

Regular Meeting
City Hall, Marysville, Kansas-November 13, 2023

Members of the Governing Body of the City of Marysville were called to order in the regular session at 7:00 p.m. on the date and place noted above with Mayor Barnes in the chair. Interim City Administrator Pederson and City Clerk Holle were also present.

After the Pledge of Allegiance, roll call was answered by the following council members: Frye, Keating, Snellings, Beikman, Goracke, Behrens, and Throm. A quorum was present. CM Price was absent.

The minutes from the October 23rd regular meeting were presented for approval. CM Throm moved; CM Behrens seconded to approve the minutes as presented. Motion carried by 7-0 voice vote.

The minutes from the October 30th special meeting were presented for approval. CM Throm moved; CM Frye seconded to approve the minutes as presented. Motion carried by 7-0 voice vote.

The minutes from the November 7th special meeting were presented for approval. CM Throm moved; CM Behrens seconded to approve the minutes as presented. Motion carried 7-0 voice vote.

PUBLIC COMMENTS:

1. **RACHEL BARGDILL.** Rachel Bargdill, the daughter of Chad Schwindamann who inherited the house at 406 Jenkins told the Council she and her husband had just found out about the condemnation. They made lots of progress last week and asked the time to be extended 1 week. The Council will discuss the condemnation of 406 Jenkins later in the agenda.
2. **APRIL TODD PONY EXPRESS PARTNERSHIP FOR CHILDREN.** April Todd, director of PEPC presented information regarding the services they supply to the community. PEPC owns the NEK building on their property at 302 Alston Street which was previously used as a preschool by NEK. PEPC would like to move their daycare to the NEK building and the building would need to be rezoned to allow the change. A site plan is required for the zoning change. PEPC is requesting the site plan requirement be waived in this case. The Council does not have the authority to remove the requirement for a site plan. PEPC will make their request to the Planning & Zoning Commission in the December meeting.

BUSINESS AND DISCUSSION ITEMS:

1. **KOESTER MUSEUM HOURS.** Sharon Kessinger, a member of the Koester Museum Advisory Board asked the City to allow Jill Schmidt the museum curator to work some additional hours in the winter. Because the curator is considered a seasonal employee, she must be off work a minimum of 13 consecutive weeks. She also cannot work more than 1,000 hours in a calendar year without requiring the City to pay KPERS (the retirement plan). The Museum Board offered to be open a couple of days in the week through the holidays and close January through April. No action was taken.
2. **CHAMBER MAIN STREET REPORT & FUNDING REQUEST.** Wayne Kruse, Interim Director reported on the Kansas Tourism conference he attended. He gathered lots of ideas to increase tourist stays in our hotels. He also reported he is working on ideas to encourage youth to choose to live in our community after they complete school. Wayne presented a request for \$4,500 in funds for the Christmas celebrations and several street closing requests. CM Throm moved, CM Goracke seconded to approve the funding request of \$4,500. Motion carried unanimously. CM

Throm moved, CM Snellings seconded to approve the street closing on Friday, November 24 from 5-7 p.m. from 617 Broadway to 703 Broadway, and the street closing on Saturday, December 2 on Broadway from 13th Street to 6th Street from 1-2:30 p.m. for the parade and activities which includes use of golf carts, UTVs and ATVs in the parade. They also asked to close 9th Street from 1-4:30 p.m. from Broadway to Elm. Motion carried unanimously.

3. **C&T/CHAMBER MAIN STREET DIRECTOR CONTRACT.** A contract for the 2024 year to hire a full-time director for \$45,000.00 annual salary was presented. CM Behrens moved; CM Beikman seconded to hire Wayne Kruse as an independent contractor and approve the contract as presented to be paid from the Transient Guest Tax Fund. Motion carried unanimously.
4. **STORM SEWER PROJECT AT 14TH AND CENTER.** CES Engineering included in the agenda two options to repair the storm sewer at 14th and Center. CES would like guidance on which project to design as Option 2 is more involved and will cost more. ICA Pederson suggested the City ask for preliminary design cost estimates before a decision can be made. After discussion CM Keating moved to ask CES for a preliminary design estimate on both options, CM Behrens seconded. Motion carried 7-0.
5. **HIGHWAY 36 MANHOLE PROJECT BIDS.** CES included in the agenda the bid results for the manhole project on Highway 36. The bids are as follows: Engineer's estimate, \$424,483.00; Nowak Construction Company, \$601,837.40; Smoky Hill, LLC, \$413,830.00; Jadwin Construction, \$698,163.92. After Council discussion CM Throm moved; CM Behrens seconded to table the bids until further analysis can be done. Motion carried unanimously.
6. **SEWER MAIN REPLACEMENTS.** Several private sewers have caused problems in the last few years. Jadwin Construction gave the City a bid as requested by Water/Sewer Supervisor Bargman. Jadwin will be in Marysville to complete the water line project and asked if the City would like to have any of the sewer mains replaced. CM Throm moved; CM Snellings seconded to table the bids until further analysis can be done. Motion carried unanimously.
7. **WATER PROJECT ON 8TH AND ELM STREETS.** CM Throm asked if the City should delay the water main project on 8th and Elm Street in case the weather would turn cold before the project is completed and there would be open holes in the street during the winter. Staff will consult with Jadwin regarding costs if the project is delayed and timeframes for the project.
8. **PURCHASE OF PROPERTY AT 105 S 4TH STREET.** A contract was presented for the purchase of the property at 105 S 4th Street. This is the last property needed for the proposed water/sewer shop. CM Throm moved; CM Behrens seconded to purchase the property at 105 S 4th Street from Kathryn Blecharczyk for \$42,600.00. Motion carried 6-1 with CM Beikman voting no.
9. **CONDEMNATION 406 JENKINS.** Pictures of the property at 406 Jenkins owned by Chad Schwindamann were presented for review as the house was to be repaired or removed by November 10, 2023. All repairs have been made except painting. CM Frye moved, CM Snellings seconded to extend the date until June 1, 2024, to allow for painting Motion carried unanimously.
10. **CONDEMNATION 205 CALHOUN STREET.** Pictures of the property at 205 Calhoun owned by Walter Mlnarik were presented for review as the house was to be repaired or removed by November 10, 2023. The roof has not been replaced, the soffits on the porch have not been replaced, the fascia has not been replaced. The rotten deck has been removed but has not been replaced. He has cleaned up the yard. The property was to be repaired or removed by November 10, 2023. CM

Keating moved to uphold the condemnation; CM Behrens seconded. Motion carried 4-3 with CM Snellings, CM Beikman and CM Frye voting no.

- 11. CONDEMNATION 819 PONY EXPRESS HIGHWAY.** Pictures of the property at 819 Pony Express Highway owned by Nicole Wassenberg were presented for review as the motel was to be repaired or removed by November 10, 2023. The rafters have been replaced and new sheeting and tar paper has been completed and the shingling should start tomorrow. The damage inside has been removed. Nicole is the new owner, and she took possession of the property after October 26, 2023. CM Frye moved, CM Snellings seconded to extend the date until June 1, 2024, to allow for mold removal and final repairs. Motion carried unanimously.

NOTICES AND HEARINGS:

- 1. 502 JENKINS CONDEMNATION HEARING.** A condemnation hearing for 502 Jenkins that was extended from July 24th was reviewed by Council. A wood deck built over the concrete porch. The broken windows have been replaced. The bulging foundation has been repaired. The floor has been jacked up. A new breaker box was installed and the wiring outside was removed. The house needs to be painted and a new front door installed. No further action was taken.
- 2. 500 JENKINS CONDEMNATION HEARING.** A condemnation hearing for 500 Jenkins that was extended from July 24th was reviewed by Council. The roof has been repaired to prevent leaking, The windows have been repaired and the only glass missing is in a door. The gutter is still falling off and some siding needs to be replaced. Also, there is painting that is not completed. CM Throm moved; CM Behrens seconded to extend the hearing date for completion to December 1, 2023. Motion carried unanimously.

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

1. City Clerk's Report for October showed \$52,069.84 collected in receipts with a like amount being deposited with the City Treasurer.
2. Cash balances in funds were presented as well as outstanding debt and receivable balances. Revenue/Expenditure Budget Reports through October 2023 showed unadjusted accumulated revenues in the General Fund of \$3,038,049 or 107% of budget; Water Revenue Fund, \$773,380 or 86% of budget, Sewer Revenue Fund, \$645,786 or 84% of budget. Unadjusted statement of expenditures in the General Fund totaled \$2,833,750 or 88% of budget, Water Revenue Fund, \$716,407 or 55% of budget, and Sewer Revenue Fund, \$598,376 or 43% of budget.
3. The Municipal Judge's Report for October showed \$2,895.96 being deposited with the City Treasurer and \$391.00 being forwarded to the State Treasurer for Judicial Branch Education, court costs and law enforcement training.

APPROPRIATIONS ORDINANCE NO. 3809

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$113,263.78; Water Revenue Fund, \$24,079.17; Sewage Revenue Fund, \$12,942.29; Airport

Revolving Fund, \$251,841.94; Industrial Fund, \$5,000.00; Economic Development, \$5,000.00; Library Revolving Fund, \$6,441.39; Library Fund, \$982.81; Swim Pool Sales Tax, \$1,132.49; Koester Block Maintenance, \$1,196.59; Employee Benefit, \$8,445.97; Transient Guest Tax, \$1,080.30; Sales Tax Improvements, \$58,168.80; making a total of \$489,575.53.

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 Snellings seconded to approve the appropriations ordinance totaling \$489,575.53.
3. Motion to approve the appropriations ordinance carried by 7-0 roll call vote. City Clerk Holle assigned Ordinance No. 3809.

STAFF REPORTS:

POLICE:

1. **2024 JAG GRANT.** PC Simpson said the Marysville Police Department has been awarded the federal 24-JAG-15 grant for \$43,008. CM Frye moved, CM Snellings seconded to accept the 24-JAG-15 grant and the purchase of 8 body-worn radios for \$43,008 from KA-COMM, Inc. This is a reimbursement grant with no city match.

STANDING COMMITTEE REPORTS:

STREET:

1. **HALL BROTHERS STREET OVERLAYS.** CM Throm asked if Hall Brothers will stand behind their work if they overlay the streets when the temperature is below 50 degrees. The state requires the temperature to be 50 degrees and rising when asphalt is laid.
2. **WIDEN 10TH/CENTER CORNER.** CM Beikman said he would like the City to continue exploring how the 10th and Center corner at the Highway 77 and 36 junction. It is very difficult for semi-trucks to navigate the corner and visibility is low.

WATER & WASTEWATER:

1. **HEALTH DEPARTMENT 600 BROADWAY.** CM Throm commented that the Water/Sewer Department had the taps for water and sewer completed and had removed old taps. The Street Department has started replacing the bricks in the street.

PARKS & RECREATION:

CEMETERY/AIRPORT:

POLICE AND FIRE:

ADMINISTRATION AND FINANCE:

1. **KOESTER MUSEUM ADVISORY BOARD AND FOUNDATION BOARD.** The Admin & Finance Committee met with the Koester Museum Advisory Board and the Koester Foundation

about the lack of money to pay for the Museum expenses. No decisions were made. The Admin & Finance Committee will meet with the Koester Block businesses who lease buildings from the City next. New leases will need to be written and signed by December 31.

APPOINTMENTS:

CITY ATTORNEY:

EXECUTIVE SESSION:

ROUND TABLE DISCUSSION:

1. **INTERIM ADMINISTRATOR WELCOME.** CM Frye welcomed the new Interim City Administrator. ICA Pederson invited all Council Members to contact him.
2. **NEW COUNCIL.** CM Frye asked when the new council members would receive their code books and general information about their duties. CC Holle said they will receive them at the first meeting in December when they are sworn in.
3. **PARTNERSHIP FOR GROWTH.** CM Keating reported the Partnership For Growth has purchased property in Blue Rapids and a contractor will build homes to sell on that property. The P4G purchased the property, and the contractor will own the homes and sell them. P4G is conducting a feasibility study about starting a county-wide land bank to help with housing.
4. **BLOWING LEAVES IN THE STREET.** CM Beikman reported there are many people blowing their leaves in the street which is not allowed.

There being no further business, at 8:49 p.m. CM Frye moved to adjourn, CM Goracke seconded. Motion carried unanimously.

Cindy Holle
City Clerk