

Regular Meeting
City Hall, Marysville, Kansas-May 10, 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: Schroller, Beikman, Price, Behrens and Throm. A quorum was present.

The minutes from the April 26th regular meeting were presented for approval. CM Throm moved, CM Behrens seconded to approve the minutes as presented. Motion carried by 5-0 voice vote.

PUBLIC COMMENTS:

FBI LEEDA AWARD. Matt Simpson, Assistant Police Chief won an award from FBI LEEDA. The Tom Stone LEEDA Award of Excellence was earned by Matt at his previous job with the Washburn Police Department where he hosted 20 FBI LEEDA leadership classes.

BUSINESS AND DISCUSSION ITEMS:

1. **DEMOLITION REIMBURSEMENT 207 N. 3RD ST.** CI Ralph included pictures and an application for the Economic Development Incentive for a blighted property at 207 N. 3rd Street owned by Josh Blumer. CM Throm moved to reimburse up to \$2,500 to Josh Blumer to demolish a house at 207 N. 3rd Street, CM Beikman seconded. Motion carried unanimously.
2. **DEMOLITION REIMBURSEMENT 403 MAY ST.** CI Ralph included pictures and an application for the Economic Development Incentive for a blighted property at 403 May Street owned by Brent Polson. CM Throm moved to reimburse up to \$2,500 to Brent Polson to demolish a house at 403 May Street, CM Beikman seconded. Motion carried unanimously.
3. **DEMOLITION REIMBURSEMENT 708 N. 3RD ST.** CI Ralph included pictures and an application for the Economic Development Incentive for a blighted property at 708 N. 3rd Street owned by Brent Polson. CM Throm moved to reimburse up to \$2,500 to Brent Polson to demolish a house at 708 N. 3rd Street, CM Price seconded. Motion carried unanimously.
4. **ALCOHOL CONSUMPTION AT LEE DAM ART CENTER TOM LEHECHKA.** Tom Lehechka requested an alcohol consumption permit for June 11, 2021 at the Lee Dam Art Center. CM Throm moved to approve the consumption request, CM Beikman seconded. Motion carried unanimously.
5. **N. 7th STREET FROM ALSTON TO CAROLINA CLOSING REQUEST.** Tom Lehechka requested N. 7th Street be closed from Carolina to Alston on June 12th from 5 p.m. until midnight for a wedding reception which will be held at the Historic UP Depot. After discussion, CM Throm moved to approve closing N. 7th Street from Carolina to Alston June 12 from 5 p.m. until midnight, CM Price seconded. Motion carried unanimously.

6. **AVENUE OF FLAGS IN CEMETERY.** Jim Swim Jr. a representative from the American Legion Memorial Day Committee brought an example of the telescoping flag poles they would like to install in the City Cemetery. The City Crew will dig the holes and pour the concrete. The Legion will fundraise to cover the cost of the poles. The flags will begin at the west gate of the cemetery and there will be approximately 90 poles purchased. The Committee is asking for donations of \$300 to place your name on a donation plaque which will be placed in the Cemetery. Mr. Swim asked the Council to think of ways to put ambient light on the flags so they can remain up at night. These flags will be displayed on special holidays. CM Throm moved to approve the request to allow the American Legion Memorial Day Committee to begin fundraising to purchase telescoping flag poles to be placed in the City Cemetery, CM Behrens seconded. Motion carried unanimously.

7. **CONVENTION & TOURISM DIRECTOR AGREEMENT.** CA McNish wrote an independent management agreement with Toby Carrig. Mr. Carrig will be paid \$22,000 by the City and \$20,000 by the Pony Express Barn. This is a shared position with the Pony Express Barn Museum. The time worked for each entity will be about 20 hours per week. A performance evaluation will be conducted in 6 months with the possibility of a \$2,000 annual raise which will be paid by the City. A job description for each position is included in the agreement. CM Price moved to approve the agreement with Toby Carrig. CM Beikman seconded. Motion passed 4-1. CM Throm voting no stating he thought the pay should be equal between the 2 entities.

NOTICES AND HEARINGS: At 7:30 p.m. a hearing was conducted regarding the condemnation of the property at 205 N 10th Street owned by Julie and Sean Murphy. The water was turned off and all tenants have moved. Julie Murphy addressed the Council. CA McNish asked how the Council wished to proceed. The Council will continue the condemnation process and CA St. John will seek bids to demolish the building. The Council granted Julie Murphy 60 days to enter the property to recover anything she wishes to keep.

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

1. Convention and Tourism requests totaling \$2,920.00. Travel Kansas Magazine full page ad \$1,980.00, some cost will be reimbursed by businesses; Link Media Outdoor-billboard contract \$200.00 per month; \$240.00 2022 Kansas Travel Guide ad for Blue River Rail Trail, Black Squirrels on Parade and City Park Campground; \$500.00 Annual fee for Audio Tour in Marshall County, MCDC to reimburse half.
2. City Clerk's Report for April showed \$65,397.68 collected in receipts with a like amount being deposited with the City Treasurer.
3. Cash balances in funds as of April 30, 2021 were presented as well as outstanding debt and receivable balances. Revenue/Expenditure Budget Reports through April 2021 showed unadjusted accumulated revenues in the General Fund of \$1,373,966 or 54% of budget; Water

Revenue Fund, \$248,244 or 28% of budget, Sewer Revenue Fund, \$258,077 or 34% of budget. Unadjusted statement of expenditures in the General Fund totaled \$1,178,463 or 36% of budget, Water Revenue Fund, \$297,539 or 19% of budget, and Sewer Revenue Fund, \$228,343 or 23% of budget.

4. Municipal Judge's Report for April showed \$4,560.96 being deposited with the City Treasurer and \$438.00 being forwarded to the State Treasurer for Judicial Branch Education, court costs and law enforcement training.

APPROPRIATIONS ORDINANCE NO. 3747

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$95,350.04; Water Revenue Fund, \$151,668.55; Sewage Revenue Fund, \$11,541.91; Special Improvements, \$5,000.00; Economic Development, \$1,000.00; Library Revolving Fund, \$4,871.73; Swim Pool Sales Tax \$1,367.33; Koester Block Maintenance, \$2,200.12; Employee Benefit, \$8,709.27; Transient Guest Tax, \$2,377.04; Municipal Equipment Reserve, \$14,409.00; Sales Tax Improvements, \$55,155.22; making a total of \$353,650.21.
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 Beikman seconded to approve the appropriations ordinance totaling \$353,650.21. Motion to approve the appropriations ordinance carried by 5-0 roll call vote. City Clerk Holle assigned Ordinance No. 3747.

STAFF REPORTS:

CITY ADMINISTRATOR:

1. **EQUALIS GROUP PURCHASING-FELDHAUSEN FIELD.** CA St. John said Equalis Group is a cooperative purchasing group that is free to municipalities. He has signed the City up for their services. The group will advertise a project nationally and evaluate the proposals which the City can use to purchase equipment. Their representative will present at the next council meeting with a quote for the lights at Feldhausen Field.
2. **DUMP TRUCK PURCHASE.** CA St. John reported there is a 2007 International dump truck on the PurpleWave Auction from the City of Mission. This truck is like the truck we purchased last year from the City of Mission at the PurpleWave Auction. CA St. John would like authority to bid up to \$50,000 to purchase this truck to replace our 1989 tandem dump truck in the Street Department. The funding would be 50% from Municipal Equipment Reserve and 50% from the General Fund Street Department. After discussion about the needs of the department, CM Beikman moved to authorize CA St. John to bid up to \$50,000 on the PurpleWave Auction for the truck, CM Price seconded. Motion carried unanimously. The Council discussed the need for a semi-trailer to haul rock. This would cut down on the number of trips with the dump trucks saving time and fuel.

3. **11TH ROAD SOUTH PHASE 1.** Phase 1 of the S. 11th Road project begins where the concrete ends and goes south through Keating Drive. This portion of the road will be concrete. The project will require easements for a temporary access road for residents on the west side of 11th Road. Council agreed the rock from the access road should be recovered for City use. The project would potentially be complete in the fall of 2021 or the spring of 2022. CM Throm moved to get out to bid the 11th Road South Phase 1 with bid opening date of June 9th, CM Behrens seconded. Motion carried 5-0.

4. **DISCOVERY CENTER PROJECT SOUTH OF BROADWAY.** The Council requested CA St. John talk with the Discovery Center staff about changing the location on the grant the City has received for an inter-active display. The Discovery Center staff agreed to move the project south in the first block south of Broadway to avoid busy traffic. CM Throm moved to place the display between Broadway and Elm on the 7th Street Corridor sidewalk, CM Behrens seconded. Motion carried 4-1. CM Schroller voted no stating she would like the project to be at the Pony Plaza.

At 8:06 p.m. CM Frye entered the Council Chamber.

5. **WARD REDISTRICTING.** City staff has done some research on the redistricting of the City Wards. The City currently bases wards on voter registration. The alternate method is to use population. In either method the wards should be split as evenly practicable. CA St. John was told by the LKM that there may be some free software available in September when the 2020 Census numbers are released. The redistricting cannot be completed before the fall election.

6. **UP DEPOT DESIGN.** One of the groups of students from the Kansas State University class that proposed updates to the old UP Depot area won a Merit Award for their design. The City has a book with all the designs from the class for future use.

7. **JULY 4TH FIREWORKS.** CA St. John said the City does not have a company to shoot fireworks for the City's annual 4th of July Celebration. The company the City has used for the past two years did not wish to come back. The Council discussed having no fireworks this year or having a local person shoot smaller fireworks. It was also discussed moving the fireworks display to a different date such as August 27 when the "Wall That Heals" will be at Feldhausen Field and Boss Nationals will be in Marysville. CA St. John will check on availability.

8. **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. CA St. John noted the Sales Tax Improvement Fund had been reimbursed by the Swim Pool Fund for the pool loan payment.

9. **CA ST. JOHN 2021 CONFERENCE REQUESTS.** CA St. John said if the ICMA Annual Conference scheduled October 3-6 in Portland, Oregon is in person he plans to attend as

negotiated in his contract. CA St. John also requested permission to attend the following conferences: Annual League Conference, Topeka, KS-October 9-11

KACM Annual Conference, Atchison, KS-December 1-3

CM Throm moved to approve CA St. John's attendance at the Annual League Conference and the KACM Conference. CM Frye seconded. Motion carried 6-0.

STANDING COMMITTEE REPORTS:

STREET:

- 1. CURB AND GUTTER.** CM Throm asked how the curb and gutter repairs were proceeding. CA St. John said the product used for forms is not available at the lumber yards, but the Department is ordering materials, so we are at a standstill. The curb and gutter projects are mostly projects from water leaks that have been repaired. CM Throm asked if that meant we were not doing catch basins either. CM Throm said, "Until we get started on a project, we can't get it done." If the Street Department cannot get it done, we need to hire it done.

WATER & WASTEWATER:

- 1. WATER METER PITS.** CM Price and CM Beikman both had several complaints about meter pits that have not been installed but were paid for by the property owners. Some properties have been sold several times after the payment and are several years old. It was discussed the Water Department does not have time to install these and some of the pits will need to be bored. The City does not have the equipment to bore. The Council concluded they would like the meter pits to become a project and be bid out as the Water/Wastewater Department is called out on many emergencies which affect the amount of time they have for this project.

PARKS & RECREATION:

- 1. CONDITION OF THE GRASS IN THE BOWL OF THE CITY PARK.** CM Beikman reported the grass in the bottom of the City Park on the 10th Street side is in poor condition. This area has been used for years by USD 364 for junior high football practice making it difficult for the City to grow grass. When the Stadium project at MHS is completed in August, this should eliminate use of the space and it will be addressed at that time. The area is also the drainage area for overflow of the storm sewer system from Spring Creek which does affect the grass too.

CEMETERY & AIRPORT:

- 1. CEMETERY LOOKS GREAT.** CM Throm reported the City Cemetery looked great over the Mother's Day weekend and several people had visited it.
- 2. AIRPORT HANGARS.** The Council discussed the hangar at the Airport that has tin flying off and has sides and doors missing. The Airport Hangar Leases will be reviewed at the next council meeting and more specific maintenance requirements will be discussed.

POLICE & FIRE:

ADMINISTRATION & FINANCE:

APPOINTMENTS:

CITY ATTORNEY:

- 1. REDISTRICTING.** CA McNish passed out the state statute 14-103 on “Division of city into wards” and the wards shall be as equal in population as practicable. He stated the City of Marysville is a city of the 2nd class.

EXECUTIVE SESSION: At 8:46 p.m. CM Throm moved, CM Price seconded to recess in executive session to discuss possible acquisition of real estate pursuant to the acquisition of real estate exception K.S.A. 75-4319 (b) (6). This session will include the mayor, city council, the city attorney and the city administrator. The open meeting will resume in the city council chamber at 9:00 p.m. Motion carried unanimously. At 9:00 p.m. council reconvened. Mayor Barnes reported no action was taken during the executive session and the regular session was continuing.

ROUND TABLE DISCUSSION:

- 1. BURNING TRASH IN TOWN.** CM Frye asked is it is allowed to burn trash or furniture in town. He was told it is not allowed and the issue of burning has been addressed with some individuals in the city limits.
- 2. ZOOM MEETINGS ON STATE HOUSING SURVEY.** CM Schroller reported she had participated in a zoom meeting about housing. She encouraged all Council members to try to attend as there are all sizes of cities and lots of information the City could use.

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

Cindy Holle
City Clerk