

Regular Meeting
City Hall, Marysville, Kansas-April 10, 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. City Administrator St. John and City Clerk Holle was also present.

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

The minutes from the March 27th regular meeting were presented for approval. CM Frye moved; CM Price seconded to approve the minutes as presented. Motion carried by 7-0 voice vote.

PUBLIC COMMENTS:

1. **COUNTRY CLUB LAKE.** Steve Prell, 1042 Pony Express Highway, Ward 1 asked the Council to vote no on Ordinance 1919 regarding eminent domain or quiet title of his lake shore property at the Country Club Lake.
2. **COUNTRY CLUB LAKE.** Kris Schrater, 1040 Pony Express Highway, Ward 1 asked the Council to vote no on Ordinance 1919 which would quiet title or eminent domain the lake shore of his property at the Country Club Lake.

BUSINESS AND DISCUSSION ITEMS:

1. **USE OF HEDSTROM HALL.** Marysville Elementary School would like to use Hedstrom Hall for their theme day on May 5th. The Parks Department will get the arena ready. It will take approximately 32 hours to remove the contents and relocate them and an additional 32 hours to put the items back inside Hedstrom Hall if they are allowed to use it. CM Beikman moved, CM Goracke seconded to allow MES to use Hedstrom Hall free of charge and the City crews will remove the contents of the hall. Motion carried 6-1 with CM Behrens voting no.
2. **DOG PARK.** Maureen Crist presented some pictures of agility equipment for Bark Park which they would like to purchase and place in the park. The committee also asked to plant trees or shrubs in the driveway to the park. Everygy has some regulations regarding the size of trees that can be planted in the easement under the Everygy powerlines. CM Frye moved, CM Goracke seconded to allow the equipment to be placed in the dog park with input from the Parks Supervisor regarding spacing and ease of mowing. Motion carried unanimously.

NOTICES AND HEARINGS:

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

1. 2023 CMB Tony's Meat Market, LLC.
2. Alcohol Consumption request from Sadie Goepfert at Lee Dam Art Center April 30 for a baby shower.
3. Alcohol Consumption request from Sadie Goepfert at Lee Dam Art Center June 2- Party.
4. Airport Project Grant Resurface Runway progress payment \$13,680.

5. Cash balances in funds were presented as well as outstanding debt and receivable balances. Revenue/Expenditure Budget Reports through March 2023 showed unadjusted accumulated revenues in the General Fund of \$1,450,706 or 51% of budget; Water Revenue Fund, \$189,703 or 21% of budget, Sewer Revenue Fund, \$191,432 or 25% of budget. Unadjusted statement of expenditures in the General Fund totaled \$775,944 or 24% of budget, Water Revenue Fund, \$195,421 or 15% of budget, and Sewer Revenue Fund, \$190,644 or 14% of budget.
6. The Municipal Judge's Report for March showed \$3,173.89 being deposited with the City Treasurer and \$235.00 being forwarded to the State Treasurer for Judicial Branch Education, court costs and law enforcement training.

APPROPRIATIONS ORDINANCE NO. 3795

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$115,599.93; Water Revenue Fund, \$13,157.54; Sewage Revenue Fund, \$8,630.74; Library Revolving, \$7,052.09; Library, \$6,837.91; Library Employee Benefit, \$1,222.03; Swim Pool Sales Tax, \$371.96; Koester Block Maintenance, \$947.45; Employee Benefit, \$8,858.12; Transient Guest Tax, \$6,224.62; Sales Tax Improvements, \$213.99; making a total of \$169,116.38.
2. An appropriations ordinance was introduced and considered to honor claims against the funds of the City as audited by the Finance Committee. CM Frye moved; CM Snellings seconded to approve the appropriations ordinance totaling \$169,116.38.
3. Motion to approve the appropriations ordinance carried by 7-0 roll call vote. City Clerk Holle assigned Ordinance No. 3795.

STAFF REPORTS:

CITY ADMINISTRATOR:

1. **MOSQUITO SQUAD.** Quotes to spray mosquitos on city properties are as follows: City Park, \$3,872.00; Lions Park, \$1,862.00; Country Club Lake, \$546.00; Koester Museum Garden, \$546.00; Dargatz Park, \$1,218.00, less bulk discount, (\$1,421.00); totaling \$6,623.00. They will be treating these areas between May 8 and September 13. CM Keating moved, CM Goracke seconded to approve the \$6,623.00 quote from Mosquito Squad. Motion carried unanimously.
2. **AIRPORT OVERLAY PROJECT.** Included the bids for the 2 companies that bid on the airport crack repair and overlay project on the runway: Ameriseal of Ohio, Inc, \$567,198.17; American Pavement Solutions, \$681,560.21. CM Frye moved to accept the low bid from Ameriseal of Ohio for \$567,198.17, CM Goracke seconded. Motion carried unanimously. 90% of this project will be covered with FAA funds.
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.

POLICE DEPARTMENT:

1. **NATIONAL NIGHT OUT INITIATIVE.** The Marysville Police Department would like to sponsor a National Night Out which is a national initiative conducted on the first Tuesday of

August each year to enhance the relationship between neighborhoods and law enforcement. There are several local groups involved. The Police Department would like the City to offer “free swim” from 6:00 p.m. to 8:00 p.m. and block the entrances to the City Park from 3:00 p.m. to 8:00 p.m. CM Frye moved, CM Price seconded to approve closing the City Park and allowing “free swim” from 6:00 p.m. to 8:00 p.m. on Tuesday, August 1. Motion carried unanimously.

STANDING COMMITTEE REPORTS:

STREET:

- 1. KEYSTONE ROAD, 11TH ROAD AND 12TH ROAD.** CM Beikman asked what progress has been made on 11th Road, Keystone Road, and 12th Road. It was discussed Council had approved engineering on these roads and asked for quotes on adding parts of 11th Terrace and 11th Terrace to 12th Road for engineering. CM Behrens suggested the broken-up asphalt be removed from the roads and take them back to gravel for the short term until the plans and the funds are in place for resurfacing the roads. Gravel could be maintained better. CM Beikman reported the speed limit on those roads is 35 MPH and people should slow down.
- 2. SEMI TRUCK PARKING.** CM Frye said he had a complaint about semis parking in the industrial park. He then asked if the City had a place for semis to park in town if the City gets the grant to improve the 7th Street corridor which is where many semis park now. CM Frye suggested the City start to plan for a semi parking area for 10 to 12 trucks.
- 3. STREET OVERLAYS.** CM Behrens asked if Hall Brothers have given us a date to begin the mill and overlay projects. CA St. John said the patching will start next week. CM Price reminded everyone the big hole on N. 16th Street will need to be repaired before that street can be overlaid.

WATER & WASTEWATER:

PARKS & RECREATION:

- 1. POOL EMPLOYEES.** CM Beikman asked how many lifeguards the City had hired and how many were needed. He was told we have 8 lifeguards, and we would like to hire at least 5 more. A couple of people have been hired for the concessions/admissions. There are no lifeguards who are 18 or older.

CEMETERY/AIRPORT:

POLICE AND FIRE:

- 1. OLD FIRE STATION USES.** CM Frye asked what the plans for the old fire station are. There have been no definite plans made yet. If the storage at the old police station is used for a Convention and Tourism office those permanent records could be moved to the old fire station if improvements to the building are made.

ADMINISTRATION AND FINANCE:

1. **MEETING WITH COMMUNITY GROUPS.** CM Price reported the Admin and Finance Committee had met with some of the board members of Convention and Tourism, Marshall County Development Corporation and Chamber/Main Street. Each group gave an overview of the events and services they provide to the community. It was a productive meeting, and the groups will continue to meet to define each group's role in the community and the funding the City provides.

APPOINTMENTS:

CITY ATTORNEY:

1. CA McNish did not attend the meeting. Mayor Barnes said the Country Club Lake has been used for 90 years by the community for recreational purposes. He said he thought it would be a loss to the City to lose this area as a park. CM Frye stated because Ely Sprenkle, a biologist from the Kansas Department of Wildlife and Parks said the shoreline could be restricted on the Prell property and the Schrater property he did not wish to approve ordinance 1919. After further Council discussion CM Keating moved to approve Ordinance No. 1919 to Quiet Title, Eminent Domain Country Club Lake, CM Snellings seconded.

ORDINANCE NO. 1919 QUIET TITLE EMINENT DOMAIN COUNTRY CLUB LAKE. CA McNish presented *ORDINANCE 1919 AN ORDINANCE AUTHORIZING LEGAL ACTION TO SEEK DECLARATORY JUDGMENT AND PETITION IN QUIET TITLE AND IN ADDITION TO AND IN THE ALTERNATIVE, PROVIDING FOR THE CONDEMNATION AND APPROPRIATION OF PROPERTY RIGHTS FOR PUBLIC PARK AND RECREATIONAL PURPOSES, TO PROTECT AND PRESERVE THE MARYSVILLE PUBLIC LAKE AND ITS FISHERIES, AND SUCH OTHER PUBLIC PURPOSES AS ARE AUTHORIZED BY LAW.* This ordinance would secure land near and under the Country Club Lake at 1040 Pony Express Highway and 1042 Pony Express Highway. Motion failed 2-5 with CM Frye, CM Keating, CM Snellings, CM Beikman, and CM Goracke voting no.

EXECUTIVE SESSION:

ROUND TABLE DISCUSSION:

1. **CROSS WALK SIGNALS.** CM Frye asked if the company had been called to adjust the stop lights. The lights were seeing large trucks which threw off the turn arrow. The City staff is monitoring the lights, but no call was made. CM Frye asked if the company does come, he would like the crosswalk lights to work automatically with the signal lights if possible.
2. **ELECTRIC CHARGE STATION AT 7TH AND CENTER.** CM Beikman asked how much the free charging station the City put in near Pony Park was used. CA St. John reported it had been used between 3 and 5 times per month since January.

There being no further business, at 8:10 p.m. CM Frye moved to adjourn, CM Price seconded. Motion carried unanimously.

Cindy Holle
City Clerk