

Regular Meeting
City Hall, Marysville, Kansas-March 11, 2019

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 President Throm 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: Boss, Pippia, Graham, Hughes, Frye, Schroller, Throm and Barnes. A quorum was present.

The minutes from the February 25th regular meeting were presented for approval. CM Boss presented an amendment. CM Barnes moved, CM Pippia seconded to approve the minutes as amended. Motion carried by 8-0 voice vote.

BUSINESS AND DISCUSSION ITEMS:

- 1. THANIEL MONACO, BG CONSULTANTS-CCLIP PROJECT.** Thaniel presented two projects to be considered for the second phase of the CCLIP Project. The request is due to the State by March 29 and the project will be in 2021-2022. One project would continue the pavement restoration from the south bump out on Highway 77 to the bridge. The cost of this project would be \$1,557,740, with a cost to the City of approximately \$557,740 and KDOT funding of \$1,000,000. The second option would be from the south bump out to Jackson Street and would cost less with the City receiving \$850,000 in KDOT funding. The City is required to pay a minimum of 5%. Thaniel presented an additional option which would help the right-turn movement of semi-tractors at the corner of Highway 36/77 junction. The center line of Highway 77 could be shifted to the west. North Tenth Street would also be shifted to the west to make the intersection match up. CM Pippia asked if this plan would accommodate large trucks carrying wind turbine parts. Thaniel reported it would not. CM Frye asked if this would impact the brick wall surrounding the Koester Museum. Thaniel reported it would not. CC Holle inquired if parking was required on the southeast side of the intersection. Thaniel reported that no parking would allow for easier turning and that the curb would be adjusted. Thaniel suggested the 36/77 intersection project could qualify as a Corridor Management project which would be an additional way to fund the project. The intersection project would cost approximately \$800,000 with the City's portion being \$40,000 to \$60,000. CM Hughes asked for a recommendation from Thaniel which project he would suggest the City complete first. Thaniel recommended the City apply for the project on Highway 77 south of the south bump out. CM Hughes asked if property would need to be purchased to complete the Highway 36/77 intersection. Thaniel replied there would need to be property purchased on the southwest corner and a construction easement on the northwest corner. CA St. John and Thaniel are available for questions and this will be discussed at the March 25 council meeting.
- 2. KRAMER OIL LAND PURCHASE PROPOSAL.** Chad Kramer representing Kramer Oil proposed to purchase the City's property at 1206 11th Road for \$50,000. The property was purchased by the City in 2008 for \$150,000. The City mows and maintains the sidewalks on the property but the property has been vacant for about 10 years. Kramer Oil would like to build an 8,000 square foot building to store products and equipment, with construction to begin in 2019. CM Boss asked if Kramer Oil planned to utilize the neighborhood revitalization tax rebate. Mr. Kramer reported that decision had not been made. CM Boss also inquired if the product sold

generated sales tax. Mr. Kramer replied most sales tax is collected where the product is delivered. CM Frye asked if the tree line which creates a natural barrier to the south would be retained. Mr. Kramer reported there were no plans to remove them. CM Hughes asked how soon this project would begin. Mr. Kramer would like to start before the end of 2019. CM Hughes asked if Mr. Kramer would allow the City to bid the property publicly. Mr. Kramer agreed. Mr. Kramer asked if he would be allowed to re-bid. CA St. John replied he could. A bid request will be published in the Advocate, with bids due March 20, 2019 at 3:00 p.m. Consensus of council was to table the proposal until March 25, 2019.

- 3. ORDINANCE-VEHICLE PARKING ON PRIVATE PROPERTY.** An ordinance restricting parking on private property was presented as recommended by the Administration & Finance Committee. CM Boss suggested the ordinance be passed as this affects property values and she felt neighbors have rights. CM Pippia agreed with restricting parking on the right of way but expressed her concern for handicap citizens and restricting parking on private property. CM Frye agreed with restricting parking between the sidewalk and the street, but not restricting parking on private property. CE Schmitz was in favor of the ordinance as presented as these nuisances could cause the property values to go down and encourage “junk” in front yards. CM Throm pointed out many vehicles sitting on the street are a nuisance. Enforcement of the nuisance ordinances currently in place was encouraged. CM Hughes moved to send the Parking on Private Property ordinance back to the Administration & Finance Committee to review the definitions and the restrictions, CM Pippia seconded. Motion carried 7-1 with CM Boss voted against.

NOTICES AND HEARINGS. CM Boss reported the Planning and Zoning Commission will meet Thursday March 14 at 7:00 p.m. at City Hall to continue to review the 2005-2025 Comprehensive Plan.

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

1. Accept Alliance Insurance quote of \$96,313 from EMC Insurance for April 1, 2019-March 31, 2020.
2. Convention & Tourism Requests totaling \$5,135.00: Kansas Travel Guide Ad \$2,875.00, Kansas Magazine \$1,400.00 (4 quarterly issues), Advocate Tourism Guide \$375.00, Travel Kansas Magazine \$485.00 (annual).
3. City Clerk’s Report for February showed \$40,313.69 collected in receipts with a like amount being deposited with the City Treasurer.
4. Cash balances in funds as of February 28, 2019 were presented as well as outstanding debt and receivable balances. Revenue/Expenditure Budget Reports through February 2019 showed unadjusted accumulated revenues in the General Fund of \$989,372 or 40% of budget; Water Revenue Fund, \$131,563 or 15% of budget, Sewer Revenue Fund, \$132,128 or 17% of budget. Unadjusted statement of expenditures in the General Fund totaled \$383,360 or 14% of budget, Water Revenue Fund, \$150,488 or 11% of budget, and Sewer Revenue Fund, \$108,733 or 10% of budget.

5. Municipal Judge's Report for February showed \$3,357.38 being deposited with the City Treasurer and \$258.50 being forwarded to the State Treasurer for Judicial Branch Education, court costs and law enforcement training.

APPROPRIATIONS ORDINANCE NO. 3694

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$87,270.01; Water Revenue Fund, \$12,726.74; Sewage Revenue Fund, \$11,153.12; Street & Highway \$2,477.76; Library Revolving, \$6,094.83; Swim Pool Sales Tax \$164.48; Koester Block Maintenance, \$779.25; Employee Benefit Fund, \$8,011.64; Transient Guest Tax, \$3,142.36; Sales Tax Improvements, \$9,453.60; making a total of \$141,273.79.
2. An appropriations ordinance was introduced and considered to honor claims against the funds of the City as audited by the Finance Committee. CM Boss moved, CM Frye seconded to approve the appropriations ordinance totaling \$141,273.79. CM Boss overviewed large expenditures including employee payroll costs. Motion to approve the appropriations ordinance carried by 8-0 roll call vote. City Clerk Holle assigned Ordinance No. 3694.

STAFF REPORTS:

CITY ADMINISTRATOR:

1. **BLUESTEM ENERGY-FINAL REPORT.** CA St. John reported Bluestem Energy had completed their report on implanting solar energy at the City's facilities. None of the current locations use enough energy to warrant building solar panels with Bluestem managing the electricity. CA St. John requested the Governing Body give him leeway to speak on behalf of the city in regard to state legislation making it easier to implement renewable energy. Consensus of council was to allow CA St. John to speak via telephone conversations with the state legislature. CM Hughes asked if this would require CA St. John to be out of town. CA St. John answered it would not require him to be out of town unless something changed.
2. **SUNDAY LIQUOR SALES.** CA St. John presented an example of a Sunday Liquor Sales ordinance. CA St. John explained that if the Governing Body approved a similar ordinance, there would be a 60-day protest period. If anyone presented a legal protest petition with all the necessary signatures, the ordinance would be put on the ballot for a vote of the general population. If no petition is submitted, on the 61st day the ordinance would become law. CA St. John noted that he contacted the two local liquor stores and they are not in favor of Sunday liquor sales. CM Frye questioned if any other local retailers who sell alcohol were asked their opinion. CA St. John reported that he had not contacted any other businesses. No decisions were made.
3. **ALLEY BEHIND SUNFLOWER CREDIT UNION.** CA St. John presented a design for the alley behind the new Sunflower Credit Union. Kansas Gas is moving the natural gas line and the alley size will be reduced to sixteen feet. CM Pippia moved to approve the alley design, CM Schroller seconded. Motion to approve carried with 8-0 voice vote. CA St. John will request a reduced bid from JD Construction since the new proposed design is narrower than the original design. CA St. John will bring that bid to Council.

4. **SKID STEER SNOW BLADE.** CA St. John reported our current snow blade for the skid steer is 25 years old. He presented a bid from KanEquip of \$2,650. CM Barnes moved, CM Boss seconded to approve the purchase of the snow blade. Motion carried unanimously.
5. **DUMP OPENING MARCH 13.** CA St. John reported the brush dump will open for the season March 13th. The dump will be open 4:00 p.m. to 6:00 p.m. on Wednesdays and 1:00 p.m. to 5:00 p.m. on Saturdays and Sundays, weather permitting. Debbie Johnson was hired at \$9.20 per hour as the dump caretaker.
6. **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 master project list was also presented.

STANDING COMMITTEE REPORTS:

STREET:

1. **POTHoles.** CA St. John reported there were many potholes but patching materials were difficult to purchase due to high demand throughout the area.

WATER & WASTE WATER:

1. **FAILED LEAD TEST.** CM Boss asked about a report of a failed lead test for water. CA St. John informed the council the lead was correct, but the results had not been shared directly with the participating accounts, creating a violation.

PARKS & RECREATION:

1. **DISC GOLF RESOLUTION.** CM Hughes asked if the resolution recommended by CA Olsen had been completed applicable to the installation of the disc golf in City Park. CM Hughes also asked if the Patterson deed had been completed. CA St. John reported CA Olsen was working on these documents.
2. **BILLBOARD AT HIGHWAY 77 RILEY CORNER.** CM Boss said she could not read the new billboard at the Riley Corner easily. CA St. John said we had received lots of positive comments about the billboard.

FINANCE & ADMINISTRATION:

- 3. FINANCIAL STATEMENT FROM MAIN STREET.** CM Boss asked where the \$15,000 donated by the City was shown on the financial statement. She would like our donation to be shown separately.

EXECUTIVE SESSION. At 8:30 p.m. CM Barnes moved, CM Frye seconded to recess in executive session pursuant to property acquisition, exception K.S.A. 75-4319(b)(6) which included the Governing Body and CA St. John. The meeting would resume in the City Council chambers at 8:45 p.m. Motion carried unanimously. At 8:45 p.m. council reconvened. President Throm reported no binding decisions were made during executive session and the regular session was continuing.

ROUNDTABLE DISCUSSION:

- 1. TOWN HALL MEETING.** CM Boss reported she thought the Town Hall Meeting/Business After Hours was a success and she would like the City to host these annually.
- 2. COMMITTEE MEETINGS.** CM Boss asked no committee meeting be held if all committee members could not attend.
- 3. COUNCIL DECISIONS.** CM Pippia stated the Governing Body makes their decisions at council meetings. CM Pippia said the yes and the no is decided here. There is a lot of “back dooring” going on and we need to squash that.

There being no further business, at 8:48 p.m. CM Graham moved to adjourn, CM Pippia seconded. Motion carried unanimously.

Cindy Holle

City Clerk