

Regular Meeting  
City Hall, Marysville, Kansas-February 13, 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 Administer St. John and City Clerk Holle were also present.

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

The minutes from the January 23<sup>rd</sup> regular meeting were presented for approval. CM Throm moved; CM Behrens seconded to approve the minutes as presented. Motion carried by 7-0 voice vote.

**PUBLIC COMMENTS:**

**BUSINESS AND DISCUSSION ITEMS:**

1. **RESOLUTION 2023-01 STOLL TAX CREDIT.** Nic Stoll requested a Resolution of Support from the City for his housing investor tax credit application with the Kansas Housing Resources Corporation for development of rental housing at 209 Walnut. This development would be new construction of 2 duplexes. CM Throm moved CM Keating seconded to approve Resolution 2023-01 a letter of support for Nic Stoll to construct 2 duplexes at 209 Walnut. Motion carried unanimously.
2. **ORDINANCE NO. 1917 REZONING 1348 PONY EXPRESS HIGHWAY.** A hearing was held by the P &Z Commission on January 12, 2023. Nelson Industrial is requesting a zoning change from A-1 to I-1 so a warehouse can be built on the property. There were no objections from the surrounding property owners and no protest petition was filed. CM Throm moved to approve Ordinance 1917 amending the ULDC to change the zoning at 1348 Pony Express Highway from A-1 (Agricultural District) to I-1 (Restricted Light Industrial). CM Keating seconded. Motion carried 7-0.
3. **ORDINANCE NO. 1918 REZONING NE SECTION OF 5<sup>TH</sup> AND MAY STREETS.** A hearing was held by the P &Z Commission on January 12, 2023. Dan Hooyer is requesting a zoning change from R-2 to R-3 so he can build a shop for his concrete business on the east portion of the property at 5<sup>th</sup> and May. The concrete business and shop would be enclosed by a chain link fence. There were no objections from the surrounding property owners and no protest petition was filed. CM Throm moved to approve Ordinance 1918 amending the ULDC to change the zoning of Block 11, Lots 1-12 in Palmetto Addition from R-2 (Residential Single Family with Limited Mixed Density District) to R-3 (Residential Single Family with Restricted Light Industry). CM Keating seconded. Motion carried 7-0.

**NOTICES AND HEARINGS:**

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

1. Convention & Tourism request totaling \$1,400.00 as follows: Link Media Outdoors \$1,400.00 to replace the skins on the billboards at Highway 36 & 77 corner and Highway 36 and 99 corner.

2. Alcohol Consumption request from MCAC at Lee Dam Art Center March 16.
3. Cash balances in funds as of January 31, 2023, were presented as well as outstanding debt and receivable balances. Revenue/Expenditure Budget Reports through January 2023 showed unadjusted accumulated revenues in the General Fund of \$1,116,821 or 39% of budget; Water Revenue Fund, \$61,963 or 7% of budget, Sewer Revenue Fund, \$62,995 or 8% of budget. Unadjusted statement of expenditures in the General Fund totaled \$169,003 or 5% of budget, Water Revenue Fund, \$49,907 or 4% of budget, and Sewer Revenue Fund, \$81,245 or 6% of budget.
4. The Municipal Judge's Report for January showed \$1,287.47 being deposited with the City Treasurer and \$47.00 being forwarded to the State Treasurer for Judicial Branch Education, court costs and law enforcement training.

CM Keating requested a member of the C&T Committee attend the Council meeting when they present a request for funds.

#### **APPROPRIATIONS ORDINANCE NO. 3791**

1. Claims against the funds of the City were submitted for Council consideration as follows:  
General Fund, \$226,861.22; Water Revenue Fund, \$43,500.86; Sewage Revenue Fund, \$54,702.36; Sewage Replacement, \$37,000.00; Library Revolving, \$13,676.29; Library, \$125,415.72; Library Employee Benefit, \$22,574.90; Swim Pool Sales Tax, \$15,381.84; Koester Block Maintenance, \$1,571.21; Employee Benefit, \$19,065.97; Transient Guest Tax, \$5,024.90; Sales Tax Improvements, \$10,546.66; making a total of \$575,321.93.
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 Frye seconded to approve the appropriations ordinance totaling \$575,321.93.
3. Motion to approve the appropriations ordinance carried by 7-0 roll call vote. City Clerk Holle assigned Ordinance No. 3791.

#### **STAFF REPORTS:**

##### **CITY ADMINISTRATOR:**

1. **7<sup>TH</sup> STREET CORRIDOR GRANT.** CA St. John reported the State of Kansas has opened a new grant for tourism centric projects which would include a trail. This grant does not have a match. Representatives for the UP Depot and the Blue River Rail Trail asked the City to apply for this grant to improve the 7<sup>th</sup> Street Corridor north of Highway 36 using information CES created for a previous grant in January 2022 that was not funded. The dollar amounts were updated, The Council agreed to submit the grant application.
2. **TENNIS COURT PARKING AND SIDEWALK.** CA St. John included a request for bids to remove and construct 355 feet of new sidewalk and the parking area on the north side of the tennis courts. The project could begin no sooner than May 23<sup>rd</sup> and be completed by August 1<sup>st</sup>. The Council asked about the placement of the streetlights in the area. The Council agreed to get bids for the project.
3. **PROJECT UPDATES.** CA St. John presented the following project updates. CES is engineering the first four projects:

- i. 11<sup>th</sup> Road South-advertise this month for construction of the final part of 11<sup>th</sup> Road South keeping one lane of traffic open during the project.
  - ii. Highway 36 Manholes-Plans in in final review and they will be sent to KDHE and KDOT within the next few weeks.
  - iii. 8<sup>th</sup> Street/Elm Street Waterlines-finalized plans with Water Supervisor Bargman. Reworking plans to combine both projects into one project. Plans should be submitted to KDHE by month end. (KDHE has approved the 8<sup>th</sup> Street project)
  - iv. Flush Tanks-Project is currently out for bid.
  - v. 11<sup>th</sup> Road North/16<sup>th</sup> Street-Rob Roudybush with Hall Brothers said the City would be one of the first projects this spring.
4. **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. **RURAL VIOLENT CRIME REDUCTION INITIATIVE GRANT ACCEPTANCE.** PC Simpson reported that the City has received a grant from the National Police Institute and the Bureau of Justice Assistance. The Police Department was awarded \$150,000. CM Frye moved, CM Goracke seconded to accept the grant. Motion carried unanimously. PC Simpson presented a break down for the grant to be used as follows:  
Travel, \$5,865.00; Equipment, \$64,585.00; Hardware/Software, \$48,800.00; Training, \$15,750.00; Community Engagement, \$15,000.00. CM Keating moved, CM Snellings seconded to use the grant as proposed. Motion carried unanimously.

#### **STANDING COMMITTEE REPORTS:**

##### **STREET:**

1. **12<sup>TH</sup> ROAD & KEYSTONE ENGINEERING.** CM Keating reported there had been a Street Committee meeting. Bids for the Request for Proposal for engineering of 12<sup>th</sup> Road and Keystone Road were presented to the committee. There is a large discrepancy between the bid from BG Consultants and CES so the committee would like to interview the two firms to verify the bids before a decision is made. The interview will take place in the next few weeks.
2. **7<sup>TH</sup> STREET CORRIDOR.** CM Keating reported he and CA St. John has met with the Blue River Rail Trail group and the UP Depot Preservation group and will have another meeting Friday to discuss plans for the 7<sup>th</sup> Street Corridor.
3. **AT&T PROJECT ON CENTER AND 8<sup>TH</sup> STREET/9<sup>TH</sup> STREET.** The intersection at 8<sup>th</sup> Street and 9<sup>th</sup> Street are still blocked on Center Street and Broadway. There also are several holes in the streets open without proper barricading. This is an AT& T project and they are responsible for the holes in the street and any injuries that may happen.
4. **ALLEYS.** CM Keating said the alley to the east of the High School between 12<sup>th</sup> Street and 13<sup>th</sup> Street has some holes that should be addressed because there is lots of foot traffic near the high school because of the events held there. CM Snellings said she had reports of the alley between

Calhoun and Alston 10<sup>th</sup> to 11<sup>th</sup> Street also needs to be looked at. CM Frye would like the trees in the closed alley 9<sup>th</sup> to 10<sup>th</sup> Street Center to Carolina to be removed as there is foot traffic there also. CA St. John reminded citizens they should call the City Hall with street issues so they can be recorded, and tickets issued for the repairs.

**WATER & WASTEWATER:**

1. **DRAINAGE AT 7<sup>TH</sup> & JACKSON STREET.** CM Throm asked if there were plans to improve the drainage at 7<sup>th</sup> and Jackson Street. CA St. John said this area is on the list for improvement.

**CEMETERY/AIRPORT:**

1. **AIRPORT IMPROVEMENTS.** CM Frye reported the Cemetery/Airport Committee had met and discussed the taxiways in front of the hangars. Near hangar 2 there is a gap. Some of the taxiways to the hangars are paved and some are gravel. The Committee asked if we could do a project to pave the gravel taxiways with asphalt when 16<sup>th</sup> Street is refinished. CC Holle will check with Olsson & Associates to see if the FAA requires these to be engineered and if it affects the FAA funding. It was also noted the City does not remove the snow to the hangars as it would require specialized equipment which would not be used much.
2. **CEMETERY IMPROVEMENTS.** CM Frye asked about landscaping to screen the cemetery from Landoll Company. The committee asked the Cemetery Supervisor to create a plan to replace the trees and shrubbery that has been damaged in the last few years. CM Frye reported an anhydrous trailer has been donated to the Cemetery Department. The employees will refurbish the trailer to hold the white crosses used on Memorial Day so the crosses can be removed from the chapel and stored at Hedstrom Hall. The Committee talked about making the outhouse functional or creating a space in the chapel for a restroom. The Cemetery staff is researching kiosks to replace the kiosk destroyed in the June storm. City staff will research the fees charged for burials and urn burials and Saturday burials to create an updated policy. The City is currently cheaper than most cemeteries who also charge extra for Saturday burials to cover the overtime. CM Beikman said he thought the City should use the chapel for its intended purpose and not storage. Extending the current shop at the Cemetery would be necessary. CM Frye also suggested the road on the north side of the chapel be concreted as it is the only road not completed in the Cemetery.

**ADMINISTRATION AND FINANCE:**

1. **KOESTER BLOCK FUND.** CM Beikman reported the tenants in the businesses in the Koester Block would like the rent they pay kept separate and be used for updates to the buildings the businesses are located in. They would like the Koester House Museum to stand alone.
2. **DOWNTOWN HISTORIC DISTRICT.** CM Keating said he would like the City to create a historic district with the downtown buildings. This could make tax credits available to developers.

**APPOINTMENTS:** Sadie Goepfert to Convention and Tourism January 2023-December 2025. CM Throm moved, CM Frye seconded. Motion carried unanimously.

**CITY ATTORNEY:** CA John McNish entered the council chamber at 8:07 p.m.

**EXECUTIVE SESSION:** At 8:07 p.m. CM Goracke moved to recess in executive session for consultation with an attorney on matters deemed privileged in an attorney-client relationship about litigation or claims against the city exception KSA 75-4319 (b) (2). This session will include the Mayor, the City Council, the City Attorney, and the City Administrator. The open meeting will resume in the city council chamber at 8:15 p.m. CM Throm seconded. Motion carried 7-0. At 8:15 p.m. the council reconvened. Mayor Barnes reported no action was taken during the executive session and the regular session was continuing.

**ROUND TABLE DISCUSSION:**

**1. THERE WAS NO ROUND TABLE DISCUSSION.**

There being no further business, at 8:15 p.m. CM Frye moved to adjourn, CM Behrens seconded. Motion carried unanimously.

Cindy Holle  
City Clerk