

Regular Meeting
City Hall, Marysville, Kansas-April 26, 2021

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 Barnes in the chair. City Administrator St. John, City Attorney McNish and City Clerk Holle were also present.

After the Pledge of Allegiance, roll call was answered by the following council members: Pippia, Frye, Schroller, Hughes, Beikman, Price, Behrens and Throm. A quorum was present.

The minutes from the April 12th regular meeting were presented for approval. CM Beikman moved, CM Throm seconded to approve the minutes as presented. Motion carried by 8-0 voice vote.

PUBLIC COMMENTS:

- MASKS.** Tyson Anderson spoke about allowing the mask mandate to expire on May 1.
- MASKS.** Ryan Hempfling presented information about the mask mandate and his opinion was to allow the mask mandate to expire May 1, 2021.
- MASKS.** Beth Salmans said she had been in 49 counties in Kansas and Nebraska had only had to wear a mask in a few places and asked the City to lift the mask mandate. The masks puts us behind. Give us our freedom back.
- MASKS.** Laurie Parks who owns the Wagon Wheel Restaurant in Marysville said she had a very busy Saturday night and no one is wearing masks anymore. "I urge you to please lift the mask mandate."

BUSINESS AND DISCUSSION ITEMS:

- 1. UP TRAINS BLOCKING RAILROAD CROSSINGS.** Ty Dragoo representing the Sheet Metal Air Rail and Transportation Workers (SMART) addressed the Council with safety concerns about the UP Railroad's order to block the rail crossings in Marshall County particularly the crossing on Highway 77 north of Marysville. This is a major safety concern for emergency personnel who cannot respond to accidents. Ty said the letters SMART sent to the CEO of the UP Railroad had now been addressed and the UP has changed the drop off point in the Marysville Yard so the long trains will no longer block the Highway 77 crossing. He was asking for the City's support as they present the danger of trains longer than 8500 feet to the Federal Railroad Administration, and the Governor. Ty said only grassroots efforts seemed to make long term changes. He asked the City to contact our legislators.
- 2. C&T'S BOARD RECOMMENDATION TO HIRE TOBY CARRIG.** Mandy Cook C&T president asked the Council to approve hiring Toby Carrig as the C&T Director. This is a 1099 contract employee who will be paid monthly. Mandy said Toby has an excellent resume and they would like to pay him \$22,000 annually from Transient Guest Funds for a shared time Director of Convention and Tourism and Pony Express Barn Director. The Pony Express Barn would pay him \$20,000. Several Council members said they would like to see the written agreement before they make a decision. Mandy said John McNish would write an agreement with input from the two boards and it will be presented to Council. The groups would like to have the Director in place by June 1.

- 3. RENOVATING HOMER HANSON STADIUM.** Jody Holle representing the Homer Hanson Stadium Committee spoke about the \$1.9 donation by the Landoll Family to change the football field to artificial turf and upgrade the track to 8 lanes. The Stadium Committee is fundraising to replace the press box, restrooms, and scoreboards. The project will begin May 24 and the track and field should be completed by late August. The remaining phases of the project will be completed as funds are available. The Council asked if the drainage issue in the area had been addressed. Rob Peschel from CES (who is also on the Stadium Committee) said they had attained the GIS mapping from the City for the storm sewers in the area and they would be used to create a design so the storm water system would not overrun our system. The Homer Hanson Committee said they would keep the Council informed as the project progressed.
- 4. MOSQUITO SQUAD QUOTE.** The Mosquito Squad presented a proposal to apply Original Barrier Treatment every 21 days from April 28 through September 1. The quotes are as follows: Koester House Museum \$490.00; Lions Park \$1,750.00; City Park \$3,680.00; Feldhausen Field \$1,540.00; Country Club Lake \$490.00; Dargatz Park free; totaling \$7,950.00. The total last year was \$5,222.50. This is a 52% increase from last year. The Council questioned why the cost had increased so much. CM Behrens moved to accept the bid from the Mosquito Squad for \$7,950.00 pending clarification of the price, CM Beikman seconded. Motion carried unanimously.
- 5. LIFEGUARD SWIMSUIT & MORNING SWIM PROPOSED CHANGE.** 2021 Pool Co-Manager Crystal Leis requested the adult morning swim hours be changed to include Saturday and Sunday mornings from 6:00 a.m. to 10:00 a.m. Crystal said she has 2 guards who will only work the morning swim hours. CM Frye moved to allow morning swim to be Monday through Friday 6 a.m. through 8 a.m. and Saturday and Sunday 6:00 a.m. through 10:00 a.m. on a trial basis for the 2021 season. CM Pippia seconded. The Council would like to see numbers of participants to justify the costs. Motion passed 6-2. CM Price and CM Behrens voted no. Crystal asked the Council to change the Swim Pool Policy A-77 to allow 2-piece swimsuits for female lifeguards. Crystal also asked for a color change for the suits. CM Frye moved to require the swimsuits be red or black or a combination of those colors. CM Throm seconded. Motion carried unanimously. This year the management will be in black and the lifeguards will be in red. CM Frye moved to allow female guards and managers to wear optional 1-piece or 2-piece swimsuits, CM Schroller seconded. Motion passed 5-3. CM Behrens, CM Price and CM Throm voted no.
- 6. MASK MANDATE.** The Council discussed Ordinance 1898 which requires masks in the City and will expire May 1, 2021. Mayor Barnes read an email from Dr. John Ryan the City's Health Officer suggesting the City allow the mask mandate to stay in place until May 1. Dr. Ryan strongly urged everyone be vaccinated. No action was taken.
- 7. CHICKEN ORDINANCE 1898.** An ordinance allowing chickens within City limits was introduced as requested by Council: *AN ORDINANCE AMENDING SECTION 2-218, CHAPTER II, ARTICLE 2, "ANIMAL CONTROL REGULATIONS" OF THE CITY OF MARYSVILLE, KANSAS.* Ordinance 1898 will amend City Code to allow 6 hen chickens on properties that

contain at least 2 contiguous acres. CM Throm moved to approve Ordinance #1898 allowing 6 hen chickens in City limits on 2 contiguous acres or more, CM Pippia seconded. Motion passed 8-0 roll call vote.

- 8. STORAGE CONTAINER ORDINANCE.** City Attorney McNish presented 2 ordinance proposals to allow storage containers in the City. One ordinance would change the ULDC and be governed by the Planning and Zoning Commission for review of the locations before each container is set. The other ordinance would be in code and stipulate containers would be allowed in the City but must meet all standards in the ULDC.

NOTICES AND HEARINGS: At 8:26 p.m. a hearing was conducted regarding the condemnation of the property at 1205 Carolina owned by Walter Mlnarik. CI Ralph had included pictures in the agenda of the progress made at the property. City Attorney McNish reported the property has been condemned and CI Ralph reported the water is not connected and the house is not inhabitable. After Council discussion consensus was to proceed with the condemnation. CM Price moved to go out for bids to demolish the house, CM Throm seconded. Motion carried unanimously. Council discussed including all properties the City wishes to demolish in one bid.

CONSENT AGENDA. The Consent Agenda was presented for consideration. CM Throm moved, CM Beikman seconded to approve the Consent Agenda. Motion carried unanimously. The Consent Agenda consisted of the following:

1. Convention and Tourism Requests Totaling \$855.50. Advertising for a C&T Director \$255.50; 502 Media \$600.00 web hosting.
2. Police Department Surplus Property-Firearms. The Police Department have 9 firearms which they are requesting the Council declare surplus and allow the weapons to be sold.

APPROPRIATIONS ORDINANCE NO. 3746

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$217,888.28; Water Revenue Fund, \$66,477.71; Sewage Revenue Fund, \$47,628.96; Airport Revolving Fund, \$360.00; Special Improvement, \$8,000.00; Library Revolving, \$6,864.37; Swimming Pool Sales Tax, \$170,257.40; Koester Block Maintenance, \$17,611.87; Employee Benefit Fund, \$30,801.47; Transient Guest Tax, \$5,604.67; Sales Tax Improvements, \$31,568.22; making a total of \$603,062.95.
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, CM Frye seconded to approve the appropriations ordinance totaling \$603,062.95. Motion to approve the appropriations ordinance carried by 8-0 roll call vote. City Clerk Holle assigned Ordinance No. 3746.

STAFF REPORTS:

CITY ADMINISTRATOR:

- 1. AIRPORT PROJECT APPROVAL.** CA St. John included grant application, bid award letter, sponsor certification forms and amendment to the project from Olsson our engineering consultant for the airport road and parking lot. This grant has been approved by the FAA at 100% of the project. CM Throm moved to approve the resolutions associated with the AIP Project 3-20-0053-012 reconstruct Access road and Parking Lot:

Reviewed Olsson recommendation letter; Approval for accepting and awarding the Project Contract to the low bidder AHRS Construction, Inc contingent upon FAA approval.

Approval for executing Amendment No. 1 Engineering Agreement for the additional Construction observation and testing for the increase in working days for the project, (FAA verbally approved on Friday, April 16, 2021)

Authorization/Approval for the Mayor or designated City Official to execute the Grant application contingent upon FAA.

Authorization/Approval for the Mayor or designated City Official to execute the Grant Documents upon receipt, contingent upon FAA Approval (to be sent when congressional release).

Authorization/Approval for Mayor or designated City Official to execute the Contract Documents with AHRS Construction, Inc contingent upon FAA approval.

CM Pippia seconded. Motion carried unanimously.

- 2. AIRPORT GRANT APPROVAL.** CA St. John presented a grant opportunity from the FAA for \$9,000 which can be used for maintenance and operation of the airport. CM Beikman moved to accept the \$9,000 grant from the FAA for operation and maintenance of the airport. CM Behrens seconded. Motion carried unanimously.
- 3. FIRE STATION LEASE PURCHASE BID REQUEST.** CA St. John asked to go out for bids to local banks on a lease purchase agreement for the City's share of the remaining costs of the new fire station. The City's remaining share of the project will be approximately \$400,000 which includes a "cushion" of about \$25,000. The City will use a temporary note until the construction is completed, and the lease purchase agreement will be finalized when the exact amount is known. The Council will approve all change orders to the project. The payment agreement will be paid off in four to six years. CM Hughes would like the City to negotiate a clause for no penalty for early pay-off. CM Throm moved to go out to bid for temporary note/lease purchase agreement for \$400,000, CM Behrens seconded. Motion carried unanimously.
- 4. DISCOVERY CENTER PROJECT.** The Kansas Children's Discover Center would like to put an interactive discovery project on the sidewalk at the Pony Park. Council discussed the danger of the fast-moving traffic on Center Street and asked CA St. John if he would discuss with the Kansas Children's Discover Center moving the project to the 7th Street Corridor south of Broadway.

STANDING COMMITTEE REPORTS:

STREET:

- 1. 10th and CENTER STOPLIGHT.** CM Throm asked when the stoplight at 10th and Center would be repaired. Semis are running the red light early in the morning when the light should be blinking. The stoplight company has been contacted and the City crew is waiting for them to come here to repair the programming.
- 2. MANHOLES ON SOUTH 6TH STREET.** CM Price said the City has not repaired the manholes on the portion of S 6th that was overlayed in 2020 and Hall Brothers has started milling for the overlay on the remaining portion. He asked what the Street Department's timeline is to repair the manholes.
- 3. GUARDRAIL N 9TH STREET.** CA St. John reported the Street Department has repaired the guardrail on North 9th Street.
- 4. CATCH BASIN AT WALNUT/8TH STREET.** CM Throm asked when the catch basin at the Walnut/8th Street corner would be repaired.
- 5. 12TH ROAD.** CM Frye said 12th Road South is in bad shape and needs to be considered soon for repairs. CM Pippia said the City does not control the entire road it is shared with other entities. CA St. John said the City has an agreement with Marysville Township who maintains the road and purchases the rock. The City only pays our half of the rock.

WATER & WASTEWATER:

- 1. LAGOON UPDATE.** CM Pippia asked for an update on the Lagoon project. CA St. John said he had been informed the Department of Water Resources has agreed to allow the City to put the wetlands on the east side of the river.

PARKS & RECREATION:

- 1. STORAGE SHED DONATED AT FELDHAUSEN FIELD.** CM Price reported John Haefele MHS varsity baseball coach included a letter asking the City to accept a donation of a 10' X 16' storage building on skids from the Bulldog Boosters to be located at Feldhausen Field. The building will be used by the MHS Baseball team and will be locked when not in use. Consensus of Council was to allow the shed to be located at Feldhausen Field.

CEMETERY & AIRPORT:

- 1. AIRPORT PROJECT START DATE.** CM Pippia asked when the Airport Project would begin. CA St. John said it would most likely be the fall or next spring.
- 2. DILAPIDATED HANGAR.** CM Beikman asked if there had been any progress on the dilapidated hangar at the airport. The Council said no repairs were made. Mayor Barnes said

the Council needs to update the Airport Contracts. CC Holle said several people had contacted her requesting to purchase hangars at the airport.

POLICE & FIRE:

ADMINISTRATION & FINANCE:

- 1. HIGHLIGHTS.** CM Hughes said he would like to go back to weekly Highlights sent out to the Council so issues could be addressed more quickly. Several other Council members said it was helpful to keep more current. Council discussed the Highlights should be structured to include events not necessarily day to day operations. CM Hughes moved to have Highlights sent weekly, CM Schroller seconded. Motion failed 3-5. CM Throm, CM Behrens, CM Price, CM Beikman and CM Pippia voted no. After further discussion CM Frye moved to have highlights distributed on the Friday previous to Council meetings. The Highlights will include reports from all departments including the Fire Department and the Pool, CM Price seconded. Motion carried unanimously.
- 2. MASK POLICY AT COUNCIL MEETINGS.** Mayor Barnes asked if the Council wanted to set a policy for Council Meetings regarding masks. Council decided to leave it up to each individual Council Member and not to set a policy.
- 3. NEW HIRES.** CM Schroller said she noticed the City had paid for pre-employment testing. She asked who the City has hired and how much they were being paid. CC Holle said the City has hired an employee at the dump. CA St. John said the City is hiring employees for the Street Department and the Water/Wastewater Department.

APPOINTMENTS:

CITY ATTORNEY:

ROUND TABLE DISCUSSION:

- 1. WARDS.** CM Frye asked when the City last set the Wards. CC Holle said it was in the '80s. CM Frye said if we have current data we should analyze the Wards.
- 2. EAGLES CLUB.** CM Beikman said the old Eagles Club is deteriorating and the City should look at the building.
- 3. TENT.** CM Beikman asked if the City Council wanted to reconsider the use of the Car Show tent for the Mother's Day BBQ. CA St. John said he has purchased a tent for the Mother's Day Market Committee to use.
- 4. HOUSING SURVEY.** CM Throm presented a survey from the State of Kansas on housing and asked each Council Member to fill it out. CA St. John will distribute it.

5. **PARKING TRUCKS.** CM Throm said several of the City dump trucks were parked left tire to curb. He said we cannot expect citizens to follow the law if our employees do not. CM Price said our vehicles should be parked legally.

There being no further business, at 9:48 p.m. CM Frye moved to adjourn, CM Price seconded. Motion carried unanimously.

Cindy Holle
City Clerk