

Regular Meeting  
City Hall, Marysville Kansas-January 11, 2010

Members of the Governing Body of the City of Marysville were called to order in regular session at 7:00 p.m. on the date and place noted above with Mayor Bernie Krug in the chair.

After the Pledge of Allegiance, roll call was answered by the following council members: Cohorst, Phillips, Throm, Shipman, and Peschel. Absent were Phillippi, Schwindamann and Price. A quorum was present.

**VISITORS:**

- 1. MARYSVILLE SPORT & RECREATION (MSR).** Brian Fragel, MSR Director, gave a year end update detailing the activities for 2009. CM Cohorst questioned the Farmer's Market. Brian said they are planning this event again in 2010 from May through October. He also told the council he sends a list of vendors to the State for sales tax purposes.

*CM Schwindamann entered the council chambers at 7:05 p.m.*

Mayor Krug inquired as to how many visitors attended events at Lakeview and Feldhausen Field in 2009. Brian said he would bring the information back. Brian asked for an annual adjustment increase. Mayor Krug asked for revenue/expenses for concessions. Brian said after paying labor, sales tax, etc., income earned was approximately \$1,000. Discussion continued in regards to future events, current compensation, and budgeted figures. CM Peschel moved to table the annual adjustment increase request until after the Administration/Finance Committee has their meeting on January 21<sup>st</sup>. CM Schwindamann seconded. Motion carried by unanimous voice vote.

- 2. TONY DUEVER, 11<sup>TH</sup> ROAD INTERSECTION.** Tony, CES briefed on his drawings of the 11<sup>th</sup> Road intersection. Tony included the turning radius of a semi truck. CM Schwindamann said he would like to see the 65' turning radius on both sides; he also spoke about the water lines in the area. CM Cohorst inquired about a time frame and proceeding. Council spoke of additions in the future, including a housing development and fire station. Mayor Krug talked about the safety issues with this intersection, and working with other agencies such as KDOT. CM Schwindamann spoke specifically about the curbs in the drawings. Further discussion continued, and council consensus is that Tony keeps working on these plans obtaining cost estimates with a 65' turning radius on both sides, extending south to the KNDY property; taking into consideration the crest of the hill south of the KNDY property.

**CONSENT AGENDA.** The Consent Agenda was presented for consideration. CM Schwindamann moved to approve the consent agenda. CM Throm seconded. Motion carried by unanimous voice vote. The Consent Agenda consisted of the following.

- City Clerk's Report for December showed \$77,229.56 collected in receipts with a like amount being deposited with the City Treasurer.
- Municipal Judge's Report for December showed \$6,547.00 being deposited with the City Treasurer and \$468.00 being forwarded to the State Treasurer for Judicial Branch Education, court costs and law enforcement training.
- Revenue/Expenditure Budget Reports through December 2009 showed adjusted accumulated revenues in the General Fund of \$2,559,235 or 107% of budget; Water

Revenue Fund, \$2,211,444 or 93% of budget; Sewage Revenue Fund, \$1,184,969 or 101% of budget. Adjusted statement of expenditures in the General Fund totaled \$2,014,715 or 86% of budget; Water Revenue Fund, \$1,779,576 or 76% of budget and Sewage Revenue Fund, \$723,402 or 68% of budget.

- Resolution 2010-01; GAAP Waiver.
- Pay Request-Olsson Associates (Water Tower), \$6,586.99.
- Pay Request-VanKirk Brothers (Final-Tower), \$30,141.71.

#### **STAFF REPORTS:**

#### **CITY ADMINISTRATOR:**

- 1. BUDGET BALANCES.** Attached are unaudited year end spreadsheets. The General Fund finished \$15,000 lower than the year ending in 2008. The Water Revenue Fund finished \$149,283 ahead of last year. The Sewer Revenue Fund finished with a cash flow of \$28,000.
- 2. SALES TAX FOR DECEMBER AND YEAR END.** Total sales tax receipts were \$862,974 for a month average of \$71,915. Expenses were \$1,053,849. This year is the second highest year for sales tax receipts, behind 2008.
- 3. EXCEL DEVELOPMENT GROUP.** Confirmation was received that Excel Development Group was awarded the tax credits for their proposed development on the property they have under contract with Mick Keating on South Eleventh Road and Prairie Lane. An Agreement is attached for reservation of low income housing tax credits. A meeting is scheduled to coordinate utility needs and adequate easements. This project will begin construction no later than July 1, 2010. Council discussed income requirements and this being on the tax rolls for fifteen years.
- 4. KLINK PROJECT CERTIFICATION.** Financial data was submitted to KDOT for close-out of the KLINK Project, and they also require a Notice of Acceptance or Form 232 to be submitted. The form is attached for review. The construction cost was \$779,717.37 and inspection services were \$33,504. Design was \$40,000 bringing the total project cost to \$853,221.37. The city share of the project cost is \$453,221.37. The first note payment is due October 1, 2010 for \$445,000. CM Throm moved, CM Shipman seconded to approve Form 232. Motion carried by unanimous voice vote.
- 5. INDUSTRIAL PARK LEASE TO DAN HOOYER.** The final hurdles have been cleared to pave the way for Dan Hooyer to lease the last three lots in the Industrial Park for his concrete business. Letters from the Corps have been reviewed along with the map revisions. None of the lots are in the floodplain area. Dan signed the agreement to lease lots 5, 6 & 7 for a five year period from January 11, 2010 to January 10, 2015. At the end of that period he will receive a deed to the property. As owner, we (the city) will file a Neighborhood Revitalization exemption. The site plan was discussed. CM Cohorst moved, CM Throm seconded to approve the lease agreement with Dan Hooyer. Motion carried by unanimous voice vote.

**PUBLIC WORKS DIRECTOR:**

1. **SNOW BLOWER.** Briefed on the snow blowers that would attach to the Loader. Jim said that Street Supervisor Nester is not interested in the equipment. The smallest blower costs \$62,000 and the biggest costs \$92,000. CM Cohorst questioned the cost of the dump truck we are using now. Jim replied \$20,000. Mayor Krug asked about the existing snow and drainage. Jim said the city is working to uncover the storm drains.

**STANDING COMMITTEE REPORTS:**

**ADMINISTRATION & FINANCE:**

1. **MEETING.** Mayor Krug said a Committee meeting will be held on January 21<sup>st</sup> at 8:10 a.m.

**NEW BUSINESS:**

1. **PURCHASE OF COMPUTER, WATER SHOP.** CA Shain briefed the council on a request submitted by Water/Sewer Supervisor Bargman to get a new computer. A bid was received from Dell and Ott Electric, who referred the city directly to Dell for the purchase, due to Government discounts. The quote from Dell is in the amount of \$1,998.00. CM Schwindamann moved, CM Throm seconded to approve the purchase from Dell. Motion carried by unanimous voice vote.
2. **PURCHASE OF RADIOS, CEMETERY/PARKS DEPARTMENT.** CA Shain reported that five radios in the Cemetery/Parks Department are no longer compatible with the new narrow band frequency and need to be replaced. A quote from Haug Communications was obtained in the amount of \$1,945.00. CM Schwindamann moved, CM Cohorst second to approve the purchase of the radios from Haug Communications. Motion carried by unanimous voice vote.

Minutes of the December 28<sup>th</sup>/December 30<sup>th</sup> meeting were approved as written after a motion by CM Throm, second by CM Shipman and unanimous voice vote.

**APPROPRIATIONS ORDINANCE NO. 3470**

1. Claims against the fund of the city were submitted for council consideration as follows: General Fund, \$31,035.16; Water Revenue Fund, \$3,048.55; Sewage Revenue, \$462.45; Water Deposit, \$800.00; Industrial, \$37.50; Library Revolving, \$20.40; Koester Block Maintenance, \$131.12; Transient Guest Tax, \$3,000.00; and Sales Tax Improvements, \$50,000.00; making a total of \$88,535.18.
2. An Appropriations Ordinance was introduced and considered to honor claims against the funds of the City as audited by the Finance Committee. CM Throm moved to approve the Appropriations Ordinance. CM Shipman seconded. Motion carried by 6-0 roll call vote. Deputy Clerk Holle assigned the Ordinance No. 3470.

**ROUNDTABLE DISCUSSION:**

1. **SNOW REMOVAL.** CM Throm inquired if snow was being removed off of the street into alleys. PWD Mueller asked how to address this. Council talked about the excess snow we

have had this year, and this not happening on a normal basis. Consensus was to contact the citizens that are pushing the snow into the alleys, and ask them not to.

2. **SNOW REMOVAL.** CM Shipman has heard nothing but good remarks in regards to snow removal. CM Phillips spoke about enforcing current ordinances in regards to parking on the streets during snow removal. No decisions were made.
3. **INDUSTRIAL PARK.** CM Peschel said the last lots were sold in the Industrial Park, and he asked the question now what? CM Schwindamann said he isn't sure the city should be purchasing land and trying to re-sale it. CM Peschel spoke about the city making a donation the Marshall County Economic Development program for completing studies, recruitment, etc., so the city doesn't have to do it. Council discussed different locations, utilities, funding, incentives offered, participation from other counties and partnerships. CA Shain reported he and CM Peschel will visit with Economic Developers to discuss these issues.
4. **RAILROAD DEPOT.** CM Shipman inquired about what is going to happen to the railroad depot. CA Shain reported that property still being owned by Union Pacific Railroad. Council also visited about Industrial Parks in different cities.
5. **M-ACT, UPDATE.** CA Shain said M-Act will be attending the council meeting on April 12<sup>th</sup> with their proposal.
6. **SIGNAL LIGHTS.** CA Shain mentioned that Phillips Southern completed changing the lights at 8<sup>th</sup> Street to LED.
7. **WATER BILL LATE FEES/WATER LOSS REPORT.** CM Schwindamann reported per Supervisor Bargman with the new fees in place for late water bills, approximately thirteen citizens were on the shut off list. He also inquired about the water loss report for 2009. CA Shain reported he doesn't think it's complete.
8. **JAYHAWK ROAD, SNOW REMOVAL.** CM Schwindamann asked who removes snow on Jayhawk from 16<sup>th</sup> Street West to 8<sup>th</sup> Street. PWD Mueller said it's whoever gets their first, either City or County. Council discussed the road being down to one lane, but at this time it is open.
9. **SNOW REMOVAL.** CM Cohorst inquired about the snow piles on Main and Center Streets. CA Shain said they will be picking up the piles tonight.

There being no further business at 8:45 p.m., CM Schwindamann moved, CM Throm seconded to adjourn the meeting. Motion carried unanimously.

*Minutes of this meeting were documented by the City Clerk from a recording by Deputy City Clerk Holle on January 11, 2010. City Clerk Price was not in attendance.*

Debbie M. Price, CMC  
City Clerk