

Regular Meeting
City Hall, Marysville, Kansas-March 22, 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, Hughes, Beikman, Price, Behrens and Throm. A quorum was present.

The minutes from the March 8th regular meeting were presented for approval. CM Beikman moved, CM Throm seconded to approve the minutes as presented. Motion carried by 6-0 voice vote.

PUBLIC COMMENTS:

BUSINESS AND DISCUSSION ITEMS:

1. **2020 AUDIT REVIEW.** Jacob Kujath and Jim Gordon from James Gordon & Associates CPA delivered the audit books to the Council. Jim gave the review stating the City had received an unmodified opinion which is the best the City can get from an auditor. City Attorney McNish asked what the auditors had done to ensure monies were accounted for. Jim said they had done extensive technical testing and checked the City's processes for reimbursements. In response to CM Beikman's question about carry-over Jim said if the City wanted more carry-over, they should inform the public why the City needed more carry-over, designate the extra monies to a specific purpose and inform the public of the need. Increasing the carry-over will also increase property tax.
2. **2021 ALLIANCE INSURANCE PREMIUM INCREASE.** Jen Sedlacek from Alliance Insurance presented the 2021 insurance premium from EMC Insurance which renews April 1 for \$127,165.00. This is an overall increase of about \$3,100. The property values on a few of the City's properties increased by \$2,000,000.00 and the property in the Koester Block (not including the restaurant and the museum) changed to replacement value.
3. **2021 MHS PROM WALK APRIL 24.** Ayden Price, Stuco President and Senior Class President addressed the Council requesting permission to close the 7th Street Corridor from Walnut to Broadway at 7:30 p.m. on Saturday, April 24 for the Prom Promenade and to close Broadway from 13th Street to 6th Street for the Prom Walk. The group would also like to use the speaker system. CM Throm moved to allow the street closing on April 24, CM Behrens seconded. Motion carried 5-0-1. CM Price abstained. CA St. John told Ayden to fill out forms from City Hall to use the speaker system. CC Holle asked if the students intended to use vehicles not approved for use on city streets. Special permission must be granted by the Council for use in a parade. Ayden will check with the students and bring a request to the Council detailing the vehicles if they are not street legal.
4. **11TH TERRACE ROAD GRANT.** P4G Executive Director Ellen Barber presented a request for the City to Co-Sponsor a KDOT Cost Share Program grant with Marshall County. The grant will be written by Barber with an 80% reimbursement from the State of Kansas and 20% match paid

by Marshall county. This road would be constructed in the right of way north of Subway to the proposed new jail site. CES is designing the road and utilities to meet City Code. Barber also referred to the Economic Development Park proposed by P4G which would be located on the east side of the road. The road and the proposed jail are located in the City limits, but the Economic Development Park is not. If 11th Terrace is completed the City would take over maintenance as described in the ULDC. CM Throm moved to co-sponsor the KDOT Cost Share Program grant for a road on 11th Terrace, CM Beikman seconded. Motion failed 0-6.

5. **POOL WAGES.** CA St. John presented the pool wage scale for review as requested. The Council discussed wages and bonuses. CA St. John will bring information to the April 12 meeting showing the impact of raises and age regulations. It was also discussed if there are complaints about the pool, the pool manager should be contacted then City Hall. The pool manager for 2021 will be Crystal Leis and co-manager Noah Ackerman.
6. **MASK MANDATE.** The City Ordinance 1896 which requires masks in the City expires April 1, 2021. Mayor Barnes asked City Health Officer Dr. John Ryan to give his opinion regarding the mask mandate. Dr. Ryan asked the City to keep the mandate in place for another 30 days. CM Hughes moved to extend the mask mandate until May 1, CM Behrens seconded. CM Price and CM Throm asked the mandate to be enforced. If a business or its employees are having difficulty with a patron, they should call the Police Department. Motion passed 4-2 with CM Beikman and CM Price voting no. CC Holle assigned Ordinance number 1897.
7. **CHICKEN ORDINANCE DRAFT.** An ordinance allowing chickens in City limits was introduced as requested by Council: *AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2, "ANIMAL CONTROL REGULATIONS" OF THE CITY OF MARYSVILLE, KANSAS.* Several letters of concern and some of support were also presented. CM Throm moved to approve the ordinance allowing chickens in City limits, CM Behrens seconded. Motion failed 0-6. CM Beikman moved the Council should send a chicken ordinance allowing chickens in outer lying areas of the City that have larger lots to a committee for review. Motion died for lack of a second. The Council stated the City would give notice the chickens currently in the City limits should be removed in 5 business days.

NOTICES AND HEARINGS:

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

1. Consumption request-Ashley Kracht bridal shower at Lee Dam Art Center March 27, 2021,
2. Consumption request- Jennifer Franco High School graduation party May 8, 2021.
3. Close Lions Park for Easter Egg Hunt Saturday, April 3 at 2:00 p.m.

APPROPRIATIONS ORDINANCE NO. 3744

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$76,015.79; Water Revenue Fund, \$40,825.06; Sewage Revenue Fund, \$24,567.41; Airport Revolving Fund, \$15,966.75; Special Improvement, \$228,527.24; Library Revolving, \$8,204.18; Swimming Pool Sales Tax, \$823.16; Koester Block Maintenance, \$2,970.78; Employee Benefit Fund, \$30,000.28; Transient Guest Tax, \$96.76; Sales Tax Improvements, \$35,862.24; making a total of \$463,859.65.
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 Price seconded to approve the appropriations ordinance totaling \$463,859.65. Motion to approve the appropriations ordinance carried by 6-0 roll call vote. City Clerk Holle assigned Ordinance No. 3744.

STAFF REPORTS:

CITY ADMINISTRATOR:

1. **CLASS OF 1998 FUNDRAISING.** CA St. John distributed an email he received from Jeff Mayer. Mayer said he and some of his classmates from the class of 1998 were interested in fund raising for improvements to Dargatz Park. They would like to improve the 2 ball fields to allow a space to practice youth baseball and girls softball. The class would also consider raising funds for improvements to the basketball court and a shade shelter picnic area. They are requesting the City supply labor and equipment for the project. CM Behrens moved to accept the offer from the class of 1998, CM Schroller seconded. Motion carried unanimously.
2. **THE AMERICAN RESCUE PLAN ACT.** CA St. John reported on the American Rescue Plan Act passed by Congress. The Federal Government will give money to Cities, Counties and States to help with the coronavirus recovery. The money will be paid out half in 2021 and half in 2022 and could total between \$400,000 to \$600,000. The amount to be received has not been finalized yet by the Congress. At the present time the Congress recommends the money be used for Government Services (if a City had lost revenue), Investment in infrastructure, and Employee premiums.

STANDING COMMITTEE REPORTS:

STREET:

1. **EQUIPMENT OPERATION.** CM Price said he saw the new loader was being operated with the cab door open. The electronics and updated cab should not be exposed to dust, etc. The Council also discussed we are tobacco free, and no tobacco should be used in our equipment, vehicles or facilities.

WATER & WASTEWATER:

PARKS & RECREATION:

1. **PARKS RESTROOMS.** The restrooms in the parks will open in April.
2. **BALLPARK REPAIRS.** The plug-ins on the island in the Lakeview Concession stand need to be re-done so water cannot get in the electrical boxes. Also, the plug-ins should also be on separate circuits. The roll-up doors are on order. The City is getting pricing to have the foul ball nets installed at Lakeview. The City will pay to empty the dumpster at Lakeview this time because it was filled with expired and old equipment the City has accumulated. The new water heater installed at Feldhausen Field Concession stand had a leak and caused some damage. The braces on the outfield fence at Feldhausen Field need to be removed before the first High School baseball game.

CEMETERY & AIRPORT:

POLICE & FIRE:

1. **POLICE TRAINING VEHICLE.** The brown unmarked car parked in front of the Police Station is the vehicle our officers use to attend out of town trainings. The City traded some old police radios to Marshall County for the car.

ADMINISTRATION & FINANCE:

APPOINTMENTS:

CITY ATTORNEY: City Attorney McNish said he had started research on an intermodal storage container ordinance. CA McNish distrusted a copy of the draft of an ordinance amending the current City Code to allow intermodal containers. CA McNish also is researching the option of changing the ULDC instead of passing an ordinance. The Council will review the ordinance and make suggestions.

ROUND TABLE DISCUSSION:

1. **307 BROADWAY.** CM Beikman asked the status of the house at 307 Broadway. CC Holle told them Donna Alwin had removed everything she wanted, and the City had full possession. CA St. John said the City would rent equipment in the near future and start the demolition of both houses. CM Price said the City dump trucks were not ideal for hauling demolition material and they would need tarps unless the City wanted to pay more for dumping. CM Throm said he thought our employees needed to work on City projects. CA St. John said he understood the demolition of these two houses are not a priority now.
2. **RAT STOP.** CM Price said he had a report of rats at 5th/Carolina the same place we issued a rat stop last year.

3. **CODE ENFORCEMENT.** CM Throm asked if the City had hired a seasonal code enforcement officer. CC Holle said the City has not received any applications yet.

4. **LANDFILL OPENING ON SATURDAY.** CM Price reported the Marshall County Landfill will be open the first Saturday of the month from 8 a.m. to 2 p.m. beginning April 3.

There being no further business, at 9:22 p.m. CM Beikman moved to adjourn, CM Throm seconded. Motion carried unanimously.

Cindy Holle
City Clerk