK TYPE	SQ
	24			6203822651	41.47	01	E-PAYMNT 1309355 3/04/24 01-14-5015	LIQ	1
	25			6203823425	30.82	01	E-PAYMNT 1309355 3/04/24 01-05-5015	LIQ	1
	26			6203823732	8.26	02	E-PAYMNT 1309355 3/04/24 02-04-5015	LIQ	1
	27			6203823732	8.26	02	E-PAYMNT 1309355 3/04/24 02-01-5015	LIQ	1
	28			6203823732	8.27	01	E-PAYMNT 1309355 3/04/24 01-10-5015	LIQ	1
	29			6203823770	9.67	02	E-PAYMNT 1309355 3/04/24 02-04-5015	LIQ	1
	30			6203823770	9.67	02	E-PAYMNT 1309355 3/04/24 02-01-5015	LIQ	1
	31			6203823770	9.68	01	E-PAYMNT 1309355 3/04/24 01-10-5015	LIQ	1
	32			6203823993	24.79	01	E-PAYMNT 1309355 3/04/24 01-00-5015	LIQ	1
	33			6203826670	41.47	02	E-PAYMNT 1309355 3/04/24 02-04-5089	LIQ	1
	34			6203826671	41.47	02	E-PAYMNT 1309355 3/04/24 02-01-5089	LIQ	1
	35			6203829134	69.34	01	E-PAYMNT 1309355 3/04/24 01-25-5015	LIQ	1
				INVOICE TOTAL	1,000.09				
				VENDOR TOTAL	1,000.09				
				3841 VISION CARE DIRECT					
1213003012024	1	3/04/24	2/25/24	MARCH PREMIUM	46.24	257	02-00-2457 E-PAYMNT 1309356 3/04/24	LIQ	1
	2			MARCH PREMIUM	25.46	257	02-00-2457 E-PAYMNT 1309356 3/04/24	LIQ	1
	3			MARCH PREMIUM	15.90	257	02-00-2457 E-PAYMNT 1309356 3/04/24	LIQ	1
				INVOICE TOTAL	87.60				
				VENDOR TOTAL	87.60				
				3946 VISION METERING LLC					
INV# 223424	1	3/04/24	2/16/24	VISION METER	272.00	02	02-04-5020	LIQ	1
	2			VISION METER	908.00	02	02-04-5020	LIQ	1
	3			FREIGHT	20.00	02	02-04-5020	LIQ	1
				INVOICE TOTAL	1,200.00				
				VENDOR TOTAL	1,200.00				
				1383 WEIS FIRE & SAFETY EQUIP. CO.					
INV# 193508	1	3/04/24	1/31/24	AIR COMPRESSOR SERVICE	868.42	01	01-65-5036	LIQ	1
	2			TRIP CHARGE FOR PUMP TESTING	417.00	01	01-65-5036	LIQ	1
				INVOICE TOTAL	1,285.42				
				VENDOR TOTAL	1,285.42				

SCHEDULED CLAIMS LIST

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST ID	GL ACCOUNT	CK TYPE	SQ
				CENTRAL NATIONAL BANK TOTAL	29,483.91				
				TOTAL MANUAL CHECKS	.00				
				TOTAL E-PAYMENTS	6,089.73				
				TOTAL PURCH CARDS	.00				
				TOTAL ACH PAYMENTS	.00				
				TOTAL OPEN PAYMENTS	23,394.18				
				GRAND TOTALS	29,483.91				

[FORM OF ELECTRIC GENERATION UTILITY EASEMENT]

After recording return to:

KPP ENERGY
Attn: Colin Hansen
100 N. Broadway, Suite L110
Wichita, Kansas 67202
Telephone: (316) 264-3166

ELECTRIC GENERATION UTILITY EASEMENT

THIS ELECTRIC GENERATION EASEMENT is made as of the 4th day of March, 2024, by City of Marion (“Grantor”) in favor of KPP Energy, a Municipal Energy Agency (“Grantee”).

WHEREAS, Grantor is the owner of the real property described on Exhibit A hereto (the “Easement Area”);

WHEREAS, Grantor desires to declare certain easements in favor of Grantee for access to, and the constructing, maintaining, repairing and replacing of utilities and improvements upon, the Easement Area, as set forth herein.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby declares as follows:

1. Declaration of Easements. Grantor does hereby grant and convey unto Grantee and Grantee’s employees, agents, invitees, contractors and representatives, for the benefit of the public, an exclusive, perpetual right-of-way and easement under, upon, over, across and through the Easement Area, together with a right of ingress and egress to and from said Easement Area for the purposes of laying, constructing, installing, maintaining, altering, inspecting, protecting, relocating, operating, repairing and replacing any and all electric generation facilities and transmission and utility improvements (including, without limitation, solar panels, transmission lines, meters, and appurtenant improvements and equipment) and any and all meters, drops, service taps, distribution facilities, regulators, transformers and other equipment incidental or appurtenant to such improvements, as from time-to-time required by the Grantee.

2. Access. Grantor, for itself, its successors and assigns, and the successor owners of the Easement Area covenant and agree that Grantee will have unimpeded access to, through and under the Easement Area. Grantee, itself and at its sole expense, may erect necessary barricades or other dividers upon the Easement Area for safety purposes. Nothing herein shall prevent Grantor's use of the Easement Area for purposes which do not interfere with Grantee's use, provided Grantor acknowledges that Grantee's use will effectively limit most other surface, subsurface and above-ground uses of the Easement Area.

3. Conflicting Use. Grantee may remove or relocate any existing improvements or public utilities and any structures, and trees located under, upon, or over the Easement Area, which interfere with the construction, maintenance, or operation thereof, in Grantee's sole and absolute discretion.

4. Obsolescence. Upon obsolescence or retirement from use of Grantee's equipment located upon the Easement Area, Grantee agrees to remove its equipment and installations and shall have one hundred eighty (180) days to return the Easement Area to bare ground. Further, Grantee covenants in good faith to release its easement or portions thereof when no longer necessary or in use by the Grantor for the purposes contemplated hereunder.

5. Insurance. Grantee shall obtain reasonable broad-form liability insurance for its use and operations over the Easement Area in amounts at least equal to the lesser of (i) \$1,000,000, or (ii) Grantor's then maximum liability under the Kansas Tort Claims Act. Grantee shall list Grantor as an additional insured on such coverage. Grantee shall hold Grantor harmless for any loss or liability arising out of Grantee's use of the Easement Area.

6. Covenants Running With the Land. The easements and rights granted herein shall be covenants running with the land and shall be binding upon Grantor and Grantor's successors and assigns.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the Grantor has caused this Utility Easement to be executed on the day, month and year first above written.

CITY OF MARION, KANSAS

[seal]

By _____
Name (Printed) Michael Powers _____
Title Mayor _____

ATTEST:

By _____
Name (Printed Janet Robinson _____
Title City Clerk _____

“GRANTOR”

ACKNOWLEDGEMENT

STATE OF _____)
)
COUNTY OF _____)

ss:

BE IT REMEMBERED that on this ____ day of _____, 20___, before me, a notary public in and for said County and State, came _____ and _____, Mayor and City Clerk, respectively, of the City of _____, Kansas, a municipal corporation of the State of Kansas, who are personally known to me to be the same persons who executed, as such officers, the within instrument on behalf of said City, and such persons duly acknowledged the execution of the same to be the act and deed of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

NOTARY PUBLIC

My Commission Expires:

This easement, and each and every right and privilege granted herein to Grantee, is hereby accepted by the governing body of KPP Energy, a Municipal Energy Agency, without any duty or obligation of the Grantee, with respect thereto, whether such duty be by implication or otherwise, this 3rd day of March, 2024.

KPP ENERGY
A MUNICIPAL ENERGY AGENCY

[seal]

By _____
Name (Printed) _____
Title Board President

ATTEST:

By _____
Name (Printed) _____
Title Board Secretary

“GRANTEE”

ACKNOWLEDGEMENT

STATE OF KANSAS)
)
COUNTY OF SEDGWICK) ss:

The foregoing instrument was acknowledged before me, a Notary Public in and for the County and State aforesaid, on this ____ day of _____, 20____, by _____ and _____, the duly authorized Board President and Board Secretary, respectively, of the Board of Directors of KPP Energy, a Municipal Energy Agency, who are personally known to me to be such officers, and who executed, as such officers, the within instrument on behalf of KPP Energy.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

NOTARY PUBLIC

My Commission Expires:

EXHIBIT A

LEGAL DESCRIPTION

AS-SURVEYED DESCRIPTION

BEING A 6.62-ACRE TRACT OF LAND OUT OF SECTION 31, TOWNSHIP 19 SOUTH, RANGE 4 EAST, OF THE 6TH PRINCIPAL MERIDIAN, CONVEYED TO THE CITY OF MARION, AS DESCRIBED IN BOOK 367, PAGE 433 OF THE OFFICIAL PUBLIC RECORDS OF MARION COUNTY, KANSAS (O.P.R.M.C.K.) AND PARTS OF LOTS 2 THROUGH 15, BLOCK 13 AND ALL OF BLOCK 14 OF THE BEEBE'S ADDITION TO MARION CENTER, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH THE BASIS OF BEARING BEING THE SOUTH LINE OF SOUTHEAST QUARTER OF SECTION 31 MEASURED AS NORTH 88°48'05" EAST; GRID NORTH, KANSAS SOUTH ZONE, NAD-83, US FEET;

COMMENCING (P.O.C.) AT A 1/4-INCH CARRIAGE BOLT FOUND FOR THE SOUTH QUARTER CORNER OF SAID SECTION 31;

THENCE NORTH 88°48'05" EAST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 31, A DISTANCE OF 761.80 FEET TO A POINT, THENCE NORTH 01°11'55" WEST, A DISTANCE OF 732.27 FEET TO A METAL POST FOUND FOR THE SOUTHWEST CORNER OF BLOCK 14 OF BEEBE'S ADDITION TO MARION CENTER, METAL POST ALSO BEING THE POINT OF BEGINNING (P.O.B.) OF HEREIN DESCRIBED TRACT;

THENCE NORTH 01°11'55" WEST, ALONG THE WEST LINE OF LOTS 8 AND 9 OF BLOCK 14, A DISTANCE OF 356.00 FEET TO A 1/2 X 24-INCH IRON ROD WITH CAP STAMPED "TOPOGRAPHIC" SET FOR THE NORTHWEST CORNER OF HEREIN DESCRIBED TRACT, POINT ALSO LYING ON THE CENTERLINE OF AN UNVACATED PORTION OF JEFFERSON STREET;

THENCE NORTH 88°48'05" EAST, A DISTANCE OF 719.46 FEET TO A 1/2 X 24-INCH IRON ROD WITH CAP STAMPED "TOPOGRAPHIC" SET ON THE SOUTHWEST RIGHT OF WAY LINE OF THE ABANDONED CHICAGO, ROCK ISLAND, AND PACIFIC RAILROAD COMPANY ALSO BEING A BEGINNING OF POINT OF CURVATURE TO THE RIGHT ON A TANGENT BEARING OF SOUTH 38°19'46" EAST;

THENCE ALONG SAID CURVE AND SAID SOUTHWEST RIGHT-OF-WAY LINE, HAVING A RADIUS OF 917.29 FEET, AN ARC DISTANCE OF 268.13 FEET, A DELTA ANGLE OF 16°00'35" TO A 1/2 X 24-INCH IRON ROD WITH CAP STAMPED "TOPOGRAPHIC" SET ON SAID SOUTHWEST RIGHT-OF-WAY LINE;

THENCE SOUTH 01°11'55" EAST, ALONG THE EAST LINE OF LOT 2 OF BLOCK 13, A DISTANCE OF 121.78 FEET TO A 1/2 X 24-INCH IRON ROD WITH CAP STAMPED "TOPOGRAPHIC" SET ON THE SOUTHEAST CORNER OF SAID LOT 2 AND BEING THE SOUTHEAST CORNER OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 88°48'05" WEST, ALONG THE SOUTH LINE OF BLOCKS 13 AND 14, ALSO BEING THE NORTH LINE OF PLATTED WEST WASHINGTON STREET RIGHT-OF-WAY, AS NOW ESTABLISHED, A DISTANCE OF 848.00 FEET TO THE POINT OF BEGINNING (P.O.B.) AND CONTAINING 6.62 ACRES OF LAND MORE OR LESS.

