



COUNCIL MEETING AGENDA

November 27th, 2023 4:30 p.m.
Community Center – *Lower Level*
203 N. 3rd, Marion Kansas 66861

REGULAR CITY COUNCIL MEETING

1. Flag Salute – Mayor Mayfield.
2. Call the Regular City Council meeting to order – Mayor Mayfield
3. Approval of Agenda -Mayor Mayfield
4. Approval of consent agenda
 - Approval of the Minutes of November 13th, 2023 Council Meeting
 - Approval of warrants in the amount of \$173,723.51
 - Approval of payroll in the amount of \$35,669.14
5. City Administrator Letter of Resignation- Brogan
6. Interim City Administrator Discussion- Collet
7. Closure of CDBG Grant 301 E Main- Rose Mary Saunders
8. Termination of East Park Lease (City/USD408 agreement)- Brogan
9. Sign Regulations- Yates
10. Councilor, Department, & Staff Reports
11. Public Forum (1)
12. Motion to Adjourn Council Meeting

The next regularly scheduled City Council meeting is on December 11th, 2023 @ 4:30 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.*
- *Please stand for the Invocation and Pledge of Allegiance when requested by the Mayor or Vice Mayor at the beginning of the meeting.*
- *The council is interested in questions, concerns and comments from the public and has established a Public Forum agenda item at the beginning and end of the meeting. This is a time for individuals or groups to address the council. Generally, there is a three (3) minute presentation time allowed. Questions by councilors, mayor or city staff are not included in the three (3) minute presentation.*
- *(1) Presentation is limited to three (3) minutes. City Council will not act or discuss the topic at this time. 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.*

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City Council Meeting
November 13th, 2023
Monday, 4:30 p.m.

The regular meeting of the City Council of the City of Marion, Kansas was held Monday, November 13th, 2023 at 203 N. 3rd, Marion, Kansas in the lower level at 4:30 p.m. with David Mayfield presiding as Mayor and Council Members Zach Collett, Ruth Herbel, Kevin Burkholder and Jerry Kline in attendance. Also in attendance, Brogan Jones, City Administrator, Janet Robinson, City Clerk, Zach Hudlin, Peyton Heidebrecht, Margo Yates, Community Enrichment Director, Ryan Newell, Pam Maag, Roger Maag, Mike Powers, Ron Herbel, Tim Baxa, Amy Smith, Gene Winkler, Steven Hart, Landon Peterson, Lloyd Meier, Gene Winkler, and Marion County Record reporters, Eric Meyer and Phyllis Zorn.

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

Agenda: Herbel made a motion to approve the agenda ; Collett 2nd; motion carried 5-0.

Consent Agenda: Herbel made a motion to approve the Consent Agenda correcting the October 30th, meeting minutes removing Ruth Lange from the attendees, and adding Ron Herbel, and also stating that the bucket truck would be paid out of the reimbursement fund in the electrical department; Kline 2nd; motion carried 5-0.

- Approval of the minutes of October 30th, 2023 council meeting
- Approval of warrants in the amount of \$103,329.25
- Approval of payroll in the amount of \$34,729.03

Recognition of the Library and Staff: Collett stated that the Marion Library needed to be recognized for being voted the Kansas Library Associations Best Small Public Library, which is a big deal for our Library, as this award can only be awarded once in the lifetime of the Library. Collett told everyone that be a reception would be held at the Library on Tuesday, November 16th, 2023 from 4:00 p.m. to 6:00 p.m. so the Marion Library could be presented the award at 5:15 p.m., recognizing the Library and its employees, and encouraged everyone to attend the event.

Public Power Week Drawing Contest Winner: Jones told council members that the winner of the most popular drawing contest was 5th grader Hazel Piliola, and he had presented the award to her before school. Jones stated he would be taking ice cream to the elementary students later this week.

Electrical Pole Purchase: Collett made a motion to approve the purchase of 13- 40 ft. electrical poles along with 12 - 50 ft. poles at a cost of \$26,070.93. Collett 2nd. Motion carried 5-0.

Manure Dumpster: Jones presented council members with Ordinance 1506, asked council members to approve the ordinance which assess a \$50.00 per dump charge to business owners who use the city's trash service to dump their manure dumpster, effective January 1st, 2023. Jones stated it takes at least an hour for city employees to dump the dumpster, and the city

should consider requiring a fee to offset the costs it takes to provide this service. Kline and Herbel both agreed that the City should be trying to help businesses. After discussion, Mayor Mayfield made a motion to approve Ordinance 1506; Collett 2nd; after more discussion, regarding the effective date of the ordinance, Mayfield amended his motion to include the effective date being January 1st, 2023; Collett 2nd his amended motion; Kline opposed; Herbel opposed; motion carried 3-2.

Councilor Reports: Herbel stated that she had turned her phone back in to Mayor Mayfield because without cellular service, she could not get any email notices from the City Office, so any information that she needs should be printed off and delivered to her. Herbel said she is not hooking it up to her router, she was told not to.

Herbel confronted Jones stating, Mr. Jones, I would like to know why you shared a confidential email with 4 council members that I sent to you and you alone. Had I wanted this confidential information shared, I would have asked you to forward it. The email contained personal information that was not meant to be shared. The email that you shared has become the center of the raids has become the center of the raids that happened August 11th, 2023 at the Marion County Record, Mr. Meyers home, and my home and the loss of a very prominent citizen. When this email was released to other council members, Mr. Collett contacted Ms. Newell and told her about it, this was on August 7th, 2023 at 9:29 a.m., "Hey Kari, I wanted to give you a heads up so you are not caught off guard tonight, Ruth has brought up something about the DUI and trying to say we should not issue you a liquor license due to this. As far as I know a DUI do not affect the ability to get a liquor license and I will be very vocal about this. I believe this is her and Eric's attempt to get back at you for last week. Again, I just wanted to give you a heads up in case it comes up tonight." The second email Collett sent, Herbel stated, said "I am not concerned about it. I'm not going to bring it up unless Ruth does first, then I will question how she obtained this information in parentheses, it says which I don't know, which is a lie probably because it was in the email. I confirmed with my liquor agent that it is not a reason not to have a liquor license. I'm not concerned about it at all, just don't want you to be blindsided by it getting brought up and I wouldn't mention anything about it unless Ruth does first." Ms. Newell then came to the City Council meeting on August 7th and confronted me with a bunch of lies. She stated I had released the screenshot of her drunken driving charge and the loss of her driver's license to public media, which I had not. After the meeting was over, I approached and stated to you Brogan, you are the only one I shared this information with, so the leak must have come from your office. You stated you had not shared the email with anyone. I was at a loss of how this information got out. I know that the Record had received this same information as I had and they had not shared it, even with me, this was brought out in the meeting on August 7th, 2023. In our meeting on October 2nd, it was stated that you had forwarded my email and included this confidential information to the council and had neglected to tell me you had done so. If you would have at least told me that it had been shared with the council, I could have at least been prepared for what was coming. Ms. Newell came to the meeting August 7, she blew up. She made this information public for all to see and hear. I lost all trust in you as the City Administrator and will not share something not meant for the public in the future. You do not realize that by sharing this email that it could have persuaded a public vote? I also hold you responsible for the 3 raids and inadvertently for the death of Joan Meyer. It all started with your decision to release the confidential email I sent to you and now I'd like to hear your answer as to why did you forward this email to the council. Mayfield

responded that he told Jones too. Ruth then asked Jones why did you tell me you hadn't shared it. Jones stated he didn't tell anybody but the city council, and that was his direct quote. Herbel stated Jones was a liar. Jones replied that he had a transcription of all interactions on his phone, and he had said he told no one but the rest of the council. Herbel said she was talking about the August 7th, meeting where you were getting ready to leave for Lyons to see your baby. Jones again stated he had told no one but the city council. Collett intervened, asking that conversations between them be held, not screaming matches. Herbel stated that this is just one of the lies that Jones has told here the last 3 months, which may seem minor, but even a small lie can change things. Herbel believes a liar is always a liar and the lies just keep getting bigger. Herbel stated that this was not a good way to start his career as an administrator and future employers needed to know that he is not truthful.

Department Reports: Interim Police Chief Hudlin told council members that Officer Heidebrecht started November 1st, and was now out on his own, Aaron Slater was scheduled to start on November 8th, 2023, and Officer Benavidez was let go for poor performance.

Yater reported that the Marion Merchants would be meeting on November 14th, 2023 to finalize the Holly Jolly Christmas event being held on November 25th, with the parade starting at 5:30 p.m.

Herbel asked Yates about the sign regulation changes, and when it would be coming back to the City Council for approval, Yates will check on.

Robinson nothing further to report.

Jones nothing further to report.

Public Forum: Ryan Newal approached council members with questions regarding the "illegal" meeting at the country club on election night where there was a council quorum. After discussion, Newell stated it was a KORA violation, and a complaint was filed with the Attorney General's Office.

Pam Maag expressed her concerns about the K-9 unit and asked council members to be cautious when hiring the next police chief.

Mike Powers apologized to Pam Maag for her being called out by him, about not being able to speak at council meetings due to not residing in the city of Marion. Powers stated it was a misunderstanding which he was just asking questions about how the agenda was handled and did not call her out as reported. Powers stated that he did in fact hold an election watch party at the country club, and he had interviewed with Kansas Star Journal about the party.

Kline made a motion to adjourn the meeting. Mayor Mayfield 2nd. Meeting adjourned.

David Mayfield, Mayor

Janet Robinson, City Clerk

SCHEDULED CLAIMS LIST

| INVOICE# | LINE | DUE DATE | INVOICE DATE | REFERENCE | PAYMENT AMOUNT | DIST ID | GL ACCOUNT | CK TYPE | SQ |
|-----------------|------|----------|------------------|--------------------------------|----------------|---|---|---------|----|
| INV# 6883 | | | | CENTRAL NATIONAL BANK | | | | | |
| | | | | 3813 56 EXPRESS TIRE & SERVICE | | | | | |
| | 1 | 11/27/23 | 11/27/23 | POWER KING SUPER HIGHWAY II TL | 602.46 | 02 | 02-04-5020 | LIQ | 1 |
| | 2 | | | TIRE TAX | .50 | 02 | 02-04-5020 | LIQ | 1 |
| | 3 | | | TIRE DISPOSAL | 10.00 | 02 | 02-04-5020 | LIQ | 1 |
| | 4 | | | SHOP SUPPLIES | 6.02 | 02 | 02-04-5020 | LIQ | 1 |
| | | | | INVOICE TOTAL | 618.98 | | | | |
| | | | | VENDOR TOTAL | 618.98 | | | | |
| INV# 23674 | | | | 1872 AG POWER INC | | | | | |
| | 1 | 11/27/23 | 11/08/23 | SPINDLE ASSY | 238.35 | 01 | 01-10-5429 | LIQ | 1 |
| | 2 | | | FILTER ELEMENT | 14.86 | 01 | 01-10-5429 | LIQ | 1 |
| | 3 | | | FILTER SPIN ON | 37.04 | 01 | 01-10-5021 | LIQ | 1 |
| | 4 | | | SHIPPING | 12.95 | 01 | 01-10-5021 | LIQ | 1 |
| | 5 | | | FILTER | 210.86 | 01 | 01-10-5021 | LIQ | 1 |
| 6 | | | HYDRO OIL | 212.10 | 01 | 01-10-5021 | LIQ | 1 | |
| | | | | INVOICE TOTAL | 726.16 | | | | |
| | | | | VENDOR TOTAL | 726.16 | | | | |
| INV# 5503456006 | | | | 1225 AIRGAS USA, LLC | | | | | |
| | 1 | 11/27/23 | 10/31/23 | RENT LARGE ACETYLENE | 10.13 | 02 | 02-01-5021 | LIQ | 1 |
| | 2 | | | RENT LARGE ACETYLENE | 10.13 | 02 | 02-04-5021 | LIQ | 1 |
| | 3 | | | RENT LARGE ACETYLENE | 10.12 | 01 | 01-10-5021 | LIQ | 1 |
| | 4 | | | RENT LARGE ARGON | 5.06 | 02 | 02-01-5021 | LIQ | 1 |
| | 5 | | | RENT LARGE ARGON | 5.06 | 02 | 02-04-5021 | LIQ | 1 |
| | 6 | | | RENT LARGE ARGON | 5.07 | 01 | 01-10-5021 | LIQ | 1 |
| | 7 | | | RENT LARGE OXYGEN | 20.25 | 02 | 02-01-5021 | LIQ | 1 |
| | 8 | | | RENT LARGE OXYGEN | 20.25 | 02 | 02-04-5021 | LIQ | 1 |
| | 9 | | | RENT LARGE OXYGEN | 20.26 | 01 | 01-10-5021 | LIQ | 1 |
| | 10 | | | HAZMAT | 9.73 | 02 | 02-01-5021 | LIQ | 1 |
| | 11 | | | HAZMAT | 9.73 | 02 | 02-04-5021 | LIQ | 1 |
| 12 | | | HAZMAT | 9.73 | 01 | 01-10-5021 | LIQ | 1 | |
| | | | | INVOICE TOTAL | 135.52 | | | | |
| | | | | VENDOR TOTAL | 135.52 | | | | |
| INV# 8001864317 | | | | 1370 APAC, INC. - SHEARS | | | | | |
| | 1 | 11/27/23 | 11/03/23 | HIGH PERFORMANCE COLD MIX | 1,563.92 | 01 | 01-10-5277 | LIQ | 1 |
| | 2 | | | LIQUID AC SURCHARGE | 177.18 | 01 | 01-10-5277 | LIQ | 1 |
| 3 | | | ENERGY SURCHARGE | 13.56 | 01 | 01-10-5277 | LIQ | 1 | |
| | | | | INVOICE TOTAL | 1,754.66 | | | | |
| | | | | VENDOR TOTAL | 1,754.66 | | | | |
| NOVEMBER | | | | 38 ATMOS ENERGY | | | | | |
| | 1 | 11/27/23 | 11/10/23 | MARION WATER WORKS | 132.67 | 02 | 02-04-5015 | LIQ | 1 |
| | 2 | | | MARION WATER WORKS | 132.67 | 01 | E-PAYMNT 1309224 11/27/23 01-10-5015 | LIQ | 1 |
| | 3 | | | MARION WATER WORKS | 132.71 | 02 | E-PAYMNT 1309224 11/27/23 02-01-5015 | LIQ | 1 |
| 4 | | | MARION CITY HALL | 191.47 | 01 | E-PAYMNT 1309224 11/27/23 01-05-5015 | LIQ | 1 | |

SCHEDULED CLAIMS LIST

| INVOICE# | LINE | DUE DATE | INVOICE DATE | REFERENCE | PAYMENT AMOUNT | DIST ID | GL ACCOUNT | CK TYPE | SQ |
|----------|------|----------|--------------|----------------------------|----------------|---------|---|---------|----|
| | 5 | | | MARION SHOP | 38.97 | 02 | E-PAYMNT 1309224 11/27/23 02-04-5015 | LIQ | 1 |
| | 6 | | | MARION SHOP | 38.97 | 01 | E-PAYMNT 1309224 11/27/23 01-10-5015 | LIQ | 1 |
| | 7 | | | MARION SHOP | 38.98 | 02 | E-PAYMNT 1309224 11/27/23 02-01-5015 | LIQ | 1 |
| | 8 | | | MARION MUSEUM | 168.87 | 01 | E-PAYMNT 1309224 11/27/23 01-25-5015 | LIQ | 1 |
| | 9 | | | MARION FIRE | 101.64 | 01 | E-PAYMNT 1309224 11/27/23 01-65-5015 | LIQ | 1 |
| | 10 | | | MARION PD/FIRE | 88.66 | 01 | E-PAYMNT 1309224 11/27/23 01-65-5015 | LIQ | 1 |
| | 11 | | | MARION PD/FIRE | 38.00 | 01 | E-PAYMNT 1309224 11/27/23 01-14-5015 | LIQ | 1 |
| | | | | INVOICE TOTAL | 1,103.61 | | E-PAYMNT 1309224 11/27/23 | | |
| | | | | VENDOR TOTAL | 1,103.61 | | | | |
| DECEMBER | | | | 9 BLUE CROSS/BLUE SHIELD | | | | | |
| | 1 | 11/27/23 | 11/16/23 | DECEMBER 2023 ADMIN | 581.59 | 152 | 01-00-2452 E-PAYMNT 1309225 11/27/23 | LIQ | 1 |
| | 2 | | | DECEMBER 2023 ADMIN | 1,110.94 | 152 | 01-00-2452 E-PAYMNT 1309225 11/27/23 | LIQ | 1 |
| | 3 | | | DECEMBER 2023 ADMIN | 537.56 | 152 | 01-00-2452 E-PAYMNT 1309225 11/27/23 | LIQ | 1 |
| | 4 | | | DECEMBER 2023 POLICE | 1,583.63 | 152 | 01-00-2452 E-PAYMNT 1309225 11/27/23 | LIQ | 1 |
| | 5 | | | DECEMBER 2023 POLICE | 624.69 | 152 | 01-00-2452 E-PAYMNT 1309225 11/27/23 | LIQ | 1 |
| | 6 | | | DECEMBER 2023 S&A | 1,822.33 | 152 | 01-00-2452 E-PAYMNT 1309225 11/27/23 | LIQ | 1 |
| | 7 | | | DECEMBER 2023 WATER DIST | 327.91 | 252 | 02-00-2452 E-PAYMNT 1309225 11/27/23 | LIQ | 1 |
| | 8 | | | DECEMBER 2023 WATER PLANT | 537.56 | 252 | 02-00-2452 E-PAYMNT 1309225 11/27/23 | LIQ | 1 |
| | 9 | | | DECEMBER 2023 WALTER PLANT | 566.61 | 252 | 02-00-2452 E-PAYMNT 1309225 11/27/23 | LIQ | 1 |
| | 10 | | | DECEMBER 2023 SEWER | 566.61 | 252 | 02-00-2452 E-PAYMNT 1309225 11/27/23 | LIQ | 1 |
| | 11 | | | DECEMBER 2023 ELECTRIC | 1,612.68 | 252 | 02-00-2452 E-PAYMNT 1309225 11/27/23 | LIQ | 1 |
| | 12 | | | DECEMBER 2023 ELECTRIC | 1,183.02 | 252 | 02-00-2452 E-PAYMNT 1309225 11/27/23 | LIQ | 1 |
| | 13 | | | DECEMBER 2023 REC | 537.56 | 152 | 01-00-2452 E-PAYMNT 1309225 11/27/23 | LIQ | 1 |
| | 14 | | | DECEMBER 2023 LIBRARY | 609.73 | 152 | 01-00-2452 E-PAYMNT 1309225 11/27/23 | LIQ | 1 |
| | 15 | | | DECEMBER 2023 REFUSE | 1,154.06 | 252 | 02-00-2452 E-PAYMNT 1309225 11/27/23 | LIQ | 1 |
| | 16 | | | DECEMBER 2023 REFUSE | 537.56 | 252 | 02-00-2452 E-PAYMNT 1309225 11/27/23 | LIQ | 1 |
| | 17 | | | DECEMBER 2023 PARK | 537.56 | 152 | 01-00-2452 E-PAYMNT 1309225 11/27/23 | LIQ | 1 |

SCHEDULED CLAIMS LIST

| INVOICE# | LINE | DUE DATE | INVOICE DATE | REFERENCE | PAYMENT AMOUNT | DIST ID | GL ACCOUNT | TYPE | CK SQ |
|--------------------|------|----------|--------------|-------------------------------------|----------------|---------|---------------------------|------|-------|
| | 18 | | | NOVEMBER 2023 ELECTRIC | 537.56 | 252 | 02-00-2452 | LIQ | 1 |
| | | | | | | | E-PAYMNT 1309225 11/27/23 | | |
| | | | | INVOICE TOTAL | 14,969.16 | | | | |
| | | | | VENDOR TOTAL | 14,969.16 | | | | |
| | | | | 3933 BRIDGEWELL RESOURCES LLC | | | | | |
| INV# 02574635 | 1 | 11/27/23 | 11/08/23 | SOUTHERN PINE POLES | 14,664.00 | 02 | 02-04-5020 | LIQ | 1 |
| | 2 | | | SOUTHERN PINE POLES | 9,420.00 | 02 | 02-04-5020 | LIQ | 1 |
| | 3 | | | TAX | 1,986.93 | 02 | 02-04-5020 | LIQ | 1 |
| | | | | INVOICE TOTAL | 26,070.93 | | | | |
| | | | | VENDOR TOTAL | 26,070.93 | | | | |
| | | | | 1051 CONTINENTAL RESEARCH CORPORATI | | | | | |
| INV# 49383 | 1 | 11/27/23 | 11/15/23 | BACTO DOSE | 1,100.00 | 02 | 02-03-5310 | LIQ | 1 |
| | 2 | | | SHIPPING | 43.57 | 02 | 02-03-5310 | LIQ | 1 |
| | | | | INVOICE TOTAL | 1,143.57 | | | | |
| | | | | VENDOR TOTAL | 1,143.57 | | | | |
| | | | | 21 COOPERATIVE GRAIN & SUP. | | | | | |
| OCTOBER STATEMENT1 | 1 | 11/27/23 | 11/20/23 | FIRE FUEL | 411.44 | 01 | 01-65-5025 | LIQ | 1 |
| | 2 | | | PD FUEL | 288.98 | 01 | 01-14-5025 | LIQ | 1 |
| | 3 | | | ELECTRIC FUEL | 501.65 | 02 | 02-04-5025 | LIQ | 1 |
| | 4 | | | STREET AND ALLEY FUEL | 4,189.88 | 01 | 01-10-5025 | LIQ | 1 |
| | 5 | | | WATER DIST FUEL | 65.60 | 02 | 02-02-5025 | LIQ | 1 |
| | 6 | | | SEWER FUEL | 94.52 | 02 | 02-03-5025 | LIQ | 1 |
| | 7 | | | PARK FUEL | 161.05 | 01 | 01-15-5025 | LIQ | 1 |
| | 8 | | | ADMIN FUEL | 63.83 | 01 | 01-00-5025 | LIQ | 1 |
| | 9 | | | CEMETERY FUEL | 6.82 | 01 | 01-30-5025 | LIQ | 1 |
| | | | | INVOICE TOTAL | 5,783.77 | | | | |
| | | | | VENDOR TOTAL | 5,783.77 | | | | |
| | | | | 3884 DITCH WITCH UNDERCON | | | | | |
| INV# P73374 | 1 | 11/27/23 | 11/20/23 | WASH WAND 12" | 74.71 | 01 | 01-10-5020 | LIQ | 1 |
| | | | | INVOICE TOTAL | 74.71 | | | | |
| | | | | VENDOR TOTAL | 74.71 | | | | |
| | | | | 979 DOWNING SALES & SERVICE INC. | | | | | |
| INV# 074382 | 1 | 11/27/23 | 11/07/23 | 2 YARD REAR LOAD CONTAINER | 683.00 | 02 | 02-06-5483 | LIQ | 1 |
| | 2 | | | 3 YARD W/BOXES | 962.00 | 02 | 02-06-5483 | LIQ | 1 |
| | 3 | | | FREIGHT CHARGE | 200.00 | 02 | 02-06-5483 | LIQ | 1 |
| | | | | INVOICE TOTAL | 1,845.00 | | | | |
| | | | | VENDOR TOTAL | 1,845.00 | | | | |
| | | | | 1297 FASTENAL COMPANY | | | | | |
| INV# KSMCP295402 | 1 | 11/27/23 | 10/26/23 | 1/4 MEDSPLIT | .85 | 01 | 01-10-5021 | LIQ | 1 |
| | 2 | | | 5/16 MEDSPLIT | 3.40 | 01 | 01-10-5021 | LIQ | 1 |
| | 3 | | | 3/8 MEDSPLIT | 2.80 | 01 | 01-10-5021 | LIQ | 1 |
| | 4 | | | 11/16X1/2 | 41.39 | 01 | 01-10-5021 | LIQ | 1 |

SCHEDULED CLAIMS LIST

| INVOICE# | LINE | DUE DATE | INVOICE DATE | REFERENCE | PAYMENT AMOUNT | DIST ID | GL ACCOUNT | TYPE | CK SQ |
|----------------------|------|----------|--------------|-------------------------------|----------------|---------|------------|------|-------|
| | 5 | | | 3/4x1/2 | 45.19 | 01 | 01-10-5021 | LIQ | 1 |
| | 6 | | | HCS5/16-18X3/4 | 12.32 | 01 | 01-10-5021 | LIQ | 1 |
| | 7 | | | HCS1/4X20X3/4 | 8.19 | 01 | 01-10-5021 | LIQ | 1 |
| | | | | INVOICE TOTAL | 114.14 | | | | |
| | | | | VENDOR TOTAL | 114.14 | | | | |
| | | | | 1147 GPC&N LLC | | | | | |
| INV# 17905/17906 | 1 | 11/27/23 | 11/19/23 | MONTHLY GATEWAY AUDIT PD/CITY | 47.50 | 01 | 01-14-5022 | LIQ | 1 |
| | 2 | | | MONTHLY GATEWAY AUDIT PD/CITY | 47.50 | 01 | 01-00-5022 | LIQ | 1 |
| | 3 | | | SECURITY REQUEST | 71.25 | 01 | 01-00-5022 | LIQ | 1 |
| | 4 | | | SECURITY REQUEST | 142.50 | 01 | 01-00-5022 | LIQ | 1 |
| | 5 | | | TRANSFER DATA | 47.50 | 01 | 01-00-5022 | LIQ | 1 |
| | 6 | | | SECURITY REQUEST | 47.50 | 01 | 01-00-5022 | LIQ | 1 |
| | 7 | | | EMAIL SET UP ZACH COLLETT | 47.50 | 01 | 01-00-5022 | LIQ | 1 |
| | 8 | | | SECURITY REQUEST | 1,092.50 | 01 | 01-00-5022 | LIQ | 1 |
| | 9 | | | SECURITY REQUEST | 190.00 | 01 | 01-00-5022 | LIQ | 1 |
| | 10 | | | SECURITY REQUEST | 237.50 | 01 | 01-00-5022 | LIQ | 1 |
| | 11 | | | EMAIL FOR SEWER | 95.00 | 02 | 02-03-5022 | LIQ | 1 |
| | 12 | | | CLEAR COPIER | 23.75 | 01 | 01-00-5022 | LIQ | 1 |
| | 13 | | | SET UP PD EMAIL ACCOUNTS | 95.00 | 01 | 01-14-5022 | LIQ | 1 |
| | 14 | | | VYVE DOWN | 47.50 | 01 | 01-00-5022 | LIQ | 1 |
| | 15 | | | SECURITY DOCUMENTS SENT OUT | 47.50 | 01 | 01-00-5022 | LIQ | 1 |
| | 16 | | | SECURITY REQUEST | 71.25 | 01 | 01-00-5022 | LIQ | 1 |
| | 17 | | | COPY DATA | 142.50 | 01 | 01-00-5022 | LIQ | 1 |
| | 18 | | | TECHNICAL DISUSSION/PLANNING | 95.00 | 01 | 01-00-5022 | LIQ | 1 |
| | 19 | | | DATA SECURITY | 71.25 | 01 | 01-00-5022 | LIQ | 1 |
| | | | | INVOICE TOTAL | 2,660.00 | | | | |
| | | | | VENDOR TOTAL | 2,660.00 | | | | |
| | | | | 837 HETT CONSTRUCTION | | | | | |
| LAWRENCE/ROOSEVELT I | 1 | 11/27/23 | 11/14/23 | 8145F CONCRETE PAVING | 6,715.00 | 26 | 26-00-5190 | LIQ | 1 |
| | 2 | | | 122' SAW CUT | 650.00 | 26 | 26-00-5190 | LIQ | 1 |
| | | | | INVOICE TOTAL | 7,365.00 | | | | |
| | | | | VENDOR TOTAL | 7,365.00 | | | | |
| | | | | 66 HOCH PUBLISHING CO INC. | | | | | |
| RUN DATE 11/22/23 | 1 | 11/27/23 | 11/22/23 | ORDINANCE NO 1506 | 112.00 | 01 | 01-00-5028 | LIQ | 1 |
| | 2 | | | AFFIDAVIT | 5.00 | 01 | 01-00-5028 | LIQ | 1 |
| | | | | INVOICE TOTAL | 117.00 | | | | |
| | | | | VENDOR TOTAL | 117.00 | | | | |
| | | | | 721 J.P. COOKE, CO. | | | | | |
| INV# 806798 | 1 | 11/27/23 | 11/10/23 | BLUE AA LIC TAGS | 75.00 | 01 | 01-00-5020 | LIQ | 1 |
| | 2 | | | 300 FLAT HOOKS | 6.90 | 01 | 01-00-5020 | LIQ | 1 |
| | 3 | | | STRIP PACK | 30.00 | 01 | 01-00-5020 | LIQ | 1 |
| | 4 | | | SHIPPING | 28.55 | 01 | 01-00-5020 | LIQ | 1 |
| | | | | INVOICE TOTAL | 140.45 | | | | |
| | | | | VENDOR TOTAL | 140.45 | | | | |

SCHEDULED CLAIMS LIST

| INVOICE# | LINE | DUE DATE | INVOICE DATE | REFERENCE | PAYMENT AMOUNT | DIST ID | GL ACCOUNT | CK TYPE | SQ |
|----------------------|------|----------|--------------|--------------------------------|----------------|---------|---------------------------|---------|----|
| | | | 3243 | KANSAS POWER POOL | | | | | |
| OCTOBER | 1 | 11/27/23 | 11/15/23 | TRANSMISSION | 30,536.71 | 02 | 02-04-5551 | LIQ | 1 |
| | 2 | | | ADMIN | 5,991.15 | 02 | 02-04-5551 | LIQ | 1 |
| | 3 | | | CAPACITY DEMAND | 18,590.72 | 02 | 02-04-5551 | LIQ | 1 |
| | 4 | | | ENERGY | 20,539.25 | 02 | 02-04-5551 | LIQ | 1 |
| | 5 | | | DISTRIBUTION FACILITY CHARGE | 89.76 | 02 | 02-04-5551 | LIQ | 1 |
| | 6 | | | VOLTAGE UPGRADE | 13,184.78 | 02 | 02-04-5553 | LIQ | 1 |
| | | | | INVOICE TOTAL | 88,932.37 | | | | |
| | | | | VENDOR TOTAL | 88,932.37 | | | | |
| | | | 52 | KS DEPT OF REVENUE | | | | | |
| SALES TAX | 1 | 11/27/23 | 11/21/23 | OCTOBER SALES TAX | 6,174.03 | 01 | 01-07-5500 | LIQ | 1 |
| | | | | | | | E-PAYMNT 1309226 11/27/23 | | |
| | | | | INVOICE TOTAL | 6,174.03 | | | | |
| | | | | VENDOR TOTAL | 6,174.03 | | | | |
| | | | 1798 | KONICA MINOLTA PREMIER FINANCE | | | | | |
| INV# 515642445 | 1 | 11/27/23 | 11/15/23 | CONTRACT PAYMENT | 127.29 | 01 | 01-00-5255 | LIQ | 1 |
| | | | | | | | E-PAYMNT 1309227 11/27/23 | | |
| | 2 | | | BLACK AND WHITE OVRAGE | 34.10 | 01 | 01-00-5255 | LIQ | 1 |
| | | | | | | | E-PAYMNT 1309227 11/27/23 | | |
| | 3 | | | COLOR OVRAGE | 78.55 | 01 | 01-00-5255 | LIQ | 1 |
| | | | | | | | E-PAYMNT 1309227 11/27/23 | | |
| | 4 | | | SUPPLY FREIGHT | 9.00 | 01 | 01-00-5255 | LIQ | 1 |
| | | | | | | | E-PAYMNT 1309227 11/27/23 | | |
| | | | | INVOICE TOTAL | 248.94 | | | | |
| | | | | VENDOR TOTAL | 248.94 | | | | |
| | | | 1255 | MARION CO. SHERIFF'S DEPT | | | | | |
| PURCHASE OF K9 | 1 | 11/27/23 | 11/09/23 | PURCHASE OF K9 BLUE | 6,679.01 | 26 | 26-00-5042 | LIQ | 1 |
| | | | | INVOICE TOTAL | 6,679.01 | | | | |
| | | | | VENDOR TOTAL | 6,679.01 | | | | |
| | | | 1071 | DAVID MAYFIELD | | | | | |
| EMC ATTORNEY MEETING | 1 | 11/27/23 | 11/17/23 | MILEAGE REIMBURSEMENT WICHITA | 91.70 | 01 | 01-00-5026 | LIQ | 1 |
| | | | | INVOICE TOTAL | 91.70 | | | | |
| | | | | VENDOR TOTAL | 91.70 | | | | |
| | | | 363 | MURPHY TRACTOR & EQUIPMENT CO. | | | | | |
| INV# 2140113 | 1 | 11/27/23 | 11/20/23 | COTTER PIN | 4.54 | 02 | 02-01-5401 | LIQ | 1 |
| | 2 | | | WASHER | 5.82 | 02 | 02-01-5401 | LIQ | 1 |
| | 3 | | | PIN FASTENER | 229.15 | 02 | 02-01-5401 | LIQ | 1 |
| | | | | INVOICE TOTAL | 239.51 | | | | |
| | | | | VENDOR TOTAL | 239.51 | | | | |
| | | | 3009 | NATIONAL SIGN COMPANY INC | | | | | |
| INV# 205568 | 1 | 11/27/23 | 11/13/23 | FLUOR GREEN MARKING PAINT | 86.00 | 01 | 01-10-5021 | LIQ | 1 |
| | 2 | | | SHIPPING | 25.05 | 01 | 01-10-5021 | LIQ | 1 |

SCHEDULED CLAIMS LIST

| INVOICE# | LINE | DUE DATE | INVOICE DATE | REFERENCE | PAYMENT AMOUNT | DIST ID | GL ACCOUNT | TYPE | CK SQ |
|-------------------|------|----------|--------------|-------------------------------------|----------------|---------|------------|------|-------|
| | 3 | | | RESERVED PARKING SIGN | 37.95 | 01 | 01-10-5271 | LIQ | 1 |
| | 4 | | | HANDICAP PARKING SIGN | 33.95 | 01 | 01-10-5271 | LIQ | 1 |
| | 5 | | | SHIPPING | 26.58 | 01 | 01-10-5271 | LIQ | 1 |
| | | | | INVOICE TOTAL | 209.53 | | | | |
| | | | | VENDOR TOTAL | 209.53 | | | | |
| | | | | 3912 PLENERT MOWING & OUTDOOR SERVI | | | | | |
| INV# 099 | 1 | 11/27/23 | 11/09/23 | 10/10/23 MOW AND TRIM | 410.00 | 01 | 01-16-5300 | LIQ | 1 |
| | 2 | | | 10/26/23 MOW AND TRIM | 410.00 | 01 | 01-16-5300 | LIQ | 1 |
| | | | | INVOICE TOTAL | 820.00 | | | | |
| | | | | VENDOR TOTAL | 820.00 | | | | |
| | | | | 1198 PROTECTIVE EQUIPMENT TESTING | | | | | |
| INV# 83180 | 1 | 11/27/23 | 11/17/23 | 12" LEATHER PROTECTORS | 92.22 | 02 | 02-04-5020 | LIQ | 1 |
| | 2 | | | CLS2 14" YELLOW BLACK | 437.20 | 02 | 02-04-5020 | LIQ | 1 |
| | 3 | | | SHIPPING | 20.04 | 02 | 02-04-5020 | LIQ | 1 |
| | 4 | | | SALES TAX | 43.68 | 02 | 02-04-5020 | LIQ | 1 |
| | 5 | | | BLANKETS TESTED | 85.00 | 02 | 02-04-5019 | LIQ | 1 |
| | 6 | | | HOODS TESTED | 51.00 | 02 | 02-04-5019 | LIQ | 1 |
| | 7 | | | INSULATED JUMPER | 34.00 | 02 | 02-04-5019 | LIQ | 1 |
| | 8 | | | LINE HOSE TESTED | 255.00 | 02 | 02-04-5019 | LIQ | 1 |
| | 9 | | | LIVE LINE TOOL TESTED | 220.00 | 02 | 02-04-5019 | LIQ | 1 |
| | 10 | | | SINGLE GROUND TESTING | 92.50 | 02 | 02-04-5019 | LIQ | 1 |
| | 11 | | | THREE PHASE GROUND | 24.50 | 02 | 02-04-5019 | LIQ | 1 |
| | 12 | | | LEVEL I TEST | 1,035.00 | 02 | 02-04-5019 | LIQ | 1 |
| | 13 | | | TRIP CHARGE | 125.00 | 02 | 02-04-5019 | LIQ | 1 |
| | | | | INVOICE TOTAL | 2,515.14 | | | | |
| | | | | VENDOR TOTAL | 2,515.14 | | | | |
| | | | | 3069 QUILL CORPORATION | | | | | |
| INV# 35626834 | 1 | 11/27/23 | 11/03/23 | GUIDE CARD | 15.59 | 01 | 01-15-5020 | LIQ | 1 |
| | 2 | | | DUM DUM 2LB BAG | 11.78 | 01 | 01-00-5020 | LIQ | 1 |
| | | | | INVOICE TOTAL | 27.37 | | | | |
| | | | | VENDOR TOTAL | 27.37 | | | | |
| | | | | 3947 RENSENHOUSE | | | | | |
| INV# 1996-1050385 | 1 | 11/27/23 | 10/27/23 | BATTERY | 398.00 | 02 | 02-04-5021 | LIQ | 1 |
| | 2 | | | LED TOWER LIGHT | 229.00 | 02 | 02-04-5020 | LIQ | 1 |
| | 3 | | | 25W T5 LED LAMP | 337.50 | 02 | 02-04-5023 | LIQ | 1 |
| | | | | INVOICE TOTAL | 964.50 | | | | |
| | | | | VENDOR TOTAL | 964.50 | | | | |
| | | | | 84 SALINA SUPPLY COMPANY | | | | | |
| INV# S100253925 | 1 | 11/27/23 | 11/08/23 | SLOAN REGAL WATER CLOSET | 98.91 | 01 | 01-10-5020 | LIQ | 1 |
| | 2 | | | DELIVERY FEE | 10.00 | 01 | 01-10-5020 | LIQ | 1 |
| | | | | INVOICE TOTAL | 108.91 | | | | |
| | | | | VENDOR TOTAL | 108.91 | | | | |

SCHEDULED CLAIMS LIST

| INVOICE# | LINE | DUE DATE | INVOICE DATE | REFERENCE | PAYMENT AMOUNT | DIST ID | GL ACCOUNT | CK TYPE | SQ |
|---------------|------|----------|--------------|-----------------------------------|----------------|---------|------------|---------|----|
| | | | | 140 STANION WHOLESALE ELECTRIC CO | | | | | |
| INV# 5634979 | 1 | 11/27/23 | 11/09/23 | AL SERVENTR WDGE CLAMP | 419.90 | 02 | 02-04-5020 | LIQ | 1 |
| | 2 | | | BB INSLG PLASTIC COVER | 106.00 | 02 | 02-04-5020 | LIQ | 1 |
| | 3 | | | WIRE THHN 2BLK | 852.12 | 02 | 02-04-5020 | LIQ | 1 |
| | 4 | | | DELIVERY CHARGE | 5.00 | 02 | 02-04-5020 | LIQ | 1 |
| | 5 | | | TAX | 105.80 | 02 | 02-04-5020 | LIQ | 1 |
| | 6 | | | BOLT OVAL EYE | 328.50 | 02 | 02-04-5020 | LIQ | 1 |
| | 7 | | | DISTR-OVERSEA IRON | 212.60 | 02 | 02-04-5020 | LIQ | 1 |
| | 8 | | | TAX | 44.64 | 02 | 02-04-5020 | LIQ | 1 |
| | | | | INVOICE TOTAL | 2,074.56 | | | | |
| | | | | VENDOR TOTAL | 2,074.56 | | | | |
| | | | | 99 WESTERN ASSOCIATES, INC. | | | | | |
| INV# 122286-1 | 1 | 11/27/23 | 9/27/23 | UPS FREIGHT | 15.28 | 02 | 02-03-5016 | LIQ | 1 |
| | | | | INVOICE TOTAL | 15.28 | | | | |
| | | | | VENDOR TOTAL | 15.28 | | | | |
| | | | | CENTRAL NATIONAL BANK TOTAL | 173,723.51 | | | | |
| | | | | TOTAL MANUAL CHECKS | .00 | | | | |
| | | | | TOTAL E-PAYMENTS | 22,495.74 | | | | |
| | | | | TOTAL PURCH CARDS | .00 | | | | |
| | | | | TOTAL ACH PAYMENTS | .00 | | | | |
| | | | | TOTAL OPEN PAYMENTS | 151,227.77 | | | | |
| | | | | GRAND TOTALS | 173,723.51 | | | | |

City of Marion
Verification of GL/BK Balancing
October 2023

| | |
|----------------------------------|---------------------|
| Balance Sheet (Cash) | 2,510,047.66 |
| Outstanding Transaction Register | (42,626.81) |
| | 2,552,674.47 |

See notes below if differen

| | |
|------------------------|---------------------|
| Certificate of Deposit | - |
| Checking Account (CNB) | 2,551,611.06 |
| Checking Account (MNB) | 347.21 |
| Grant Account (CNB) | 116.60 |
| Grant Account (MNB) | 599.60 |
| Bank Statement Totals | 2,552,674.47 |

Prepared By:



Reviewed By:



GRANT CLOSE-OUT TRANSMITTAL FORM

Grantee's Name and Address:

City of Marion, Kansas

208 E. Santa Fe

Marion, KS 66861

Grant Agreement No.: 21-CR-003

Commencement Date: July 15, 2021

Completion Date: June 30, 2023

Please complete this form and items 1 through 6 for all grant types (7 is for applicable grants containing construction), including the Performance Hearing Affidavit to conclude this grant project. If this is a business finance or infrastructure grant, complete 9 through 11 in addition. If this is a housing grant, complete Form 12.

1. Grantee's Release Form *
2. Final Independent Auditor's Report
3. Final Quarterly Progress Report (Section 2)
4. Certificate of Completion (2 originals) *
5. Property Management Report *n/a*
6. Explanation of Refund Check (if applicable) *n/a*
7. Notice of Completion/Final Inspection – Final Wage Compliance Report *
8. Performance Hearing Affidavit
9. Economic Development Report, and *n/a*
Copy of Final Payroll and Employee Certification Report (from final monitoring) *n/a*
10. Legal Review and Closeout Report (Economic Development) *n/a*
11. Program Income Assignment Agreement (Economic Development) *n/a*
12. Housing Rehabilitation and demo data
13. Section 3 Tables A - D *n/a*

No costs have been incurred after the Completion Date of the above contract. All necessary documents and procedures have been followed, thereby finalizing the above referenced contract.

Rose Mary Saunders

Preparer's Name

CDBG Administrator

Title

316-264-3400

Telephone Number

November 27, 2023

Date

Rev. 2/2018

GRANTEE'S RELEASE FORM

1 Pursuant to the terms on Grant Agreement Number 21-CR-003 and in consideration of
2 the sum of One Hundred Ninety-One Thossand Five Hundred and 00/100 Dollars (\$191,500.00) which
has been
3 or is to be paid under the said contract to City of Marion, Kansas,
4 grantee upon payment of the said sum by the State of Kansas, Department of Commerce, hereinafter
5 called the grantor, does remise, release, and discharge the grantor, its officers, agents and employees
6 of and from all liabilities, obligations, claims, and demands whatsoever under or arising from the
7 said contract.

8 IN WITNESS WHEREOF, this release has been executed this 27th day of
9 November, 2023.

10 Signature of Authorized Elected Official: _____

11 Typed Name and Title: David Mayfield, Mayor

ATTEST AND SEAL

12 _____

13 _____

(Rev. 2-2018)

QUARTERLY PROGRESS REPORT - PAGE 1
KANSAS DEPARTMENT OF COMMERCE
SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Grantee: City of Marion, Kansas Report #: 10-Final
 Grant #: 21-CR-003 Quarter Ending: 11-27-2023
 Address: 208 E. Santa Fe, Marion, KS 66861 Contract Award End Date: 07-14-2023
 Company Name (ED Projects): n/a Date Prepared: 11-27-2023
 Current Chief Elected Official: David Mayfield, Mayor
 Name and telephone number of person who prepared this report: Rose Mary Saunders 316-264-3400
 Name Telephone Number

Financial Status:

| | | | |
|---|-----------|------------------------------|-------------------------------------|
| Total Grant: | \$250,000 | Total Local Injection | \$180,616 |
| Drawdowns received to date: | \$191,500 | Local spent to date | \$136,007.00 |
| Drawdowns requested and not yet received: | \$ | Initial Monitoring Conducted | <input checked="" type="checkbox"/> |
| Total Grant available | \$61,000 | Final Monitoring Conducted | <input checked="" type="checkbox"/> |

Contracts Awarded This Quarter With All Monies: *

| Name & Address, DUNS# | Total Contract Amount | Local | CDBG | Activity | | Contractor Data | | | | |
|--------------------------|-----------------------------|--------------------------|--------------------------|----------|-------|------------------------|--------------|-----------|-----------|-----------------|
| | | | | No. | Title | Type of Procurement | Section 3 | ** MBE | ** WBE | Davis- Bacon |
| None | | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | | |
| | | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | | |
| | | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | | |
| | | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | | |
| | | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | | |
| | | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | | |
| | | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | | |

* Attach additional pages if needed.

** Categories are: 1-White, 2-Black/African American, 3-Asian, 4-American Indian/Alaskan Native, 5-Native Hawaiian/Other Pacific Islander, 6-American Indian/Alaskan Native & White, 7-Asian & White, 8-Black/African American & White, 9-American Indian/Alaskan Native & Black/African American, 10-Other Multi Racial, 11-Hispanic, 12-Non-Hispanic

Describe project accomplishments this quarter:

Monitoring Visit was held, deficiencies were cleared. Prepared and published Project Performance Hearing Notice and held public hearing. City approved signing final close out documents on 11-27-2023,

Planned activities next quarter:

n/a

Technical assistance needs:

QUARTERLY PROGRESS REPORT - PAGE 2

You must complete this page if you have a:

1. Community Improvement, Urgent Need or KAN STEP grant and this is your **first** or **final** report
2. Economic Development grant
3. Attach housing log for housing projects

Complete for all circumstances listed above:

| | | Number of Beneficiaries | Number of LMI Beneficiaries |
|----|---------------|-------------------------|-----------------------------|
| 1. | Target | 1,927 | 990 |
| 2. | Total to Date | 1,927 | 990 |

| * | | White | BAA | BAA/W | AI/AN | NH/PI | A | A/W | AI/AN/BAA | AI/AN/W | Other |
|----|------------------------|-------|-----|-------|-------|-------|---|-----|-----------|---------|-------|
| 1. | Total Beneficiaries | 1,881 | 12 | 4 | 6 | 1 | 2 | 1 | 0 | 9 | 11 |
| 2. | Hispanic Beneficiaries | 12 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 10 |

*BAA-Black African American; BAA/W-Black African American & White; AI/AN-American Indian or Alaskan Native; NH/PI-Native Hawaiian or Pacific Islander; A-Asian; A/W-Asian & White; AI/AN/BAA-American Indian or Alaskan Native & Black African American; AI/AN/W-American Indian or Alaskan Native & White

- | | |
|--|-----|
| 3. Total Number of Households Benefiting to Date | 698 |
| 4. Total Number of Female Heads of Households Benefiting | 276 |
| 5. Total Number of Disabled Persons Benefiting | 300 |

NOTE: Beneficiaries are to be reported cumulatively as they occur

Economic Development Grants only:

Proposed (FTE - Jobs Count)

| | QTR 1 | QTR 2 | QTR 3 | QTR 4 | QTR 5 | QTR 6 | QTR 7 | QTR 8 |
|-------------------------------------|-------|-------|-------|-------|-------|-------|-------|-------|
| 1. Total Jobs Retained _____ | | | | | | | | |
| 2. Total LMI Jobs Retained _____ | | | | | | | | |
| 3. Total Jobs Created _____ | | | | | | | | |
| 4. Total LMI Jobs Created _____ | | | | | | | | |
| 5. Total Jobs to be generated _____ | | | | | | | | |

Accomplishments

| | a. Planned this Quarter | b. Completed this Quarter | c. Completed to Date |
|--------------------------------|-------------------------|---------------------------|----------------------|
| 6. Number of Jobs Retained | | | |
| 7. Number of LMI Jobs Retained | | | |
| 8. Number of Jobs Created | | | |
| 9. Number of LMI Jobs Created | | | |

10. Explain any variances from planned number of jobs:

CERTIFICATE OF COMPLETION

| | |
|---|---|
| A. Name of Grant Recipient City of Marion, Kansas | B. Grant Agreement Number 21-CR-003 |
|---|---|

C. Final Statement of Cost

| Program Activity Categories | To Be Completed By The Recipient | | | To Be Completed By CDBG |
|-------------------------------|----------------------------------|------------------------|-----------------|-------------------------|
| | Paid Costs (a) | Local Unpaid Costs (b) | Total Costs (c) | Approved Total Costs |
| 1. Building Rehabilitation | 280,357.00 | 0.00 | 280,357.00 | |
| 2. Construction Inspection | 4,000.00 | 0.00 | 4,000.00 | |
| 3. Architectural Services | 25,650.00 | 0.00 | 25,650.00 | |
| 4. Administration | 16,500.00 | 0.00 | 16,500.00 | |
| 5. | | | | |
| 6. | | | | |
| 7. | | | | |
| 8. | | | | |
| 9. Total Program Costs | 327,500.00 | 0.00 | 327,500.00 | |
| 10. Less Other Funds Applied | 136,007.00 | 0.00 | 136,007.00 | |
| 11. CDBG Grant Amount Applied | 191,500.00 | 0.00 | 191,500.00 | |

D. Computation of Grant Balance

| | To Be Completed By The Recipient | To Be Completed By CDBG |
|---|----------------------------------|-------------------------|
| 12. Total Amount Applied (Line 11a) | 191,500.00 | |
| 13. Estimated for Unsettled Third-Party Claims | 0.00 | |
| 14. Subtotal (Line 11c) | 191,500.00 | |
| 15. Grant Amount Per Agreement (from contract) | 250,000.00 | |
| 16. Unutilized Grant to be Canceled (Line 15 less Line 14) | 68,500.00 | |
| 17. Grant Funds Received | 191,500.00 | |
| 18. Balance of Grant Payable (Refundable) (Line 14 less Line 17)* | 0.00 | |

* If Line 17 exceeds Line 14, enter excess as a negative amount. This amount shall be repaid to the Department by check.

CERTIFICATE OF COMPLETION - PAGE 2

E. Unpaid Costs and Unsettled Third-Party Claims (Local Only)

List amounts and describe circumstances

n/a

Check if continued on additional sheet and attach

F. Remarks

n/a

Check if continued on additional sheet and attach

G. Certification of Recipient

It is hereby certified that all activities undertaken by the recipient with funds provided under the Grant Agreement identified as Item B above have, to the best of my knowledge, been carried out in accordance with the Grant Agreement; that proper provision had been made by the recipient for payment of all unpaid costs and unsettled third-party claims identified in Item E above; that the Department, the State of Kansas, and the United States of America are under no obligation to make any further payment to the recipient under the Grant Agreement in excess of the amount identified on Line 18 above; and that every statement and amount set forth in this instrument is, to the best of my knowledge, true and correct as of this date.

David Mayfield, Mayor

| | | |
|------|-------------------------------------|----------------------|
| Date | Signature of Chief Elected Official | Typed Name and Title |
|------|-------------------------------------|----------------------|

H. Department Approval

This Certificate of Completion is hereby approved. Therefore, I authorize cancellation of the unutilized contract agreement and related funds reservation and obligations _____ (line 16 above).

| | | |
|------|----------------------------|------------|
| Date | Signature for CDBG Program | Typed Name |
|------|----------------------------|------------|

CERTIFICATE OF COMPLETION

| | |
|---|---|
| A. Name of Grant Recipient City of Marion, Kansas | B. Grant Agreement Number 21-CR-003 |
|---|---|

C. Final Statement of Cost

| Program Activity Categories | To Be Completed By The Recipient | | | To Be Completed By CDBG |
|-------------------------------|----------------------------------|------------------------|-----------------|-------------------------|
| | Paid Costs (a) | Local Unpaid Costs (b) | Total Costs (c) | Approved Total Costs |
| 1. Building Rehabilitation | 280,357.00 | 0.00 | 280,357.00 | |
| 2. Construction Inspection | 4,000.00 | 0.00 | 4,000.00 | |
| 3. Architectural Services | 25,650.00 | 0.00 | 25,650.00 | |
| 4. Administration | 16,500.00 | 0.00 | 16,500.00 | |
| 5. | | | | |
| 6. | | | | |
| 7. | | | | |
| 8. | | | | |
| 9. Total Program Costs | 327,500.00 | 0.00 | 327,500.00 | |
| 10. Less Other Funds Applied | 136,007.00 | 0.00 | 136,007.00 | |
| 11. CDBG Grant Amount Applied | 191,500.00 | 0.00 | 191,500.00 | |

D. Computation of Grant Balance

| | To Be Completed By The Recipient | To Be Completed By CDBG |
|---|----------------------------------|-------------------------|
| 12. Total Amount Applied (Line 11a) | 191,500.00 | |
| 13. Estimated for Unsettled Third-Party Claims | 0.00 | |
| 14. Subtotal (Line 11c) | 191,500.00 | |
| 15. Grant Amount Per Agreement (from contract) | 250,000.00 | |
| 16. Unutilized Grant to be Canceled (Line 15 less Line 14) | 68,500.00 | |
| 17. Grant Funds Received | 191,500.00 | |
| 18. Balance of Grant Payable (Refundable) (Line 14 less Line 17)* | 0.00 | |

* If Line 17 exceeds Line 14, enter excess as a negative amount. This amount shall be repaid to the Department by check.

CERTIFICATE OF COMPLETION - PAGE 2

E. Unpaid Costs and Unsettled Third-Party Claims (Local Only)

List amounts and describe circumstances

n/a

Check if continued on additional sheet and attach

F. Remarks

n/a

Check if continued on additional sheet and attach

G. Certification of Recipient

It is hereby certified that all activities undertaken by the recipient with funds provided under the Grant Agreement identified as Item B above have, to the best of my knowledge, been carried out in accordance with the Grant Agreement; that proper provision had been made by the recipient for payment of all unpaid costs and unsettled third-party claims identified in Item E above; that the Department, the State of Kansas, and the United States of America are under no obligation to make any further payment to the recipient under the Grant Agreement in excess of the amount identified on Line 18 above; and that every statement and amount set forth in this instrument is, to the best of my knowledge, true and correct as of this date.

David Mayfield, Mayor

| | | |
|------|-------------------------------------|----------------------|
| Date | Signature of Chief Elected Official | Typed Name and Title |
|------|-------------------------------------|----------------------|

H. Department Approval

This Certificate of Completion is hereby approved. Therefore, I authorize cancellation of the unutilized contract agreement and related funds reservation and obligations _____ (line 16 above).

| | | |
|------|----------------------------|------------|
| Date | Signature for CDBG Program | Typed Name |
|------|----------------------------|------------|

FINAL INDEPENDENT AUDITOR'S REPORT

If the grantee expends **\$750,000** or more from all Federal sources in any fiscal year in which the grant is open, a 2 CFR Part 200 audit is required from the grantee. If you expend or expect to expend this amount in the current fiscal year, please indicate below. If required, a copy of the entire audit report must be submitted to Commerce in the required time period.

- A. 2 CFR Part 200 audit is not required.
- B. Audit is complete and one copy is enclosed.
- C. Audit is in progress or not yet begun.

Auditor's Name: _____

Address: _____

Telephone: _____

Contact person with firm: _____

Date audit to begin: _____

How the audit will be paid for: _____

Date audit to be completed: _____

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 15th day of November, 2023.

PROOF ONLY

Subscribed and sworn to before me this
15th day of November, 2023

PROOF ONLY

Notary Public, Marion County, Kansas
My appointment expires

(Seal)

PUBLICATION FEE: \$149.00

First published Nov. 15,
2023, in the Marion County
Record, Marion, Kansas (1t)

**PROJECT PERFORMANCE
PUBLIC HEARING NOTICE
DOWNTOWN COMMERCIAL
REHABILITATION PROJECT**

The City of Marion will hold a public hearing on Monday, November 27, 2023, at 4:30 pm in the City Council Meeting Room located at City Hall-208 E. Santa Fe, Marion, Kansas for the purpose of evaluating the performance of Grant No. 21-CR-003 for the proposed downtown commercial rehabilitation of 301 E. Main, Marion, Kansas

The proposed project consisted of the following items: 1,101 sf repair brick masonry (brick pointing and maintenance), 6,325 sf new roof (EPDM, sheathing repairs and insulation), 575 lf flashing, 883 sf new windows (remove existing & install new), 105 sf new doors (remove existing & install new), 14 riser fire stairs for code compliance, 165 sf cornice & façade (rebuilding, repair & restore roof parapet structural elements), 130 lf gutter & downspout (55 lf gutter & 75 lf of downspout & fittings), 24 sf egress door from first floor (new opening in masonry wall & exit door), 1 ls mobi-

lization and permits. Alternates: 192 sf repair cement stucco (for future mural), 400 sf install ADA parking/curb ramp/concrete, 6,325 sf ceiling/fire rating, 735 sf storefront (glazing and entrance doors), and 1 LF make-up air unit.

The final completed project consisted of the following items: 1 ls general requirements, 2,865.28 sf of concrete, 1 ls wood, plastics and composites, 1 ls Thermal and moisture protection (new roof, complete), 1 ls openings (doors and windows), 1 ls finishes and 1 ls parapet repair on roof.

The estimated final project cost is \$327,507.00 with the grant request for \$191,500.00 of the project cost. Other project proposals introduced at the hearing will be considered. Oral and written comments will be recorded and become a part of Marion's CD-BG Citizen Participation Plan.

Reasonable accommodation will be made available to persons with disabilities. Request should be submitted to Janet Robinson, City Clerk at (620) 382-3703 jrobinson@marionks.net by November 21, 2023.

M-9-2377

REQUEST FOR PAYMENT OF CDBG FUNDS

CFDA 14.228

PART I: REQUEST FOR PAYMENT INFORMATION

GRANTEE - NAME City of Marion, KansasGRANT NO. 21-CR-003STREET ADDRESS 208 E. Santa FeREQUEST NO. 5-FinalPO BOX n/ajrobinson@marionks.netCITY, STATE, ZIP Marion, KS 66861Grantee's - E-mail address for notifying about ACH deposit
rsaunders@ransonfinancial.com

Administrator - E-mail address for notifying about ACH deposit

PART II: STATUS OF CDBG FUNDS

AMOUNT

| | | |
|---|---------------------------------------|-----------------------------|
| 1 | PAYMENT DUE & AMOUNT OF THIS REQUEST | <u>2,500.00</u> |
| 2 | CDBG GRANT AWARD | <u>250,000.00</u> |
| 3 | PROGRAM INCOME AND OTHER RECEIPTS | <u> </u> |
| 4 | TOTAL FUNDS (2 + 3) | <u>250,000.00</u> |
| 5 | CDBG FUNDS RECEIVED TO DATE | <u>189,000.00</u> |
| 6 | TOTAL (1 + 5) | <u>191,500.00</u> |
| 7 | REMAINING CDBG FUNDS (4 - 6) | <u>58,500.00</u> |

PART III: CERTIFICATION

I HEREBY CERTIFY THAT THE DATA REPORTED ABOVE IS CORRECT AND THAT THE AMOUNT REQUESTED IS NOT IN EXCESS OF CURRENT NEEDS

DATE _____ SIGNATURE _____ TITLE _____

DATE: _____ SIGNATURE _____ TITLE _____

PART IV: APPROVAL (FOR KANSAS DEPT. OF COMMERCE USE ONLY)

CDBG APPROVAL:

1. CONTRACT TERMINATION DATE: _____

2. AUTHORIZED SIGNATURE: _____

3. MONITORING RESOLUTION: CURRENT / PAST DUE / NA

4. QUARTERLY PROGRESS REPORTS: CURRENT / PAST DUE

FIELD REPRESENTATIVE _____ DATE _____

FISCAL _____ DATE _____

Kansas Department of Commerce
Small Cities Community Development Block Grant

MARION-FLORENCE UNIFIED SCHOOL DISTRICT 408

101 N. Thorp
Marion, Kansas 66861-1125

620-382-2117
FAX 620-382-2118

Future Forward

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Board of Education
Nick Kraus, President
Jan Helmer, Vice President
Steven Janzen, Member
Duane Kirkpatrick, Member
Javan Koehn, Member
Jeremiah Lange, Member
Doug Regnier, Member

November 20, 2023

Dear City of Marion,

USD 408 Marion-Florence has made the decision to terminate their lease on East Park, effective January 1, 2024. The termination of this lease agreement suggests a significant shift in the utilization or management of the property. This decision stems from various reasons, such as changes in priorities, financial considerations, and a different vision in the school district's needs. By relinquishing the lease, the school district is signaling the return of control of East Park to the City of Marion.

The return of East Park to the City of Marion could have several implications. This will allow the city greater flexibility in determining the park's future, including its maintenance, renovations, or potential redevelopment. The park's return might also signify an opportunity for the local community to lead to collaborative efforts between the city and its residents to enhance the park's amenities or address community needs.

As of January 1, 2024, with the termination of the lease, the City of Marion will assume direct responsibility for East Park. This transition could mark the beginning of a new chapter for the park, fostering opportunities for local engagement, potential improvements, or the improvements needed in making the park what it could become.

Sincerely,



Justin Wasmuth
Superintendent
USD 408 Marion-Florence

SECTION 22 SIGN REGULATIONS

Sections:

22-1 Purpose

22-2 New or Rebuilt Signs; Permits

22-3 General Standards

22-4 District Regulations

22-5 Non-Conforming Signs

22-6 Promotional Displays

22-7 Illuminated Signs

22-8 Billboards

Section 22-1 Purpose

22-1.01 The purpose of this section is to protect, preserve, and promote the beauty, safety, and general welfare of the city, by establishing standards and procedures for the erection of signs in various zoning districts.

Section 22-2 New or Rebuilt Signs; Permits

22-2.01 Permit Required: Unless otherwise provided in these regulations, no new, permanent or temporary sign shall hereafter be hung, erected, attached or supported on a building or structural support, and no existing sign shall be altered, rebuilt, extended, replaced or relocated until a permit has been issued by the Zoning Administrator and the Building Inspector. All signs legally existing at the time of passage of these regulations may remain in use, including those in the status of a legal non-conforming sign. **All new signs will be presented to the Planning Commission for review, before approval. This review should include a detailed design plan for the proposed sign.**

22-2.02 Application for Permit: Applicants for sign permits shall submit an application form (furnished by the city). Said application shall include such information as the Zoning Administrator shall require to show full compliance with this and all other applicable laws and regulations of the City. The Permit Application form must be signed by the property owner, if different than the businessowner, as well as the businessowner.

22-2.03 Issuance of Permit: If, in the opinion of the Zoning Administrator, the application meets the requirements of this section, a sign permit shall be issued. If the work authorized by such permit is not started within one hundred twenty (120) days from the date of its issuance, such permit shall become null and void.

22-2.04 Permit Revocation: If the Zoning Administrator or the Building Inspector find that any sign subject to these regulations is unsafe or insecure, is a menace to the public, has been constructed or erected, or is being maintained in violation of the provisions of these

regulations, written notice shall be given to the person or entity in possession and control of the premises on which the sign is located, specifying the problem.

If such person fails to remove or alter the sign so as to comply with the provisions of these regulations within thirty (30) days of such notice, the Zoning Administrator, or the Building Inspector, may cause such sign to be removed or altered to comply with these regulations at the expense of the permittee or owner of the property on which said sign is located. If, in the opinion of the Zoning Administrator or the Building Inspector, a sign is an immediate hazard to the public health, safety, or welfare, the Zoning Administrator or the Building Inspector, may cause the sign to be removed immediately and without notice.

Section 22-3 General Standards

22-3.01 Mounted Signs: Any person, business or corporation may place face mounted signs, meaning signs attached to the building, on Main Street from Elm Street to Walnut Street.

22-3.02 Building and Electrical Codes Applicable: All signs must conform to the structural design standards of any applicable building code. Wiring of all electrical signs must conform to any applicable electrical code.

22-3.03 Access way or Window: No sign shall block any access way or window required by any applicable building, housing, fire or other codes or regulations.

22-3.04 Signs on Trees or Utility Poles: No sign shall be attached to a tree or utility pole, whether on public or private property.

22-3.05 Traffic Safety: No sign shall be maintained at any location where by reason of its position, size, shape or color, it may obstruct, impair, obscure, interfere with the view of, or be confused with, any traffic control sign, signal or device, or where it may interfere with, mislead or confuse traffic. Sign shall comply with vision triangle.

22-3.06 Portable Signs: It shall be lawful for any business, or corporation to place, stand, or maintain one sandwich or sidewalk sign up to 36" x 24" on any sidewalk within the city limits. Placement of sign should not impede the natural flow of ADA traffic. Such signs are only allowed weather permitting and during business hours. If the portable sign currently in use is damaged, said sign shall either be removed, or repaired. Owner is liable for any accidents. A permit is required, with a \$10 fee.

Section 22-4 District Regulations

22-4.01

A = Agriculture District

ER = Estate Residential District

RL = Low Density Residential District

RM = Medium Density Residential District

RMH = Manufactured Home Park Residential District
RE = Elderly Housing Residential District
RH = High Density Residential Overlay District
LI = Light Industrial District
HI = Heavy Industrial District

Signs shall be erected and maintained at least ten (10) feet from the street line, and shall be of a kind and character not unsightly or unduly conspicuous in the neighborhood in which they are erected. In the event of a complaint on the character or kind of sign being maintained, the decision of the Board of Zoning Appeals shall be final as to compliance of the sign with this provision.

22-4.02 Limited Commercial District (LC):

The following signs shall be permitted:

1. Signs identifying a business: There shall be permitted one sign not exceeding seventy-five (75) square feet in area per business establishment, with sign located at least twenty-five (25) feet from a lot in a residential district, public park or school. The sign, if illuminated, shall cast no direct light on adjacent residential property. No sign shall create a traffic hazard or confusion with traffic directional signals, or signs along any street. No sign shall project over any street or alley right-of-way. The Zoning Administrator shall be informed precisely the nature of each sign before its permanent erection, for a determination of conformity with these regulations.

22-4.03 General Commercial (GC) District & Central Business District (CBD) Overlay District:

Advertising and/or business signs, single or double faced, shall be allowed in these districts, subject to sign regulations set forth in the Building Code of the City of Marion, Kansas, and in accordance with the following:

1. Billboards: Billboards will not be permitted in these districts.
2. Business signs: The standards contained in Section 22-4.02 shall apply.

Sign Types Permitted:

1. Face Mounted Signs are allowed.
2. Signs attached perpendicular to the building are allowed. Signs may be round, oval, rectangular, or square. **Signs shall conform in size with no sign exceeding one square foot for each foot per building length frontage.**
3. Signs may only state the Business name and the service it provides. Example: Smith Real Estate
4. No product endorsement is allowed on protruding Signs. Example: Goodyear Tires. If it is part of the business name, it will be allowed on Mounted Signs.
5. The Height of Signs may be a minimum of 10 feet above grade, without extending over the roofline of the building.

6. Signs may only protrude from the building a third of the distance of the sidewalk width, measuring from the outer border to the face of the building.
7. Illumination of Signs is allowed, including indirectly lighted and back lit. Neon, chasing and/or flashing lights are prohibited. All Signs must have approved electrical fixtures that illuminate the Sign, only.
8. Metal Signs shall not be located within 10 feet vertically, and 5 feet horizontally, of electric wires or conductors in free air, carrying more than 48 volts, whether or not such wires or conductors are insulated, or otherwise protected.
9. Projecting Signs shall be securely attached to the building or structure with bolts, anchors, chains, or galvanized steel guy wires or cables, and shall not be attached to parapet walls in any manner, unless such walls are reinforced with steel and designed to support other than the weight of such wall. Projecting Signs must be mounted on the top and the bottom to prevent the Sign from swinging.
10. Signs must be constructed of durable, noncombustible materials.
11. If a business closes, or vacates a building, Signs must be removed or changed to reflect the new business within 60 days. If the businessowner does not remove the sign within 60 days, the City of Marion will remove the Sign at the expense of the businessowner. If the businessowner fails to pay for the removal expense, a fine will be applied and added to property taxes.
12. Signs must be kept in good repair and appearance. Dilapidated Signs and/or Signs in need of maintenance must be repaired or removed.
13. All new Signs must be permitted and approved by a City Official charged with building inspections, or zoning compliance.
14. The Permit Application form must be signed by the property owner, if different from the businessowner, as well as the businessowner.

Section 22-5 Non-Conforming Signs

22-5.01 Every sign in existence at the time these regulations become effective may continue in existence subject to the following:

1. It shall not be altered structurally or moved, unless it is made to comply with the provisions of these regulations. However, the changing of the movable parts of an existing sign that is designed for such changes, or the repainting or reposting of display matter shall not be deemed a structural alteration.
2. The lawful use of a sign existing on the effective date of these regulations, although such sign does not conform to the provisions hereof, may continue; but if such non-conforming use is discontinued for a period of six (6) months, any future use of such sign shall be in conformity with the provisions of these regulations.
3. No sign which has been damaged by fire, wind, explosion, or other act of God, to the extent that fifty (50) percent, or more, of the fair market value of the sign is destroyed, shall be restored except in conformity with these regulations. Any sign which has been damaged to an

extent less than fifty (50) percent of its fair market value, may be restored to its condition which existed as a non-conforming use prior to its damage.

Section 22-6 Promotional Displays

22-6.01 Promotional activities of retail merchants involving the display of merchandise and associated signs may be conducted outside of enclosed buildings with approval of the Zoning Administrator subject to the following conditions:

- a. No portion of the display shall be on publicly owned property unless the applicant shall first have obtained approval for such use from the city.
- b. These provisions shall in no way be deemed to authorize the continuing outdoor display, or the sale of used furniture, used appliances, used plumbing, used housewares, used building material, or similar display, for sale in the Central Business Overlay District, and only in other Commercial and Industrial Districts, as may be authorized by the Planning Commission as a conditional use, unless permitted by other sections of these regulations.
- c. The Zoning Administrator may approve temporary outdoor displays of products and signs in the Central Business Overlay Zone (CBD) for special events such as local, regional, state, and national events, etc. Displays associated with the grand opening for a new business may also be approved.

The guidelines are:

1. The business must make a request to the Zoning Administrator at least 1 week prior to the requested date for the display.
2. The displays must be described as to size, location, content, and dates for the display.
3. The displays may be outside only when the business is open for business.
4. The displays must be confined within the property lines of the business.
5. Businesses located on corner lots may, with the approval of the Zoning Administrator, use the side streets along their property lines.
6. Space may be shared with other businesses with the approval of the Zoning Administrator.
7. At the discretion of the Zoning Administrator, a site visit may be required.
8. Free standing signs cannot exceed 24” wide and 48” high. Other signs must meet the specifications of Section 22.
9. Electrical cords, conduit, rope, etc. cannot be placed within the walking area of a sidewalk.
10. Displays shall not be placed past the curb into parking spaces or street area.
11. The Zoning Administrator or Public Safety Officer may impose other restrictions or requirements as deemed necessary for the safety of the public.
12. Displays in other zones must follow guidelines included in each zone and Section 1.

22-6.02 If the Zoning Administrator denies a request, the business may appeal to the Board of Zoning Appeals, in accordance with K.S.A. 12-759.

Section 22-7 Illuminated Signs

No illuminated signs shall be permitted in any residential zoned district. No illuminated sign shall create a traffic hazard or confusion with traffic directional signals or signs along any street. Portable and promotional signs must also meet the regulations in section 22-3-07.

22-7.01

A = Agricultural District

LC – Limited Commercial District

GC = General Commercial District

CBD = Central Business Overlay District

LI = Light Industrial

HI = Heavy Industrial

AP = Airport Overlay District

AE = Adult Entertainment Use Overlay District

1. Illuminated signs shall be shaded wherever necessary to avoid casting bright light upon property located in any residential district, or upon any public street or park.
2. Flashing, rotating or moving signs, animated signs, signs with moving lights, signs which create the illusion of movement, and electronic message signs shall be permitted in the LC and GC Districts. These signs must have automatic dimming controls, either photosensitive or programmable, that will dim the nighttime brightness to not exceed a reasonable level of light output to be determined by the Zoning Administrator. If dimming controls are not installed such signs shall not be illuminated between the hours of 10 PM and 7 AM.

Section 22-8 Billboards

22-7.01 Billboards shall be permitted only on property that is zoned Limited Commercial District (LC) and Light Industrial (LI).

- a. Billboard shall be restricted to property adjoining US Highway 56.
- b. Other locations may be deemed acceptable through the issuance of a Conditional Use Permit (CUP).

22-7.02 Billboards shall meet all Kansas Department of Transportation (KDOT) requirements, policies, rules, regulations, etc.

Section 22-9 Historic Buildings

22-9.01 If your building is part of either the National Register of Historic Places or the Kansas Register of Historic Places, you must follow their regulations.



Planning Commission Recommendation for Sign Regulations Changes:

- Signs shall conform in size with no sign exceeding one square foot for each foot per building length frontage.
- 22-3.06 Portable Signs: It shall be lawful for any business, or corporation to place, stand, or maintain one sandwich or sidewalk sign up to 36" x 24" on any sidewalk within the city limits. Placement of sign should not impede the natural flow of ADA traffic. Such signs are only allowed weather permitting and during business hours. If the portable sign currently in use is damaged, said sign shall either be removed, or repaired. Owner is liable for any accidents. A permit is required, with a \$10 fee.
- 22-6.02 If the Zoning Administrator denies a request, the business may appeal to the Board of Zoning Appeals, in accordance with K.S.A. 12-759.
- 22-9.01 If your building is part of either the National Register of Historic Places or the Kansas Register of Historic Places, you must follow their regulations.
- All new signs will be presented to the Planning Commission for review, before approval. This review should include a detailed design plan for the proposed sign.

Marion Planning Commission
October 17, 2023

The Regular Meeting of the Marion Planning Commission was held Tuesday, October 17, 2023, with members Carol Laue, Bruce Skiles, Jerry Ewing, Darvin Markley, Mike Smith, and Brent Miles. Russ Hake was absent. Miles arrived a couple minutes after the meeting began. Margo Yates, Interim Zoning Administrator, was present.

Call to Order: Chairman Markley called the regular meeting of the planning commission to order at 6 p.m., with a quorum present. He welcomed new member Mike Smith.

Approval of Agenda: Skiles moved to approve the agenda; Laue seconded; motion carried 5-0.

Approval of Minutes: Skiles moved to approve the minutes from the August 29, 2023, meeting; Ewing seconded; motion carried 5-0.

Public Forum: No one from the public was present.

Review Budget: Members reviewed the budget. There were no changes. Miles arrived at this time.

Review Sign Regulation Suggested Changes from City Council: There were five points to review.

First concerns the size of perpendicular signs. Under 22-4.03 Sign Types Permitted, the last sentence in #2, members changed the word "of" to "**per**" and added the word "**length.**" This is to read:

"Signs shall conform in size with no sign exceeding one square foot for each foot **per** building **length** frontage."

Second concerns Portable Signs. City Council proposes requiring a Conditional Use Permit (CUP) for such signs. Members disagree with requiring a Commercial CUP and \$150 fee for a Portable Sign. There would also be the expense of public notification for the public hearing, as well as notifying neighbors. Members approved allowing such signs. Members reworded 22-3.06 to the following:

"It shall be **lawful** for any business, or corporation to place, stand, or maintain **one sandwich or sidewalk sign up to 36" x 24"** on any sidewalk within the city limits. **Placement of sign should not impede the natural flow of ADA traffic. Such signs are only allowed weather permitting and during business hours.** If the portable sign currently in use is damaged, said sign shall either be removed, or repaired. **Owner is liable for any accidents. A permit is required, with a \$10 fee.**"

Third concerns a denial from the Zoning Administrator. Council believes the process should first be appealed to the Board of Zoning Appeals (BZA) and then passed to the City Council with a

recommendation from that board. Members agree with the appeal going to the BZA, but the BZA takes final action, so members strongly disagree with a recommendation from the board going to Council for final action. After going to the BZA an appeal then goes to District Court. Members did not change the wording, along with noting this is in accordance with K.S. A. 12-759.

Fourth concerns Historic Buildings. No changes to the newly created Section 22-9 “Historic Buildings.”

Fifth concerns if smaller signs should be allowed without review, or if all signs must be presented to the Planning Commission along with a detailed design plan for approval. Members agreed to add wording to 22-2.01 for the last two sentences to read, **“All new signs will be presented to the Planning Commission for review, before approval. This review should include a detailed design plan for the proposed sign.”**

Interim Zoning Administrator reviewing regulations – Airport Section: Yates reported she found some typos in the section, but the main error that needs to be changed is the last sentence of 14-11.02 that currently reads, “The Zoning Administrator’s determination may supersede the F.A.A. determination.” Members all agreed this is completely wrong and needs to be removed from the regulations. Yates will start a list of necessary changes. Markley said members may review the Conditional Use Section at the next meeting.

New Business: Members discussed the need for regulations for Home Businesses. Johsie Reid submitted a letter asking for guidance if she converts her garage into a workspace to allow for fittings and hat repair. Reid spends a lot of time selling on the road. Members asked Yates to have Reid submit a document for the file showing that her neighbors are aware of her business and have signed off on allowing it. Members will consider how to handle home businesses that are located all around town, and will continue a discussion in the future.

Public Forum: No one from the public was present.

Next regular meeting date: November 28, 2023, at 6 p.m.

Adjournment: Miles moved to adjourn meeting; Laue seconded; motion carried 6-0. Meeting adjourned at 7:25 p.m.

ATTEST:

Darvin Markley, Chairman

Margo Yates, Interim Zoning Administrator



ORDINANCE NO. 1507

AN ORDINANCE OF THE GOVERNING BODY OF *THE* CITY OF MARION, KANSAS, AUTHORIZING THE APPROVAL OF SIGN REGULATION CHANGES FOR THE CITY OF MARION, KANSAS

WHEREAS, the Governing Body of the City of Marion, Kansas, has determined that it is in the best interests of the City of Marion to approve the recommendations of the City of Marion Planning Commission made this 27th Day of November, 2023, and approve the changes for the Sign Regulations for the City of Marion, Kansas.

WHEREAS, the Governing Body of the City of Marion, Kansas, has taken the necessary steps under applicable law to approve changes for the Sign Regulations in Section 22 of the Zoning Regulations for the City of Marion, Kansas

WHEREAS, after a public hearing held by the City of Marion Planning Commission on the 25th day of July, 2023, the concerns of our citizens have been taken into consideration in the recommendation to the Governing Body. Upon a unanimous vote, a recommendation for approval of changes for the Sign Regulations for the City of Marion, Kansas, goes to the Governing Body.

BE IT ORDAINED, by the Governing Body of the City of Marion, Kansas, hereby approves the changes for Sign Regulations for the City of Marion, Kansas, for Section 22 of the City of Marion, Kansas, Zoning Regulations.

PASSED and **APPROVED** by the governing body of the City of Marion, Kansas this 27th Day of November, 2023.

ATTEST:

David Mayfield, Mayor

Janet Robinson, City Clerk

Community Enrichment Director/Interim Zoning Administrator
City Council Report – November 22, 2023

November 13 - 15

- Addressed 7 requests for various info on my list from folks reaching out over the weekend.
- Sent meeting info and agenda out to board members.
- Answered potential buyers' questions about getting utilities to property at 118 Billings Street.
- Per request asked Ron about leftover paint for park rail. Let Zach know Ron found some.
- Asked Brogan if he wants to renew Art in the Park ads in the Wichita Times & Travel Kansas.
- With Brogan's okay, asked for updated ad proof to be sent for review from WT & TK.
- Helped a local resident with Community Center usage fees and calendar schedule availability.
- Answered questions about Community Christmas for a representative from Atmos Energy.
- Continue registering vendors for booth space at Holly Jolly Christmas.
- Asked the Fire Chief if the Fire Department will please participate in the Christmas Parade.
- Continue promoting the Christmas Parade and getting participants to sign up.
- Visited for over an hour with a businessman about future projects, locations, and possibilities.
- Checked property for sale in our area, looking for possible location to fit project.
- Requested date for Toy Run check to be presented to Community Christmas. Let Ana know.
- Emailed per request vendor list for Holly Jolly Christmas to another possible vendor.
- Added St. Luke Living Center to the Christmas Parade participation list.
- Asked museum if they have photos former a resident has requested from the 50's and 60's.
- Museum doesn't have photos requested, so made a post asking the public if anyone can help.
- Posted Community Christmas applications are due this week.
- Checked the building key back in from the singing group that practiced in the Ballroom.
- Asked billboard company to let me know when new ad is posted so I may note if in my records.
- Visited with businessowner asking plans for a building sold recently, as he looks for a location.
- Communicated with a vendor for Holly Jolly Christmas about days available to set up a booth.
- Made a couple posts on the Holly Jolly Christmas 2023 page to promote local events that day.
- Assisted the library with an email address for a businessowner.
- Drove by two properties to check on zoning activity.
- Visited with resident about upcoming Holly Jolly Christmas activities & when a list is available.
- Attended City Council meeting.
- Attended Marion Merchant's meeting.
- Working on recruiting a couple more vendors for Holly Jolly Christmas.
- Sent 44 invites to participate in the Christmas Parade.
- Visited with businessowner about visiting with the bank.
- Scheduled Museum Board meeting in the building.
- Directed a caller from McPherson to our county emergency management director.
- Noted when new ad was posted on Walton billboard and let Peabody businessowner know.
- Visited with businessman concerning possible new zoning language to review and incorporate.
- Forwarded invoice from billboard company to Chingawassa Days treasurer.
- Visited with businessowner concerned about the future after viewing council meeting video.
- Visited with Janet about the Library being in the Christmas Parade.
- Visited with businessowner about future projects.
- Asked Brogan and Janet about updating the dates for the Ordinance for the sign regulations.
- Reached out to vendors for Nov. 25 to note what day and time they want to set up their booth.
- Brogan sent Ordinance and I made changes in the dates accepted and returned it to him.
- Had building cleaned in preparation for Christmas event after Thanksgiving.
- Sent meeting reminder to appeals board.

- Visited with Brogan & Janet about offsetting hours from Christmas event & using up vacation.
- Scheduled meeting with county commissioner and James to review plans for the health dept.

November 20 - 22

- Communicated with Joe at KDOT and sent letter for street closing for Christmas Parade.
- Checked the grocery list for Community Christmas and asked Linda to add two more items.
- Received another vendor form for Holly Jolly Christmas.
- Checked with vendors for Holly Jolly Christmas and noted set up times for each vendor.
- Received word Merchants and MEDI have approved up to \$1,000 for Holly Jolly expenses.
- Hospital asked for family count for Community Christmas. I will send later today.
- Noted that Carlson's will bring part of the food for Community Christmas next week.
- Added the boys' and girls' basketball teams to the parade participation list.
- Received a Community Christmas application via email.
- Confirmed that the library will participate in the Christmas Parade.
- Per request approved allowing a breast-feeding tent with no fee necessary for Art in the Park.
- Worked with one vendor to set up on Monday for Holly Jolly event on Saturday.
- Visited with James in preparation for appeals meeting. Also answered chairman's questions.
- Prepared meeting packets of info for each board member.
- Noted invoices are due early because of the Thanksgiving holiday. Let cleaning crew know.
- Told Landon the Santa House being located at the library is just fine. Checked with Megan.
- Asked Landon to let me know when the lights are all on the tree in the park so I can tell folks.
- Checked with Zach if all set for PD to help with traffic for the Christmas Parade.
- Posted about vendors in the Community Center on Saturday and the Christmas Parade.
- Attended appeals meeting.
- Helped applicant with Variance Application.
- Figured out number of days needed for scheduling a public hearing.
- Asked board members which of two dates will work for them to schedule a public hearing.
- Requested addresses from county for notifying applicant's neighbors.
- Reviewed Community Christmas applications with Jan Helmer.
- Gave Community Christmas applications to Paige Brunner so she can make the angels.
- Per request from pastor, posted about an upcoming event on Facebook and on bulletin board.
- Tried to find the owner of a grill cover Margaret brought over the wind blew to the church door.
- Asked the guys to please set up a dozen tables in the Ballroom for our event on Saturday.
- Typed up Board of Zoning Appeals meeting minutes.
- Referred Darin to James with a question about location of an AC unit, compared to set-backs.
- Visited with a resident wanting to put a workshop in the back yard & wondering about access.
- Recruited Dave Crofoot to line up parade on Saturday. Previous help declined help this year.
- Visited with Planning Commission Chairman about upcoming meeting. Sent agenda for review.
- Got list of addresses from the county to send public hearing notices to for zoning appeals.
- Gathered gift certificates for Gene to giveaway before the parade on Saturday.
- Directed a caller to school superintendent's office for swimming pool hours over the holidays.
- Assisted vendors with setting up for Saturday's event.
- Met with county commissioner and James to review plans for health department project.
- Helped last minute applicants for Community Christmas.
- Visited with Planning Commission Chairman before sending out meeting packet info to board.
- Finalized plans for Saturday event.