

Regular Meeting
City Hall, Marysville, Kansas-December 13, 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 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 November 22nd regular meeting were presented for approval. CM Throm moved, CM Behrens seconded to approve the minutes as presented. Motion carried by 8-0 voice vote.

Plaques were presented to outgoing council members CM Pippia, CM Schroller and CM Hughes. The certified election results from the Marshall County Clerk were read and the new council members were sworn in by CC Holle. Mayor Barnes is in the chair. Roll call was answered by the following council members: CM Frye, CM Keating, CM Snellings, CM Beikman, CM Goracke, CM Price, CM Behrens and CM Throm. A quorum was present.

PUBLIC COMMENTS:

BUSINESS AND DISCUSSION ITEMS:

- 1. 50TH ANNIVERSARY OF THE BLACK SQUIRREL.** Mandy Cook, President of the Convention and Tourism committee and Toby Carrig, Director of Convention and Tourism presented a request to Council for \$22,000 for advertising, merchandise and logistics to fund the yearlong 50th Anniversary celebration. The Black Squirrel Anniversary committee also asked for permission to take nominations for individuals to be named Honorary Black Squirrel Citizens of Marysville. CM Throm moved to allow the 50th Anniversary Committee to accept nominations for Honorary Black Squirrel Citizens, CM Price seconded. Motion carried unanimously. The Council discussed the funds requested and asked the Committee to re-evaluate the amount of the request and to include more detail on the expenditures. There are activities planned for each month and the large celebration will be held in October 2022.
- 2. CHAMBER/MAIN STREET 2022 AGREEMENT.** Kate Tommer, Marysville Chamber & Main Street Director updated the Council on their projects and events for the past year. Chamber/Main Street also administers IWW funds available to businesses in the downtown district as a zero percent loan. Kate presented the annual agreement between the City and Marysville Chamber/Main Street to promote tourism in Marysville in 2022 for \$20,000 annually paid on a quarterly basis. This is the same fee paid in 2021. CM Frye moved to approve the 2022 agreement with Marysville Chamber & Main Street for \$20,000, CM Beikman seconded. Motion carried unanimously.
- 3. ORDINANCE NO. 1903-APPROPRIATING MONEY FOR 2022 PAYROLL.** AN *ORDINANCE APPROPRIATING MONEY FROM THE VARIOUS FUNDS TO PAY PAYROLL OF THE CITY OF MARYSVILLE, FOR FY2022* was presented. CM Throm moved, CM Behrens seconded to approve Ordinance No. 1903. Motion carried 8-0 roll call vote.

4. **ORDINANCE NO. 1904-CITY TREASURER COMPENSATION.** *AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE 1740 RELATING TO COMPENSATION OF CERTAIN ELECTED CITY OFFICIALS AND REPEALING ORDINANCES IN CONFLICT THEREWITH* was presented. This ordinance will increase the Treasurer's compensation to \$600 per month. The Treasurer's compensation has not increased since 2008. CM Frye moved, CM Throm seconded to approve Ordinance No. 1904. Motion carried 8-0 roll call vote.

5. **RESOLUTION 2021-22-GAAP WAIVER.** *A RESOLUTION STATING THE FINANCIAL STATEMENTS AND FINANCIAL REPORTS OF THE CITY OF MARYSVILLE TO BE PREPARED ON THE BASIS OF CASH RECEIPTS AND DISBURSEMENTS AS ADJUSTED TO SHOW COMPLIANCE WITH THE CASH BASIS AND BUDGET LAWS OF THE STATE.* CM Throm moved, CM Frye seconded to approve Resolution 2021-22. Motion carried unanimously.

6. **RESOLUTION 2021-23-RELEASE OPIOID CLAIMS TO THE KANSAS ATTORNEY GENERAL.** *A RESOLUTION APPROVING THE EXECUTION AND DELIVERY OF AN AGREEMENT TO RELEASE AND ASSIGN THE CITY'S OPIOID CLAIMS TO THE KANSAS ATTORNEY GENERAL AND CERTIFYING COSTS ATTRIBUTABLE TO SUBSTANCE ABUSE AND ADDICTION MITIGATION IN EXCESS OF \$500.* This resolution allows the Kansas Attorney General to litigate for the City of Marysville to allow the City to access opioid litigation settlement funds. CM Throm moved, CM Behrens seconded to approve Resolution 2021-23 and allow the Mayor to sign all documents. Motion carried unanimously.

7. **NCRPC EDA AGREEMENT.** CA St. John presented an administrative agreement from North Central Regional Planning Commission to administer the fiscal year 2021 U.S. Department of Commerce Economic Development Administration (EDA) project. This project is under the American Rescue Plan funding category. The project consists of improvements to the street/trail on North 7th Street. NCRPC will be paid a lump sum maximum of \$23,000 for this service. CM Frye moved, CM Throm seconded to approve the EDA Agreement with NCRPC. Motion carried unanimously.

NOTICES AND HEARINGS:

CONSENT AGENDA. The Consent Agenda was presented for consideration. CM Beikman moved, CM Throm seconded to approve the Consent Agenda. CM Throm asked for clarification of the fees on the Agland Service Agreement and the Micro-Comm Extended Service Warranty Agreement. Motion carried unanimously. The Consent Agenda consisted of the following:

1. Alcohol Consumption Lee Dam Art Center-Deb Landoll requested to serve alcohol at her wedding December 31, 2021.
2. Annual CMB Licenses 2020: Astro 3 Theatre, Bite Me Barbecue LLC, CJ Express East, CJ Express West, Casey's, Dollar General, Pizza Hut and Wal-Mart.

3. Convention & Tourism requests totaling \$400.00: Advertising-Advocate \$300.00 Light Up Marysville, John McNish write a purchase contract for new squirrels \$100.00.
4. Delphi drawdown No. 6 totaling \$242,287.81: Olsson Invoice \$30,541.21, AHRS Invoice No. 2 \$211,746.60.
5. Agland Electric 2-year service agreement for 2022 and 2023 providing 2 inspections per year and service calls and hourly rates for personnel and equipment. This applies to ABS pump stations.
6. Micro-Comm service contract support for 2022 at \$3,225 and sets hourly rates and expenses. This applies to water towers and wells SCADA system.
7. City Clerk's Report for October showed \$51,718.46 collected in receipts with a like amount being deposited with the City Treasurer.
8. Cash balances in funds as of November 30, 2021, were presented as well as outstanding debt and receivable balances. Revenue/Expenditure Budget Reports through November 2021 showed unadjusted accumulated revenues in the General Fund of \$2,653,027 or 103% of budget; Water Revenue Fund, \$854,569 or 96% of budget, Sewer Revenue Fund, \$721,732 or 94% of budget. Unadjusted statement of expenditures in the General Fund totaled \$2,625,106 or 80% of budget, Water Revenue Fund, \$1,040,901 or 65% of budget, and Sewer Revenue Fund, \$674,417 or 67% of budget.
9. Municipal Judge's Report for November showed \$2,857.50 being deposited with the City Treasurer and \$208.50 being forwarded to the State Treasurer for Judicial Branch Education, court costs and law enforcement training.

APPROPRIATIONS ORDINANCE NO. 3761

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$101,944.00; Water Revenue Fund, \$25,335.74; Sewage Revenue Fund, \$12,194.21; Special Improvement Fund, \$239,450.00; Industrial Fund, \$2,500.00; Library Revolving Fund, \$8,761.46; Swim Pool Sales Tax \$1,504.98; Koester Block Maintenance, \$3,855.39; Employee Benefit, \$62,584.45; Transient Guest Tax, \$2,081.29; Sales Tax Improvements, \$2,344.67; making a total of \$462,556.19.
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 Behrens seconded to approve the appropriations ordinance totaling \$462,556.19.
3. Motion to approve the appropriations ordinance carried by 8-0 roll call vote. City Clerk Holle assigned Ordinance No. 3761.

STAFF REPORTS:

CITY ADMINISTRATOR:

1. **FIRE STATION PROJECTOR/TV EQUIPMENT.** CA St. John presented a quote from CCS Presentation Systems for 75" Commercial TV and wall mount, a fixed projector and screen and an HDMI wall port for the new Fire Station (equipment only). The quote is \$9,688.02 and city

staff will install the equipment. Council discussed if there is need for commercial equipment because it is only used occasionally. The Council requested an itemized quote and asked about the warranty. CA St. John will request more information. The Council also discussed if the meeting space would be rented out and asked to be included in the formation of that policy.

- 2. COST OF LIVING INCREASE 2022.** CA St. John informed the City Council the October 2021 Consumer Price Index for the Midwest Region increased by 6.6% over 2020. He also presented an updated CPI released for November which was 7.3%. CA St. John presented several options for cost of living increases for the employees and a proposed updated wage scale. CM Keating said he did not want to make a “knee jerk reaction.” CM Behrens said once you give a raise you cannot take it back. The Council discussed inflation and bonuses. The Council asked to see a past history of raises for four years.
- 3. FINANCIALS.** CA St. John updated the governing body on the status of General Fund, Water Revenue Fund, Sewer Revenue Fund and Sales Tax Improvement Fund. A Capital Projects report was also included.

STANDING COMMITTEE REPORTS:

STREET:

- 1. 11TH ROAD.** Mayor Barnes asked the Council if they had driven on the 11th Road project since the completion. Several said they were not pleased. CA St. John has spoken with CES (the engineers on the project) and they will discuss the issues with the City.
- 2. ADA CORNERS.** CM Throm asked if AHRS would get the ADA corners completed soon. It is late in the year to pour concrete and the corners are located on the highway so they cannot be left torn up for extended periods of time. CA St. John said AHRS intended to complete them by year end.

WATER & WASTEWATER:

PARKS & RECREATION:

- 1. CAMPERS IN CITY PARK.** CM Frye asked if the number of camping spots in the City Park could be reduced because it is very busy with foot traffic. Removing campers would increase the green space in the park and help the squirrels and wildlife in the park. CM Frye suggested the City put camper spots on the east side 7th Street between Elm and Walnut where there is a gravel lot not being utilized.

CEMETERY & AIRPORT:

- 1. AIRPORT TEMPORARY ROAD.** CM Frye asked when the steel cable will be put up at the airport in the area that was used as a temporary road during road construction. He suggested the City also put cones there initially so no one runs into the cable. There are rough spots in the

temporary road that will need to be smoothed out. CA St. John said the FAA has regulations against vehicles driving on the airport beyond the designated parking area.

POLICE & FIRE:

1. **POLICE CHIEF INTERVIEWS.** Mayor Barnes asked how the Council wanted to handle the interviews for the new Police Chief. The Council decided to include the entire Council during the interviews. Mayor Barnes stated the Council could be part of the interview process, but the decision would be made by the City Administrator. A Special Meeting will be held December 20, 2021, at 5:30 p.m. to conduct the interviews. A packet of candidate resumes will be distributed to the Council.

ADMINISTRATION & FINANCE:

1. **DECEMBER 27TH MEETING EXTENSION.** The Regular Council Meeting on December 27th will be recessed and resumed on December 29th at 5:00 p.m. to approve the final appropriations ordinance for the year.

APPOINTMENTS: Mayor Barnes made the following Standing Committee Appointments: *Admin & Finance*-Lori Snelling, Parker Price, Colleen Behrens; *Cemetery & Airport*-Lori Snellings, Keith Beikman, Todd Frye; *Parks & Recreation*-Kyle Goracke, Parker Price, Keith Beikman; *Grievance*-Lori Snellings, Parker Price, Kevin Throm; *Police & Fire*-Jeff Keating, Colleen Behrens, Todd Frye; *Street*-Kyle Goracke, Jeff Keating, Kevin Throm; *Water & Sewer*-Jeff Keating, Colleen Behrens, Kevin Throm.

CM Behrens moved, CM Keating seconded to elect CM Throm as President of the Council. Motion carried 7-0-1 with CM Throm abstaining.

CITY ATTORNEY:

EXECUTIVE SESSION:

At 8:32 p.m. CM Price moved, CM Throm seconded to recess in executive session to discuss personnel matters of non-elected personnel, discussion on specific personnel matters, not general personnel policies, exception KSA 75-4319 (b) (1). This session will include the Mayor and City Council. The open meeting will resume in the city council chamber at 8:45 p.m. Motion carried 8-0. At 8:45 p.m. council reconvened. Mayor Barnes reported no binding decisions were made during the executive session and the regular session was continuing.

ROUND TABLE DISCUSSION:

1. **STUMP AT SHOP.** CM Frye said he appreciated the staff getting the stump ground and cleaned up near the City shop.
2. **LIGHT ON WELCOME SIGN.** CM Frye asked if the welcome sign on Hwy 77 could be lit. The City will get a new sign in the current project. Staff will check if electricity is available in this area.
3. **WELCOME TO THE NEW COUNCIL MEMBERS.**

4. **NEW COUNCIL MEMBERS LOOKING FORWARD TO SERVING THE CITY.**
5. **RIDGES AT LAKEVIEW BALLFIELDS.** CM Beikman asked if the ridges in the ball fields at Lakeview had been repaired. The Council agreed Marshall County Sports and Recreation should be working on it now. CM Beikman also commented the new flags at the City Cemetery looked nice.
6. **KOESTER BLOCK MAINTENANCE.** CM Throm asked who did the maintenance on the buildings in the Koester Block. CA St. John reported most of the inside maintenance is done by the renter and the outside is done by the City.

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

Cindy Holle
City Clerk