

Regular Meeting
City Hall, Marysville, Kansas-June 10, 2024

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 Frye in the chair City Administrator Haverkamp and City Clerk Holle were also present.

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

The minutes from the May 28th regular meeting were presented for approval. CM Throm moved; CM Schrater seconded to approve the minutes as presented. Motion carried by 7-0 voice vote.

PUBLIC COMMENTS:

1. **NORDHUS STORM DRAIN.** Dave Lyhane 1108 Zelpha Drive, Ward 1 owner of Bite Me BBQ asked the Council when the storm sewer will be repaired on Highway 36 near his business. Water covers the highway and washes across the corner of his property causing damage. Dave said this is a safety issue when citizens have to drive through the water. The City has been studying this storm sewer for a while and recently discovered a collapsed pipe on the south side of the highway. CES engineering has made preliminary designs. Mayor Frye said the City would need to find a funding mechanism before completing the project. CES had sent a proposal to the Mayor.
2. **UNCONTROLLED INTERSECTIONS.** Jessica Leis, Home, Kansas asked the City to consider changing Carolina Street near 13th Street to a one-way street. She was involved in an accident at that corner and reported it is difficult to see when you are coming up the hill.

BUSINESS AND DISCUSSION ITEMS:

1. **ALLEY CLOSURE PONY EXPRESS RE-RIDE.** Ben Throm Pony Express Board Member asked the City to close the west half of the alley in front of the Pony Express Barn Museum. This is located between 8th and 9th Street half block south of Broadway. The Pony Express Re-Ride event will be June 18th, 2024, from 6:30 a.m. until noon. CM Snellings moved; CM Behrens seconded to approve the alley closure on June 18 from 6:30 until noon. Motion carried unanimously.
2. **BLACK SQUIRREL BARK PARK REQUESTS.** The requests from the Black Squirrel Bark Park Committee presented at the May 13th meeting to place two shelters on concrete pads, 3 waste stations, and build a trail inside the large park with millings were considered again. Cemetery/Parks Supervisor Cercone said he has spoken with 4 inspectors, who said the dog park which is located in the ponding area of the levee system is a holding area and the concern is about objects displacing water reducing the capacity of the ponding area. The shelters will be tall enough the roofs will be above the berm and the poles would take up less area than an adult tree. The committee may use concrete to place under the shelters, but not millings. The committee will replace the 2 trees that have died, one is in the ponding area, and one is on top in the parking area. CM Goracke moved, CM Schrater seconded to approve the request to place 2 shelters, 2 trees, and the waste stations. No millings will be used. Motion carried 6-1 with CM Behrens voting no. No decision was made about the trail inside the dog park.
3. **REQUEST FOR DONATION STEAM ENGINE & UP CABOOSE.** The Kansas Steam Heritage Association is dedicated to preserving and restoring historic railway equipment. The group would like the City to donate the Union Pacific 2-8-0 #460 and Union Pacific Caboose #25398 to the association. They would stabilize the equipment now and plan to move it in

December of 2025 to rehabilitate it. There were mixed comments on retaining the engine. The Council would like public comment before making a decision.

4. **REQUEST FOR DONATION UP CABOOSE.** Anita Welch of the Marysville UP Depot Society is asking the City to donate the UP caboose to the UP-Depot Society. They would like to move the caboose to their property on the north lawn in 2026, but they would stabilize it and make improvements as volunteers until that time. CM Goracke moved, CM Schrater seconded, to give the Union Pacific Caboose #25398 to the Marysville UP Depot Society. Motion carried unanimously.
5. **RESOLUTION 2024-05 HARTLEY RIDGE STREET LIGHTS.** Evergy suggested the Hartley Ridge Development would need 3 streetlights. The City will pay to bore the line and Evergy will supply the conduit. CM Behrens moved; CM Snellings seconded to approve Resolution 2024-05 for 3 streetlights. Motion carried unanimously.
6. **RFP KOESTER RESTARUANT.** CA Haverkamp presented a draft of a RFP for the Koester Restaurant on Elm Street. The proposals will be due by 4:00 p.m. on August 26th, 2024. CM Keating moved; CM Snellings seconded to approve the RFP for the Koester Restaurant. Motion carried unanimously.

NOTICES AND HEARINGS:

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

1. Alcohol Consumption request at Lee Dam Art Center - Robert Dummermuth for Class Reunion September 28, 2024.
2. The City Clerk's Report for May showed \$66,020.22 collected in receipts with a like amount being deposited with the City Treasurer.
3. Cash balances in funds were presented as well as outstanding debt and receivable balances. Revenue/Expenditure Budget Reports through May 2024 showed unadjusted accumulated revenues in the General Fund of \$2,315,731 or 79% of budget; Water Revenue Fund, \$339,542 or 38% of budget, Sewer Revenue Fund, \$328,513 or 43% of budget. Unadjusted statement of expenditures in the General Fund totaled \$1,410,906 or 43% of budget, Water Revenue Fund, \$496,834 or 39% of budget, and Sewer Revenue Fund, \$342,767 or 27% of budget.
4. The Municipal Judge's Report for May showed \$4,207.58 being deposited with the City Treasurer and \$282.00 being forwarded to the State Treasurer for Judicial Branch Education, court costs and law enforcement training.

APPROPRIATIONS ORDINANCE NO. 3824

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$87,227.57; Water Revenue Fund, \$26,032.29; Sewer Revenue, \$11,670.78; Library Revolving Fund, \$7,337.48; Library, \$76,842.84; Library Employee Benefit, \$26,612.08; Swim Pool Sales Tax Fund, \$5,240.31; Koester Block Maintenance, \$746.53; Employee Benefit Fund, \$9,560.25; Transient Guest Tax, \$24,391.06; Sales Tax Improvement Fund, \$111.82 making a total of \$275,773.01.

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 Schrater seconded to approve the appropriations ordinance totaling \$275,773.01.
3. Motion to approve the appropriations ordinance carried by 7-0 roll call vote. City Clerk Holle assigned Ordinance No. 3824.

STAFF REPORTS:

CITY ADMINISTRATOR:

1. **KOESTER BLOCK COMMERCIAL PROPERTY.** CA Haverkamp reported the first negotiation meeting with Tyler Holloman from FDG, the developer chosen by the Council to rehabilitate the commercial properties on the Koester Block, was held. Two options were discussed. Tyler suggested if the property is leased, the land lease would be for 100 years. FDG would pay \$10,000 up front with \$1,000 annually. The lease would be reviewed every 5 to 10 years. If the property is sold to FDG they would pay \$10,000. The City would have first right of refusal for 10 years. FDG would be willing to split the cost on a survey of the property and he would like to have a meeting with the community every 6 months to keep them updated. The timeline for either would be the same, 18 months pre-development with a possibility of a 12-month extension if the grants are not awarded in the first round. The development period would be about 12 months. If there are any questions, they should be submitted to CA Haverkamp to take to the next negotiation meeting. The City will need to maintain the insurance and taxes until the closing. No decision was made on which option to move forward with.
2. **KOESTER APARTMENT.** CA Haverkamp said he had a request to rent the Koester Block apartment. CM Schrater moved, CM Snellings seconded to rent the apartment for \$550 per month on a lease not to exceed 10 months with a month-to-month option until the Commercial Property has been purchased or leased.
3. **FLOWERS IN THE CEMETERY.** The flowers were removed from the graves in the cemetery today, June 10. They will be put on a trailer for 1 week and then they will be disposed of.
4. **DIESEL LEAK AT CASEYS.** There was a diesel leak at Caseys Store last week. The Fire Department, Police Department and Marshall County Emergency Management handled the details and very little went into the storm sewer.
5. **POLICE COMMITTEE.** The police committee will meet to discuss animal control procedures about quarantine and leash laws.
6. **BUDGET AND COLA INCREASE.** The current cola percent is 4% and staff is working on the budget so we can meet the timeline for the revenue neutral rate declaration.
7. **STAFF DOING A GOOD JOB.** CA Haverkamp said the employees are doing a good job and asked people to take the time to thank them.

STANDING COMMITTEE REPORTS:

APPOINTMENTS:

EXECUTIVE SESSION:

COUNCIL COMMENTS:

1. **STREET DEPARTMENT.** CM Snellings asked if departments were knocking on doors to inform citizens if they will be working near their homes. CM Goracke suggested spraying surfactant on the crack seal material to harden it faster.

2. **POISONING CATS.** CM Ferris reported someone had been poisoning feral cats in their neighborhood with antifreeze.
3. **THISTLES AT AIRPORT.** CM Throm said there were thistles on the airport property.
4. **POSTIVE COMMENTS ON CITY ADMINISTRATOR.** CM Schrater said he has heard positive comments about CA Haverkamp.
5. **11TH ROAD BIDS.** Mayor Frye asked if staff could check the design and bid documents for the 11th Road project.
6. **NORDHUS STORM DRAIN AGREEMENT.** Mayor Frye distributed the Nordhus storm drain proposed agreement with CES for engineering. The City will need to look at a funding mechanism. CM Schrater moved, CM Snellings seconded to approve the engineering with CES totals not to exceed \$176,355.

There being no further business, at 9:03 p.m. CM Schrater moved to adjourn, CM Snellings seconded. Motion carried unanimously.

Cindy Holle
City Clerk