

**AGENDA**  
**REGULAR MEETING**  
**June 26, 2023**  
**7:00 p.m.**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**1. APPROVAL OF MINUTES** – Regular Meeting: June 12, 2023. Pages 02-07

**2. PUBLIC COMMENTS**

Comments in this portion of the meeting will be held to a maximum of five (5) minutes. Scheduled requests shall be allotted fifteen (15) minutes. Requests to address the council or to be on the agenda must be given to the city clerk no later than noon (12:00) on the Wednesday preceding a scheduled council meeting (council meetings are scheduled for the second and fourth Monday of every month). Prior to making comments, please state the following: First & Last Name, Your Address and Ward.

1. Skyfest Alcohol - Chamber/Main Street Rachel Frye

**3. BUSINESS AND DISCUSSION ITEMS**

1. Convention & Tourism Interim Director Page 08  
2. Ordinance 1920 – Charging Zone Parking Restricted Page 09

**4. NOTICES AND HEARINGS**

1. Resolution 2023-26 – 804 Carolina Nuisance Resolution Pages 10-14  
2. Resolution 2023-27 – 701 N 11<sup>th</sup> St Nuisance Resolution Pages 15-19  
3. Resolution 2023-28 – 207 Alston St Nuisance Resolution Pages 20-29  
4. Resolution 2023-29 - 708 Calhoun Condemnation Pages 30-34  
5. Resolution 2023-30 - 511 N 8<sup>th</sup> Condemnation Pages 35-38

**5. CONSENT AGENDA**

1. Alcohol Consumption Request – Lee Dam Center, August 4<sup>th</sup>  
Squirrels Just Want to Have Fun – Wayne Kruse Page 39

**6. PRESENTATION OF APPROPRIATIONS ORDINANCE NO. 3800** Pages 40-44

**7. STAFF REPORTS**

1. City Administrator Page 45  
    a. Hwy 36 Manhole Project Bid Pages 46-55  
    b. KDOT Sewer Replacement Bid Pages 56-59  
    c. Budget Workshop – July 6<sup>th</sup> at 6 pm

**8. STANDING COMMITTEE REPORTS**

1. Street  
2. Water & Wastewater Treatment  
3. Parks & Recreation  
4. Cemetery & Airport  
5. Police & Fire  
6. Administration & Finance

**9. APPOINTMENTS & WAGE DETERMINATION**

**10. CITY ATTORNEY/EXECUTIVE SESSION**

**11. ROUNDTABLE DISCUSSION**

**ADJOURNMENT**

Regular Meeting  
City Hall, Marysville, Kansas-June 12, 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 were also present.

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

The minutes from the May 22<sup>nd</sup> regular meeting were presented for approval. CM Throm moved; CM Price seconded to approve the minutes as presented. Motion carried by 7-0 voice vote.

The minutes from the June 1<sup>st</sup> special meeting were presented for approval. CM Throm moved; CM Frye seconded to approve the minutes as presented. Motion carried by 7-0 voice vote.

**PUBLIC COMMENTS:**

**BUSINESS AND DISCUSSION ITEMS:**

1. **KOESTER BLOCK DISCUSSION.** The Council discussed the income and expenses for the Koester Block including the losses on some properties. The deed will be researched to confirm there are no deed restrictions on the property. The Admin and Finance Committee will meet and start a discussion on how to move forward in the future. The present leases expire December 31, 2023.

**NOTICES AND HEARINGS:**

1. **RESOLUTION 2023-17 NUISANCE AT 1208 MAY STREET.** Code Enforcement Officer Stock presented pictures and the Notice of Violation for 1208 May Street owned by Megan Woodyard. Megan Woodyard did not request a hearing, nor did she appear on May 22, 2023. CM Frye moved, CM Snellings seconded to approve Resolution 2023-17 setting a deadline of June 22, 2023, for the owner to abate the nuisance. Following June 22, the City will abate the nuisance and assess the costs to Megan Woodyard. Motion carried unanimously.
2. **RESOLUTION 2023-18 NUISANCE AT 301 LARAMIE STREET.** Code Enforcement Officer Stock presented pictures and the Notice of Violation for 301 Laramie Street owned by Edward N. Huddleston. Edward N. Huddleston did not request a hearing, nor did he appear on May 22, 2023. CM Throm moved, CM Keating seconded to approve Resolution 2023-18 setting a deadline of June 22, 2023, for the owner to abate the nuisance. Following June 22, the City will abate the nuisance and assess the costs to Edward N. Huddleston. Motion carried unanimously.
3. **RESOLUTION 2023-19 NUISANCE AT 404 CAROLINA STREET.** Code Enforcement Officer Stock presented pictures and the Notice of Violation for 404 Carolina Street owned by Kimberly R. Prothe. Kim Prothe did not request a hearing, nor did she appear on May 22, 2023. CM Throm moved, CM Keating seconded to approve Resolution 2023-19 setting a deadline of June 22, 2023, for the owner to abate the nuisance. Following June 22, the City will abate the nuisance and assess the costs to Kimberly R. Prothe. Motion carried unanimously.
4. **RESOLUTION 2023-20 NUISANCE AT 405 ALSTON STREET.** Code Enforcement Officer Stock presented pictures and the Notice of Violation for 405 Alston Street owned by Jenna Miller. Jenna Miller did not request a hearing, nor did she appear on May 22, 2023. CM Throm moved, CM

Price seconded to approve Resolution 2023-20 setting a deadline of June 22, 2023, for the owner to abate the nuisance. Following June 22, the City will abate the nuisance and assess the costs to Jenna Miller. Motion carried unanimously.

5. **RESOLUTION 2023-21 NUISANCE AT 108 S 13TH.** Code Enforcement Officer Stock presented pictures and the Notice of Violation for 108 S 13<sup>th</sup> Street owned by Austin Tillery and Julie Ann Tillery. Austin or Julie Ann Tillery did not request a hearing, nor did they appear on June 12, 2023. CM Throm moved, CM Snellings seconded to approve Resolution 2023-21 setting a deadline of June 22, 2023, for the owner to abate the nuisance. Following June 22, the City will abate the nuisance and assess the costs to Austin Tillery and Julie Ann Tillery. Motion carried unanimously.
6. **RESOLUTION 2023-22 DANGEROUS/UNSAFE STRUCTURE 1301 CALHOUN.** BI Ralph presented pictures and a check list of violations regarding an unsafe structure at 1301 Calhoun Street which is unfit for human habitation. After reviewing the memorandum, CM Frye moved, CM Snellings seconded to approve resolution 2023-22 to condemn the property at 1301 Calhoun Street and conduct a condemnation hearing on July 24, 2023. Motion carried unanimously.
7. **RESOLUTION 2023-23 DANGEROUS/UNSAFE STRUCTURE 500 JENKINS.** BI Ralph presented pictures and a check list of violations regarding an unsafe structure at 500 Jenkins Street which is unfit for human habitation. After reviewing the memorandum, CM Throm moved, CM Keating seconded to approve resolution 2023-23 to condemn the property at 500 Jenkins Street and conduct a condemnation hearing on July 24, 2023. Motion carried unanimously.
8. **RESOLUTION 2023-24 DANGEROUS/UNSAFE STRUCTURE 502 JENKINS.** BI Ralph presented pictures and a check list of violations regarding an unsafe structure at 502 Jenkins Street which is unfit for human habitation. After reviewing the memorandum, CM Throm moved, CM Snellings seconded to approve resolution 2023-24 to condemn the property at 502 Jenkins Street and conduct a condemnation hearing on July 24, 2023. Motion carried unanimously.
9. **RESOLUTION 2023-25 DANGEROUS/UNSAFE STRUCTURE 300 CALHOUN.** BI Ralph presented pictures and a check list of violations regarding an unsafe structure at 300 Calhoun Street which is unfit for human habitation. After reviewing the memorandum, CM Throm moved, CM Frye seconded to approve resolution 2023-25 to condemn the property at 300 Calhoun Street and conduct a condemnation hearing on July 24, 2023. Motion carried unanimously.

**AGENDA.** The Consent Agenda was presented for consideration. CM Behrens and CM Keating asked for the C&T request to be removed from the consent agenda. CM Throm moved; CM Snellings seconded to approve the Consent Agenda items 2 and 3. Motion carried unanimously. After discussion CM Frye moved, CM Snellings seconded to approve item 1 the C&T request. Motion carried 4-3 with CM Keating, CM Behrens and CM Throm voting no. Consent Agenda consisted of the following:

1. Convention & Tourism request as follows: Children's Discovery Center Mobile Museum, \$1,872.00.
2. Cash balances in funds were presented as well as outstanding debt and receivable balances. Revenue/Expenditure Budget Reports through May 2023 showed unadjusted accumulated revenues in the General Fund of \$1,703,299 or 60% of budget; Water Revenue Fund, \$318,906 or

35% of budget, Sewer Revenue Fund, \$320,058 or 42% of budget. Unadjusted statement of expenditures in the General Fund totaled \$1,357,379 or 42% of budget, Water Revenue Fund, \$345,947 or 27% of budget, and Sewer Revenue Fund, \$269,175 or 19% of budget.

3. The Municipal Judge's Report for May showed \$4,900.67 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. 3799**

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$167,629.81; Water Revenue Fund, \$28,338.77; Sewage Revenue Fund, \$10,694.74; Street & Highway, \$20,658.85; Airport Revolving Fund, \$810.00; Library Revolving Fund, \$6,692.13; Swim Pool Sales Tax, \$8,852.71; Koester Block Maintenance, \$2,818.51; Employee Benefit, \$9,193.24; Transient Guest Tax, \$15,255.59; Sales Tax Improvements, \$15,255.59; making a total of \$270,944.35.
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 Snellings seconded to approve the appropriations ordinance totaling \$270,944.35.
3. Motion to approve the appropriations ordinance carried by 7-0 roll call vote. City Clerk Holle assigned Ordinance No. 3799.

#### **STAFF REPORTS:**

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

1. **17<sup>TH</sup> STREET OVERLAY/CURB AND GUTTER.** CA St. John included quotes from Hall Brothers for N 17<sup>th</sup> Street from Center to Carolina. The 2.5" overlay would cost \$31,200.00. The quote from Inline Construction for 430 LF of standup curb and gutter and 116 LF of approaches would cost \$19,847.10. The Go Car Wash entrance was quoted at \$13,884.00 which would be paid by the new car wash. After discussion about the drainage of the gutter and the private drive owned by Go Car Wash, CM Throm moved, CM Frye seconded to approve the bid from Hall Brothers for \$45,084.00 to overlay 17<sup>th</sup> Street and the bid from Inline Construction for stand-up curb and gutter for \$19,847.10 to be paid from the Sales Tax Fund. Go Car Wash will reimburse the City \$13,884.00. Motion carried unanimously.
2. **PURCHASE 2002 ETNYRE K CHIP SPREADER.** CA St. John and Street Supervisor Gundelfinger traveled to Florida to assess a used 2002 Etnyre Chip Spreader used for applying chips to the street during the chip and seal process. Their recommendation was the machine would work for the City's needs and would be in usable condition. CM Frye moved, CM Behrens seconded to purchase the 2002 Etnyre K Chip spreader from Brown Equipment Co., LLC in Ocala Florida for \$39,500.00 and pay the shipping cost of approximately \$5600.00. Motion carried 5-2 with CM Keating and CM Goracke voting no.
3. **FINANCIALS.** CA St. John updated the Governing Body on the status of the General Fund, Water Revenue Fund, Sewer Revenue Fund and Sales Tax Improvement Fund. A Capital Projects report was also included.

**BUILDING INSPECTOR:**

1. **STORM SIREN DIGITAL CONTROLLER.** BI Ralph presented a quote to update the digital controller for the storm sirens. The quote from Blue Valley Public Safety, Inc. is \$6,451.50. This was a budgeted purchase for this year. CM Throm moved, CM Goracke seconded to purchase the new digital controller for the storm sirens from Blue Valley Public Safety, Inc. for \$6,451.50. Motion carried unanimously. BI Ralph reported that all storm sirens are working at this time.
2. **FIRESTATION ON CAROLINA REHABILITAION.** BI Ralph presented a quote from Inline Construction to rehabilitate the old fire station behind City Hall on Carolina. The quote to concrete the floor in the south two bays is \$9,560.00; concrete all four bays \$15,825.00; box in bays and insulate to be used as storage for records and box in overhead doors and window, \$14,100.00. Total for option 1 is \$23,060.00 and option 2 is \$29,925.00. The bid to elevate the grade on the exterior of the building to divert water is \$3,600.00. CM Frye moved; CM Behrens seconded to accept the bid from Inline Construction for \$29,925.00 plus \$3,600.00 to repair the exterior concrete. Motion carried unanimously. A mini split heating/ac unit bid will be purchased when the project is completed.

**STANDING COMMITTEE REPORTS:**

**STREET:**

1. **SIGNAGE NEAR CHARGING STATION.** CM Frye asked if the City could put up signs to inform the public the charging station is located here. It was also discussed that an ordinance should be written to restrict parking in the 600 block of Center Street beside the charging station for charging vehicles only.
2. **11<sup>th</sup> ROAD SOUTH EASEMENTS.** CM Keating asked about the 11<sup>th</sup> Road south project and accessibility to the homes during the project. CA St. John said he had been contacting the property owners about the easements as instructed by the engineer. The City has not received the engineered plans from CES.
3. **12<sup>th</sup> ROAD/KEYSTONE ROAD.** CM Keating asked if the City had received the plans from BG Consultants about 12<sup>th</sup> Road, Keystone Road and 11<sup>th</sup> Terrace or when they should be completed. The City has not received any plans yet.
4. **DUST CONTROL.** CM Snellings said she had another complaint about the dust on Jayhawk Road from 8<sup>th</sup> Street to 16<sup>th</sup> Street. CM Frye said he walked the road and there are lots of small fines on the road. CM Keating said he had spoken with Rob Lauer from Hall Brothers and Don and Phil Bruna about crushed millings which would be applied to the road to help settle the dust. The millings need to be dry and crushed and should cost about \$14 per ton. The Council would like to try the millings on a 150 ft stretch not near a corner. The Council also suggested purchasing the millings from Don Bruna and asking if he could crown the road.
5. **AT&T ROAD REPAIRS.** CM Frye asked how long Center Street would be blocked at the AT&T manhole and asked if they give the City a date to repair the street near the manhole on S. 9<sup>th</sup> Street near the Advocate. No information was reported to the City.

**WATER & WASTEWATER:**

1. **STORM WATER 1406 CENTER STREET.** CM Throm asked if the storm water from 15<sup>th</sup> Street near Nordhus Motors on Center Street could be routed to the manhole on 14<sup>th</sup> Street instead of boring under Center Street where it currently runs. Staff will look to see if the drop is sufficient.
2. **LAGOON PROJECT.** Mayor Barnes asked about the lagoon project. It is going out to bid and the bid opening will be Friday, July 14<sup>th</sup>.
3. **MANHOLE PROJECT CENTER STREET.** CM Throm asked about the manhole project on Center Street. The bid opening for the manhole project will be Wednesday, June 14<sup>th</sup>.

**PARKS & RECREATION:**

**CEMETERY/AIRPORT:**

1. **AIRPORT CLOSING.** CM Frye asked about the airport closing. CC Holle reported that the airport runway will be closed starting July 10<sup>th</sup> for 3 weeks. The runway will be open for 30 days and then during the second phase the runway will again be closed for 2 weeks and reopened for 30 days. The third phase the runway will be closed for 5 days. The helipad and taxiway will remain open during the project for life flights. CC Holle has sent letters to the hangar owners, the hospital, and the ambulance. A letter will be sent to Heinen Brothers Agra Service and Marshall County Emergency Management.

**POLICE AND FIRE:**

**ADMINISTRATION AND FINANCE:**

1. **CHAMBER/TOURISM DIRECTOR.** CM Snellings reported the Admin and Finance meeting with MCDC, Convention & Tourism and Chamber/Main Street went well. The current Chamber/Main Street director resigned, and the Chamber/Main Street Board voted to hire Wayne Kruse as the interim director beginning in July for 6 months. Chamber/Main Street will then interview and hire a full-time director. The proposed \$45,000 tourism director would be a contract employee of the City. Chamber/Main Street will contribute \$15,000 toward the health insurance. The Chamber/Main Street contract will be reviewed and will be brought to Council in August. An event coordinator was also discussed at the committee meeting.

**APPOINTMENTS:**

**CITY ATTORNEY:**

**EXECUTIVE SESSION:** At 8:39 p.m. CM Goracke moved to recess in executive session to discuss possible acquisition of real estate exception KSA 75-4319 (b) (6). This session will include the Mayor, City Council, and the City Administrator. The open meeting will resume in the city council chamber at 8:55 p.m. CM Snellings seconded. Motion carried 7-0. At 8:55 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. **KOESTER BLOCK.** CM Frye asked if the apartment was rented. It was reported it was rented on the 1<sup>st</sup> of June. CM Frye inquired about replacing the tree in the yard and was told the City would get trees in the fall. CM Frye also said the grease container from the restaurant was still there and asked if it could be removed. CM Frye reported there was an old drainpipe sticking out of the concrete behind the businesses in the alley and asked if it could be cut off.
2. **PARKING LOT TENNIS COURT.** CM Goracke reported the sidewalk and ADA by the tennis court looks good and they are working on the parking lot.
3. **LAKEVIEW COMPLEX BREAK-IN.** CM Throm spoke about the break-in at the Lakeview Complex, asking if the lighting could be improved. Cameras or a security system was also discussed.
4. **POOL REPAIRS.** CM Throm asked if the pool was still continuously losing water. The Council would like to find a company now to schedule repairs before next season. They also discussed having the entire pool evaluated, not just what needs to be repaired.

There being no further business, at 9:13 p.m. CM Frye moved to adjourn, CM Price seconded. Motion carried unanimously.

Cindy Holle  
City Clerk



June 13, 2023

Greetings, Marysville City Council and Mayor Jason Barnes!

The Marysville Convention & Tourism (C&T) committee met on June 13, 2023. At the meeting, the committee voted to hire Wayne Kruse as our Interim Director until December 31, 2023. This decision mirrors the vote from the Marysville Chamber Main Street (CMS) committee; Kruse will serve as part-time C&T Director and part-time CMS Director.

With all the information gathered at the Administration and Finance meetings, plus our overall goal with keeping Marysville on the map and moving forward, this is the best option for both our groups.

As Rachel Frye, President of the Marysville Chamber Main Street shared at the Administration and Finance meeting, Mr. Kruse is our solution to continuing to highlight Marysville for the next six months. Then, our intention is to work together to publicize and go through an entire interview and hiring process before the end of the year. If, at that time, Mr. Kruse applies and is selected to be the Director of Convention & Tourism and Chamber Main Street, we will move forward with him in the position permanently.

Our current budget reads \$20,750 for a contracted Executive Director. We propose that Mr. Kruse receives \$22,500, or half of our projected \$45,000 salary for the interim Director position in 2024, with the position starting July 1, 2023.

We appreciate your time and efforts in this matter. With your support, we see a bright future ahead of us.

Sincerely,

Marysville Convention & Tourism Committee



(First Published in the Marysville Advocate,  
Official City Paper, on Thursday, June 29, 2023)

ORDINANCE NO. 1920

AN ORDINANCE REGULATING THE PARKING OF VEHICLES ON CENTER STREET NEAR THE 7<sup>TH</sup> STREET INTERSECTION IN THE CITY OF MARYSVILLE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MARYSVILLE, KANSAS:

Section 1. CHARGING ZONE PARKING RESTRICTED. It shall be unlawful for any person to park a motor vehicle in the designated charging area in the 600 Block of Center Street except to charge an electric vehicle.

Section 2. This ordinance shall take effect and be in full force from and after its publication in the official city newspaper.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this twenty-sixth day of June, 2023.

ATTEST:

\_\_\_\_\_  
Jason Barnes, Mayor

Lucinda Holle, City Clerk

**RESOLUTION NO. 2023-26**

**RESOLUTION FOLLOWING HEARING ON NUISANCE  
VIOLATION BEFORE THE GOVERNING BODY ON JUNE 26, 2023**

WHEREAS, pursuant to Chapter 8, Article 2 of the Code of the City of Marysville, Kansas, notice was given to JANET WECKER with regard to 804 Carolina Street, Marysville, Marshall County, Kansas, on April 20, 2023, regarding violations of Chapter **8-201** of said Code (commonly referred to as the Health and Welfare Code); and

WHEREAS Janet Wecker did not request a hearing, nor did she appear on May 8, 2023, as pursuant to the Code of the City of Marysville; however, the Governing Body did discuss the alleged violations as aforementioned on June 26, 2023, and

WHEREAS the Governing Body indicated the following deadline would apply for compliance in the area of concern: The area of 804 Carolina Street, Marysville, Marshall County, Kansas, shall be in compliance prior to July 8, 2023.

NOW, THEREFORE, IT IS RESOLVED by the Governing Body of the City of Marysville, Kansas, that the above aforementioned deadline as applicable to the respective area shall apply and be deemed final; and

IT IS FURTHER RESOLVED that if compliance is not met in this area by July 8, 2023, the City Inspector shall abate the violation with the costs assessed against the lot or parcel of ground as provided by Chapters 8-208 and 8-210 of the Marysville Code of Ordinances.

IT IS SO RESOLVED.

PASSED AND APPROVED this 26th day of June 2023, by the Governing Body of the City of Marysville, Kansas.

FORMALIZED IN WRITING ON THIS 26<sup>th</sup> DAY OF JUNE 2023.

(Seal)

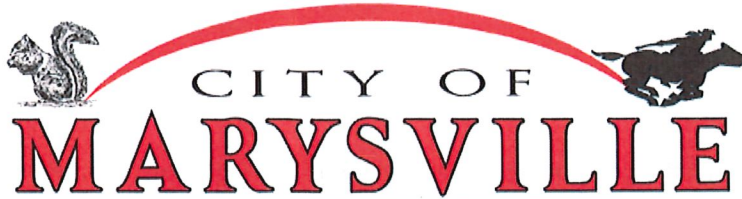
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JASON BARNES  
Mayor

ATTEST:

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LUCINDA HOLLE  
City Clerk



209 NORTH 8<sup>TH</sup> ST., MARYSVILLE, KS 66508 ♦ PH: (785) 562-5331 FAX: (785) 562-2449

## NOTICE OF VIOLATION

of City Code, Chapter 8, Article 5, Section 8-503, relating to the junked motor vehicles on private property. Providing for notice and providing for removal by the City of Marysville, and providing for charges, therefore.

**DATE:** 4/20/2023

**OWNER AND/OR TENANT:** Janet Wecker

**LOCATION OF INSPECTION:** 804 Carolina St..

**PHOTO(S) & INSTRUCTIONS TO ABATE:** The vehicle in question is the Black Chevy S-10 Kansas tag 676 LPD expired in 2019. This vehicle either needs to be fixed and properly tagged or needs to be removed from the property, we greatly appreciate your cooperation in this matter.

Inspection of your property within the city limits of Marysville, Kansas reveals that there is a vehicle on your property that is in violation of City Code, Chapter 8, Article 5, Section 8-503.

It shall be unlawful for any person to maintain or permit any motor vehicle nuisance within the city.

- (a) A motor vehicle nuisance is any motor vehicle which is not currently registered or tagged pursuant to K.S.A. 8-126 to 8-149 inclusive, as amended; or parked in violation of city ordinance; or incapable of moving under its own power; or in a junked, wrecked, or inoperable condition. Any of the following conditions shall raise the presumption that a vehicle is junked, wrecked or inoperable:
  - (1) Absence of a current registration plate upon the vehicle
  - (2) Placement of the vehicle or parts thereof upon jacks, blocks, or other supports
  - (3) Absence of one or more parts of the vehicle necessary for the lawful operation of the vehicle upon street or highway.
- (b) The provisions of this section shall not apply to:
  - (1) Any motor vehicle which is enclosed in a garage or other building
  - (2) To the parking or storage of a vehicle inoperable for a period of 30 consecutive days or less, or
  - (3) To any person conducting a business enterprise in compliance with existing zoning regulations or who places such vehicles behind screening of sufficient size, strength, and density to screen such vehicles from the view of the public and to prohibit ready access to stored vehicles by children. However, nothing in this subsection shall be construed to authorize the maintenance of a public nuisance.

As the owner or tenant of the property in which the vehicle in violation is found, you have **10 days from the date of this notice** to abate the condition(s) in violation.

You may request a hearing before the City Council by filing a written request with the City Clerk at Marysville City Hall, 209 N. 8th Street, Marysville, Kansas, within the five (5) days of receipt of this letter. If you so request, your hearing will be at the next City Council meeting, which is presently scheduled for **5/8/2023** at 7:00 p.m.

Failure to comply with this notice to abate the nuisance or request a hearing, the city may file a complaint in the municipal court. Upon conviction of violation of provisions of section 8-503, **you may be fined in an amount not to exceed \$100 plus court costs.**

If you have any questions regarding the enforcement of this order, contact the Building Inspector at 785-562-5331.

A follow-up inspection will be conducted on **5/2/2023** to ensure compliance with this request. Your prompt attention to this matter will be appreciated.

Sincerely,

**Code Enforcement Officer**



Updated 6/21/2023



**RESOLUTION NO. 2023-27**

**RESOLUTION FOLLOWING HEARING ON NUISANCE  
VIOLATION BEFORE THE GOVERNING BODY ON JUNE 26, 2023**

WHEREAS, pursuant to Chapter 8, Article 2 of the Code of the City of Marysville, Kansas, notice was given to SHERI E. MARTIN with regard to 701 N. 11<sup>th</sup> Street, Marysville, Marshall County, Kansas, on May 5, 2023, regarding violations of Chapter **8-201** of said Code (commonly referred to as the Health and Welfare Code); and

WHEREAS Sheri E. Martin did not request a hearing, nor did she appear on May 22, 2023, as pursuant to the Code of the City of Marysville; however, the Governing Body did discuss the alleged violations as aforementioned on June 26, 2023, and

WHEREAS the Governing Body indicated the following deadline would apply for compliance in the area of concern: The area of 701 N. 11<sup>th</sup> Street, Marysville, Marshall County, Kansas, shall be in compliance prior to July 8, 2023.

NOW, THEREFORE, IT IS RESOLVED by the Governing Body of the City of Marysville, Kansas, that the above aforementioned deadline as applicable to the respective area shall apply and be deemed final; and

IT IS FURTHER RESOLVED that if compliance is not met in this area by July 8, 2023, the City Inspector shall abate the violation with the costs assessed against the lot or parcel of ground as provided by Chapters 8-208 and 8-210 of the Marysville Code of Ordinances.

IT IS SO RESOLVED.

PASSED AND APPROVED this 26th day of June 2023, by the Governing Body of the City of Marysville, Kansas.

FORMALIZED IN WRITING ON THIS 26<sup>th</sup> DAY OF JUNE 2023.

(Seal)

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JASON BARNES  
Mayor

ATTEST:

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LUCINDA HOLLE  
City Clerk



209 NORTH 8<sup>TH</sup> ST., MARYSVILLE, KS 66508 ♦ PH: (785) 562-5331 FAX: (785) 562-2449

## **NOTICE OF VIOLATION**

of City Code, Chapter 8, Article 2, Section 8-201, relating to health nuisances as defined. Providing for notice and providing for removal by the City of Marysville and providing for charges, therefore.

**DATE:** 5/5/2023

**OWNER AND/OR TENANT:** Sheri E. Martin

**LOCATION OF INSPECTION:** 701 N. 11th St

**PHOTO(S) & INSTRUCTIONS TO ABATE:** Please note the pictures I have taken, these areas are in violation of city code, please clean up these areas at your earliest convenience which is the guttering and miscellaneous items. We greatly appreciate your cooperation and prompt action to this situation and helping keep Marysville clean.

Inspection of your property within the city limits of Marysville, Kansas reveals that there is a health nuisance on your property that is in violation of City Code, Chapter 8, Article 2, Section 8-201.

The above-referenced property is in violation of the Marysville Code of Ordinances because of the following conditions:

8-201. NUISANCES UNLAWFUL; DEFINED. It shall be unlawful for any person to maintain or permit any nuisance within the city as defined, without limitation, as follows:

- (a) Filth, excrement, lumber, rocks, dirt, cans, paper, trash, metal or any other offensive or disagreeable thing or substance thrown or left or deposited upon any street, avenue, alley, sidewalk, park, public or private enclosure or lot whether vacant or occupied.
- (b) All dead animals not removed within 24 hours after death.
- (c) Any place or structure or substance which emits or causes any offensive, disagreeable or nauseous odors.
- (d) All stagnant ponds or pools of water.
- (e) All grass or weeds or other unsightly vegetation not usually cultivated or grown for domestic use or to be marketed or for ornamental purposes.
- (f) Abandoned iceboxes or refrigerators kept on the premises under the control of any person or deposited on the sanitary landfill.
- (g) All articles or things whatsoever caused, kept maintained or permitted by any person to the injury, annoyance, or inconvenience of the public or of any neighborhood.
- (h) Any fence, structure, thing, or substance placed upon or being upon any street, sidewalk, alley, or public ground to obstruct the same, except as permitted by the laws of the city. (K.S.A. 21-4106:4107; Code 2011)

As the owner or tenant of the property in which the violation is found you have **10 days from the date of this notice** to abate the condition(s) in violation or request a hearing before the governing body of the



matter as provided by section 8-206 of the City Code. If you so request, your hearing will be at the next City Council meeting, which is presently scheduled for **5/22/2023** at 7:00 p.m.

A follow-up inspection will be conducted on **5/16/2023** to ensure compliance with this request. Your prompt attention to this matter will be appreciated.

Should the person, corporation, partnership, or association listed on this notice fail to properly abate the nuisance or request a hearing, the matter may be referred to the prosecutor to be filed in the municipal court against such person, corporation, partnership or association and upon conviction of any violation of provisions of section 8-201, **may be fined in an amount not to exceed \$250 plus court costs.**

In addition to, or as an alternative to prosecution, the public officer may seek to remedy violations of this section in the following manner. If a person to whom a notice has been sent has neither alleviated the conditions causing the alleged violation nor requested a hearing before the governing body within the time periods specified, the public officer may present a resolution to the governing body for adoption authorizing the public officer or other agents of the city to abate the conditions causing the violation at the end of 10 days after passage of the resolution. The resolution shall further provide that the costs incurred by the city shall be charged against the lot or parcel of ground on which the nuisance was located. A copy of the resolution shall be served upon the person in violation.

If you have any question regarding the enforcement of this order, contact the Building Inspector at 785-562-5331.

Thank you for your cooperation in this matter.

**Robert Stock**  
**Code Enforcement Officer**



Updated 6/21/2023



**RESOLUTION NO. 2023-28**

**RESOLUTION FOLLOWING HEARING ON NUISANCE VIOLATION BEFORE THE GOVERNING BODY ON JUNE 26, 2023**

WHEREAS, pursuant to Chapter 8, Article 2 of the Code of the City of Marysville, Kansas, notice was given to ROSS W. LOCKHART with regard to 207 Alston Street, Marysville, Marshall County, Kansas, on June 6, 2023, regarding violations of Chapter **8-201** of said Code (commonly referred to as the Health and Welfare Code); and

WHEREAS Ross W. Lockhart did not request a hearing, nor did he appear on June 26, 2023, as pursuant to the Code of the City of Marysville; however, the Governing Body did discuss the alleged violations as aforementioned on June 26, 2023, and

WHEREAS the Governing Body indicated the following deadline would apply for compliance in the area of concern: The area of 207 Alston Street, Marysville, Marshall County, Kansas, shall be in compliance prior to July 8, 2023.

NOW, THEREFORE, IT IS RESOLVED by the Governing Body of the City of Marysville, Kansas, that the above aforementioned deadline as applicable to the respective area shall apply and be deemed final; and

IT IS FURTHER RESOLVED that if compliance is not met in this area by July 8, 2023, the City Inspector shall abate the violation with the costs assessed against the lot or parcel of ground as provided by Chapters 8-208 and 8-210 of the Marysville Code of Ordinances.

IT IS SO RESOLVED.

PASSED AND APPROVED this 26th day of June 2023, by the Governing Body of the City of Marysville, Kansas.

FORMALIZED IN WRITING ON THIS 26<sup>th</sup> DAY OF JUNE 2023.

(Seal)

\_\_\_\_\_  
JASON BARNES  
Mayor

ATTEST:

\_\_\_\_\_  
LUCINDA HOLLE  
City Clerk



209 NORTH 8<sup>TH</sup> ST., MARYSVILLE, KS 66508 ♦ PH: (785) 562-5331 FAX: (785) 562-2449

## **NOTICE OF VIOLATION**

of City Code, Chapter 8, Article 2, Section 8-201, relating to health nuisances as defined. Providing for notice and providing for removal by the City of Marysville and providing for charges, therefore.

**DATE: 6/6/2023**

**OWNER AND/OR TENANT: Ross W. Lockhart**

**LOCATION OF INSPECTION: 207 Alston St.**

**PHOTO(S) & INSTRUCTIONS TO ABATE:** Please note the pictures I have taken, these areas are in violation of city code, please clean up these areas at your earliest convenience which is the limbs, wood, fence, brush, metal and miscellaneous items. We greatly appreciate your cooperation and prompt action to this situation and helping keep Marysville clean.

Inspection of your property within the city limits of Marysville, Kansas reveals that there is a health nuisance on your property that is in violation of City Code, Chapter 8, Article 2, Section 8-201.

The above-referenced property is in violation of the Marysville Code of Ordinances because of the following conditions:

8-201. NUISANCES UNLAWFUL; DEFINED. It shall be unlawful for any person to maintain or permit any nuisance within the city as defined, without limitation, as follows:

- (a) Filth, excrement, lumber, rocks, dirt, cans, paper, trash, metal or any other offensive or disagreeable thing or substance thrown or left or deposited upon any street, avenue, alley, sidewalk, park, public or private enclosure or lot whether vacant or occupied.
- (b) All dead animals not removed within 24 hours after death.
- (c) Any place or structure or substance which emits or causes any offensive, disagreeable or nauseous odors.
- (d) All stagnant ponds or pools of water.
- (e) All grass or weeds or other unsightly vegetation not usually cultivated or grown for domestic use or to be marketed or for ornamental purposes.
- (f) Abandoned iceboxes or refrigerators kept on the premises under the control of any person or deposited on the sanitary landfill.
- (g) All articles or things whatsoever caused, kept maintained or permitted by any person to the injury, annoyance, or inconvenience of the public or of any neighborhood.
- (h) Any fence, structure, thing, or substance placed upon or being upon any street, sidewalk, alley, or public ground to obstruct the same, except as permitted by the laws of the city. (K.S.A. 21-4106:4107; Code 2011)

As the owner or tenant of the property in which the violation is found you have **10 days from the date of this notice** to abate the condition(s) in violation or request a hearing before the governing body of the matter as provided by section 8-206 of the City Code. If you so request, your hearing will be at the next City Council meeting, which is presently scheduled for **6/26/2023** at 7:00 p.m.

A follow-up inspection will be conducted on **6/19/2023** to ensure compliance with this request. Your prompt attention to this matter will be appreciated.

Should the person, corporation, partnership, or association listed on this notice fail to properly abate the nuisance or request a hearing, the matter may be referred to the prosecutor to be filed in the municipal court against such person, corporation, partnership or association and upon conviction of any violation of provisions of section 8-201, **may be fined in an amount not to exceed \$250 plus court costs.**

In addition to, or as an alternative to prosecution, the public officer may seek to remedy violations of this section in the following manner. If a person to whom a notice has been sent has neither alleviated the conditions causing the alleged violation nor requested a hearing before the governing body within the time periods specified, the public officer may present a resolution to the governing body for adoption authorizing the public officer or other agents of the city to abate the conditions causing the violation at the end of 10 days after passage of the resolution. The resolution shall further provide that the costs incurred by the city shall be charged against the lot or parcel of ground on which the nuisance was located. A copy of the resolution shall be served upon the person in violation.

If you have any question regarding the enforcement of this order, contact the Building Inspector at 785-562-5331.

Thank you for your cooperation in this matter.

**Robert Stock**  
**Code Enforcement Officer**











Updated 6/21/2023







(First Published in the Marysville Advocate, Official City Newspaper  
on Thursday June 29, 2023)

**RESOLUTION NO. 2023-29**

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF MARYSVILLE, KANSAS, AT WHICH THE OWNERS, THEIR AGENTS, LIENHOLDERS OF RECORD, OCCUPANTS AND OTHER PARTIES IN INTEREST IN STRUCTURES LOCATED WITHIN SAID CITY AND DESCRIBED HEREIN MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS AN UNSAFE OR DANGEROUS STRUCTURE.

WHEREAS, the City Inspector of the City of Marysville, Kansas, did file with the governing body of said city, a statement in writing that the structure, situated as described below, is unsafe and dangerous;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARYSVILLE, KANSAS:

That a hearing will be held on Monday, August 14, 2023, before the governing body of said City at 7:00 o'clock p.m. at Marysville City Hall, 209 N. 8<sup>th</sup> Street, Marysville, Kansas, at which the owners, their agents, any lienholders of record, and any occupant and other parties in interest, as that term is defined by law, of the structure(s) located at:

Lot 11 Block 56, Palmetto, Marshall County, Kansas (commonly known as 708 Calhoun, Marysville, Kansas 66508).

may appear and show cause why such structure(s) should not be condemned as an unsafe or dangerous structure and ordered repaired or demolished.

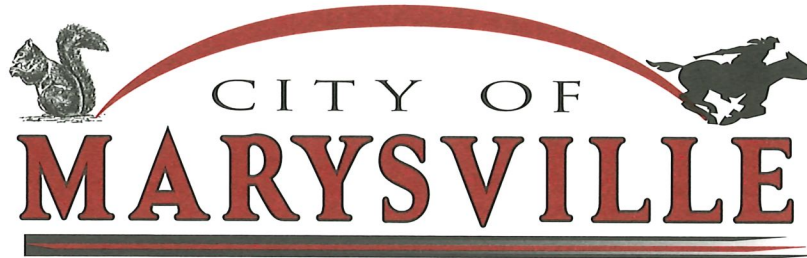
BE IT FURTHER RESOLVED, that the City Council shall cause this resolution to be published and shall give notice of the aforesaid hearing in the manner provided by law.

ADOPTED AND APPROVED by the Council on this 26th day of June, 2023.

\_\_\_\_\_  
Jason Barnes, Mayor

ATTEST:

\_\_\_\_\_  
Lucinda Holle, City Clerk



209 NORTH 8<sup>TH</sup> ST., MARYSVILLE, KS 66508 ♦ PH: (785) 562-5331 FAX: (785) 562-2449

**TO:** Governing Body  
**FROM:** William Ralph  
City Inspector  
**DATE:** June 19, 2023  
**LOCATION:** 708 Calhoun  
**RE:** Unsafe/Dangerous Structure

The roof on this structure has holes in it and the sheeting is rotted away. Some of the overhang on the west side is missing. The overhang on the west is bad too. Also, the wall on the west side is bowed in. the last picture shows how far in this wall has moved. There is also a hole where animals could possibly get in/under the building.

My recommendation to Council is that this property is a dangerous/ unsafe Structure and that it is unfit for human habitation. Attached is the Dangerous Structures checklist and pictures of the property.

William Ralph  
City Inspector

A handwritten signature in blue ink that reads "William Ralph". The signature is written in a cursive style and is positioned below the typed name and title.







INSPECTION CHECKLIST AND REPORT

DANGEROUS AND UNSAFE STRUCTURES

In accordance with Article 6 of Chapter IV of the City Code of Marysville and K.S.A. 17-4759, the following structure was inspected on the below-stated date.

DATE INSPECTED: June 19, 2023

ADDRESS: 708 Calhoun

LEGAL DESCRIPTION: Lot 11, Block 56, Palmetto addition

NAME OF PROPERTY OWNER: Richard Bryan

TYPE OF STRUCTURE: Garage/shed

The property is found to be dangerous and unsafe because of the following conditions.

- The structure has been damaged by weather, want of repair or other causes so as to become dangerous to life, safety, morals, or general health and welfare of the people of the City of Marysville.  
The structure fails to provide the necessities to decent living which makes it unfit for human habitation.
- The structure is vacant and open which makes it definitely attractive to loiterers, vagrants, and children.
- The building has parts which are so attached that they may fall and injure other property or the public.  
The exterior surface of the structure reflects deterioration and constitutes a blighting influence on adjoining property by:
  - Broken glass
  - Loose shingles, siding, or lumber
  - Crumbling bricks or stones
  - Excessive peeling paint
  - Uncleanliness
  - Other \_\_\_\_\_
- Foundations, exterior walls, exterior doors, basement hatchway, windows or roof are not being kept substantially weathertight and rodent proof.  
Basement/cellar windows or openings are providing an entry for rodents and are not supplied with screens or other devises to effectively prevent their entrance.  
Structure constitutes a fire or safety hazard to the property itself and to the public safety and general welfare.
- Structure lacks adequate ventilation, sanitary facilities, or inadequate ingress or egress.
- Structure violates health, fire, building or zoning regulations.
- Other: \_\_\_\_\_

William Ruff  
City Inspector

(First Published in the Marysville Advocate, Official City Newspaper  
on Thursday June 29, 2023)

**RESOLUTION NO. 2023-30**

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF MARYSVILLE, KANSAS, AT WHICH THE OWNERS, THEIR AGENTS, LIENHOLDERS OF RECORD, OCCUPANTS AND OTHER PARTIES IN INTEREST IN STRUCTURES LOCATED WITHIN SAID CITY AND DESCRIBED HEREIN MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS AN UNSAFE OR DANGEROUS STRUCTURE.

WHEREAS, the City Inspector of the City of Marysville, Kansas, did file with the governing body of said city, a statement in writing that the structure, situated as described below, is unsafe and dangerous;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARYSVILLE, KANSAS:

That a hearing will be held on Monday, August 14, 2023, before the governing body of said City at 7:00 o'clock p.m. at Marysville City Hall, 209 N. 8<sup>th</sup> Street, Marysville, Kansas, at which the owners, their agents, any lienholders of record, and any occupant and other parties in interest, as that term is defined by law, of the structure(s) located at:

Lots 1-3, Block 56, Palmetto, Marshall County, Kansas (commonly known as 511 N 8<sup>th</sup> Street, Marysville, Kansas 66508).

may appear and show cause why such structure(s) should not be condemned as an unsafe or dangerous structure and ordered repaired or demolished.

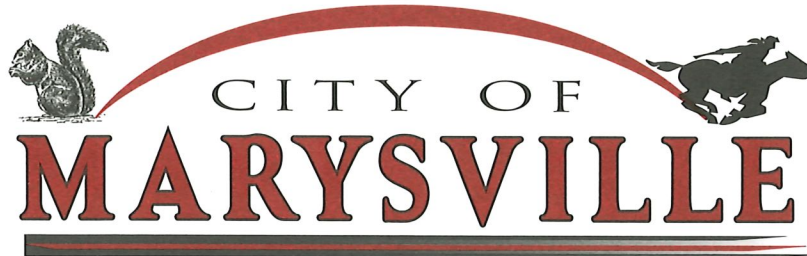
BE IT FURTHER RESOLVED, that the City Council shall cause this resolution to be published and shall give notice of the aforesaid hearing in the manner provided by law.

ADOPTED AND APPROVED by the Council on this 26th day of June, 2023.

\_\_\_\_\_  
Jason Barnes, Mayor

ATTEST:

\_\_\_\_\_  
Lucinda Holle, City Clerk



209 NORTH 8<sup>TH</sup> ST., MARYSVILLE, KS 66508 ♦ PH: (785) 562-5331 FAX: (785) 562-2449

**TO:** Governing Body  
**FROM:** William Ralph  
City Inspector  
**DATE:** June 19, 2023  
**LOCATION:** 511 N. 8<sup>th</sup> St.  
**RE:** Unsafe/Dangerous Structure

The roof on this shed has holes in it and is missing most of its shingles. There are holes at the base on the south side that rodents could get in. There are three holes in the north that animals can get in. The paint has peeled to the point that there is no longer any paint on the building.

My recommendation to Council is that this property is a dangerous/ unsafe Structure and that it is unfit for human habitation. Attached is the Dangerous Structures checklist and pictures of the property.

William Ralph  
City Inspector

A handwritten signature in blue ink that reads "William Ralph". The signature is written in a cursive style.



INSPECTION CHECKLIST AND REPORT

DANGEROUS AND UNSAFE STRUCTURES

In accordance with Article 6 of Chapter IV of the City Code of Marysville and K.S.A. 17-4759, the following structure was inspected on the below-stated date.

DATE INSPECTED: June 19, 2023

ADDRESS: 511 N. 8th

LEGAL DESCRIPTION: Lot 1-3, Block 56, Palmetto addition

NAME OF PROPERTY OWNER: Patricja Wassenberg

TYPE OF STRUCTURE: Shed by alley

The property is found to be dangerous and unsafe because of the following conditions.

- The structure has been damaged by weather, want of repair or other causes so as to become dangerous to life, safety, morals, or general health and welfare of the people of the City of Marysville.
- The structure fails to provide the necessities to decent living which makes it unfit for human habitation.
- The structure is vacant and open which makes it definitely attractive to loiterers, vagrants, and children.
- The building has parts which are so attached that they may fall and injure other property or the public.
- The exterior surface of the structure reflects deterioration and constitutes a blighting influence on adjoining property by:
  - Broken glass
  - Loose shingles, siding, or lumber
  - Crumbling bricks or stones
  - Excessive peeling paint
  - Uncleanliness
  - Other holes in roof
- Foundations, exterior walls, exterior doors, basement hatchway, windows or roof are not being kept substantially weathertight and rodent proof.
- Basement/cellar windows or openings are providing an entry for rodents and are not supplied with screens or other devises to effectively prevent their entrance.
- Structure constitutes a fire or safety hazard to the property itself and to the public safety and general welfare.
- Structure lacks adequate ventilation, sanitary facilities, or inadequate ingress or egress.
- Structure violates health, fire, building or zoning regulations.
- Other: \_\_\_\_\_

William Ralph  
City Inspector

CITY OF MARYSVILLE  
APPLICATION FOR CONSUMPTION OF ALCOHOL BEVERAGES  
PERSONAL INQUIRY WAIVER  
CONSENT TO RELEASE RECORDS

Full Name (Responsible Party):

Kruso Wayne Allen  
Last First Middle

Address: 

Home Phone #:  Work/Cell Phone #: 

Event Sponsor (i.e. Main Street, Bank, Etc.):

Marshall County Arts Cooperative

DATE OF EVENT:

LOCATION:

Friday, August 4, 2023 Lee Dam Center for  
4-7p.m.

Reason for Event (i.e. Chamber Mixer, Art Show, Open House, Etc.)

Fine Art

We are the first stop for Squirrels Just  
want to have fun.

I, Wayno Kruso, do hereby authorize a review and full disclosure of all records concerning myself to any duly authorized agent of the City of Marysville, whether the said records are public, private or confidential nature. The intent of this authorization is to give my full and complete disclosure of the records of educational institutions, employment, and pre-employment records including background reports, efficient ratings, complaints, or grievances filed by or against me and the records and recollections of attorneys, or of other counsel whether representing me or another person in any case, either criminal or civil in which I presently have, or had an interest. I understand that any information obtained by a personal history background investigation which is developed directly or indirectly, in whole or in part, upon this released authorization will be consideration for determining suitability of this application by the City of Marysville. I also certify that any person(s) who may furnish such information concerning me shall not be held accountable for giving this information; and I do hereby release said person(s) from all liability which may be incurred as a result of furnishing such information. A photocopy of this release will be valid as an original thereof, even though the said photocopy does not contain an original writing of my signature.

Wayno Kruso  
Signature of Responsible Party

6-19-2023  
Date

APPROVED BY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

**NOTE: FORMS MAY BE REJECTED IF NOT FILLED OUT COMPLETELY!!**

Please Attach A Copy Of A Valid Driver's License Or Identification Card

**JUNE 26, 2023 -----ORDINANCE NO. 3800**

TOTAL OF EXPENDITURES IN FUNDS AS FOLLOWS:

FUND		
100	GENERAL	\$ 143,324.21
200	WATER REVENUE	40,102.35
300	SEWAGE REVENUE	20,416.85
400	STREET & HIGHWAY	3,218.40
405	SEWER REPLACEMENT	20,392.72
512	LIBRARY REVOLVING	9,818.52
513	LIBRARY	70,037.24
514	LIBRARY EMPLOYEE BENEFIT	11,391.78
600	SWIM POOL SALES TAX	22,321.35
707	KOESTER BLOCK MAINTENANCE	815.64
711	EMPLOYEE BENEFIT	30,819.81
715	TRANSIENT GUEST TAX	129.01
720	MUNICIPAL EQUIPMENT RESERVE	45,100.00
799	CAPITAL IMPROVEMENTS	10,960.00
800	SALES TAX	<u>38,418.00</u>
	TOTAL ORDINANCE	\$ 467,265.88



**INVOICE APPROVAL LIST REPORT - SUMMARY BY VENDOR**

ORD #3800 6/26/23

Date: 06/22/2023

Time: 9:23 am

Page: 1

City of Marysville

Vendor Name	Vendor No.	Invoice Description	Check No.	Check Date	Check Amount
ACKERMAN LOCK & KEY	523	REPLACE LOCKS AT LAKEVIEW & FELDHAUSEN FIELD CONCESSIONS	0	00/00/0000	535.16
				Vendor Total:	<u>535.16</u>
ADVANCE INSURANCE COMPANY	997	LIFE INSURANCE PREMIUM JULY	0	00/00/0000	297.65
				Vendor Total:	<u>297.65</u>
AIR & FIRE SYSTEMS	2482	2 NEW 2.5LB ABC FIRE EXT & REFILL 7 10LB EXTINGUISHERS	0	00/00/0000	527.46
				Vendor Total:	<u>527.46</u>
BLUE CROSS BLUE SHIELD INSUR	0091	HEALTH INSURANCE PREMIUM JULY + Dental	0	00/00/0000	34,219.95
				Vendor Total:	<u>34,219.95</u>
BLUE VALLEY TRAILERS INC	2626	BLADE BOLT SHIELDS HUSTLER MOWERS-#5003, 5004, & 5005	0	00/00/0000	72.00
				Vendor Total:	<u>72.00</u>
BOND & INTEREST ACCOUNT #1	0066	TRANSFER WATER TOWER PJT	0	00/00/0000	13,250.00
				Vendor Total:	<u>13,250.00</u>
BOND & INTEREST ACCOUNT #1A	332	TRANSFER LAGOONS	0	00/00/0000	4,115.00
				Vendor Total:	<u>4,115.00</u>
BROWN EQUIPMENT CO, LLC	2901	2002 ETNYRE K ASPHALT CHIP SPREADER K5891	50729	06/14/2023	39,500.00 H
				Vendor Total:	<u>39,500.00</u>
BUILDEX	2620	43.2CY HAYDITE-AGGREGATE FOR SEALING 3/8 X 1/4	0	00/00/0000	3,218.40
				Vendor Total:	<u>3,218.40</u>
CAPITAL IMPROVEMENTS FUND	1990	TRANSFER PER BUDGET	0	00/00/0000	1,250.00
				Vendor Total:	<u>1,250.00</u>
CARROT-TOP INDUSTRIES INC	1164	5X8' & 6X10' POLYESTER US FLAGS	0	00/00/0000	1,025.70
				Vendor Total:	<u>1,025.70</u>
CENTURY BUSINESS SYSTEMS	2009	SAVIN COPIER-POLICE DEPARTMENT ADDITIONAL COLOR COPIES-JUNE	0	00/00/0000	55.58
				Vendor Total:	<u>55.58</u>
CES GROUP P.A.	0172	ENGINEER STORM SEWER REPAIR 14TH/CENTER-PERMITS TO KDHE + Sanitary Sewer Center St by KDOT	0	00/00/0000	20,392.72
				Vendor Total:	<u>20,392.72</u>
CITIZENS STATE BANK	0050	EMPLOYEE PAYROLL #676	50728	06/14/2023	60,926.49 H
				Vendor Total:	<u>60,926.49</u>
COMMERCE BANK-COMMERCIAL (	2055	POOL TEST KIT,FIT TEST KIT, BALL VLV,POSTAGE,TRAVEL EXP,ETC	50731	06/15/2023	3,310.08 H
				Vendor Total:	<u>3,310.08</u>
COMMLINK IT	2903	INDOOR/OUTDOOR CAMERAS,DOOR CONTROLLER,CARD READER,&LICENS	0	00/00/0000	25,922.79
				Vendor Total:	<u>25,922.79</u>
DATAPILOT, INC	2851	RENEW DP DESKTOP SOFTWARE 1YR-POLICE DOWNLOAD SOFTWARE	0	00/00/0000	1,995.00
				Vendor Total:	<u>1,995.00</u>
EFT-FEDERAL TAX,FICA,MEDICAR	2025	FEDERAL TAX, FICA, & MEDICARE	0	00/00/0000	18,601.28
				Vendor Total:	<u>18,601.28</u>
EHNEN'S AUTOMOTIVE	2082	BATTERY,CABLES,TERMINAL,HOSE FITTINGS,WIRE,TOGGLE,COVER,ETC	0	00/00/0000	149.03
				Vendor Total:	<u>149.03</u>
ENERGY CENTER MANHATTAN PC	2333	DIAMOND BRITE,CAULK,GASKETS, BACKER ROD,&TILE-INSTALLED	0	00/00/0000	8,582.99

**INVOICE APPROVAL LIST REPORT - SUMMARY BY VENDOR**

ORD #3800 6/26/23

Date: 06/22/2023

Time: 9:23 am

Page: 2

City of Marysville

Vendor Name	Vendor No.	Invoice Description	Check No.	Check Date	Check Amount
				Vendor Total:	<u>8,582.99</u>
EVERGY	1401	ELECTRICITY KOESTER APT & RESTAURANT	50733	06/21/2023	69.30 H
				Vendor Total:	<u>69.30</u>
FIRE EQUIPMENT RESERVE FUND	1988	TRANSFER PER BUDGET	0	00/00/0000	3,333.00
				Vendor Total:	<u>3,333.00</u>
FREIGHT MANAGEMENT LOGISTIC	2902	FREIGHT FOR CHIP SPREADER FROM FLORIDA	50730	06/15/2023	5,600.00 H
				Vendor Total:	<u>5,600.00</u>
GARDEN OF EDEN	0143	FUNERAL PLANT-WOHLBRANDT FUNERAL	0	00/00/0000	35.00
				Vendor Total:	<u>35.00</u>
GENERAL FUND	1986	TRANSFER PER BUDGET	0	00/00/0000	40,333.00
				Vendor Total:	<u>40,333.00</u>
GODFREY'S	2704	8 GLOCK GUN HOLSTERS & 2 PAIR PANTS	0	00/00/0000	954.97
				Vendor Total:	<u>954.97</u>
GRAINGER, INC	1234	REPLACEMENT LIGHT BULBS FOR DECORATIVE ST LIGHTS&GLASSES	0	00/00/0000	870.30
				Vendor Total:	<u>870.30</u>
HANOVER ELECTRIC, INC	0025	CHECK POOL BOILER-RESET,RPR VALVE,&ADJUST SENDOR, <i>Rob Roster PD floor drain, + Parts #6606</i>	0	00/00/0000	853.71
				Vendor Total:	<u>853.71</u>
HOMETOWN LUMBER, INC.	987	FURNACE FILTER,OUTLETS/COVERS, PLUG,SCREWS,ANCHORS,ETC	0	00/00/0000	77.50
				Vendor Total:	<u>77.50</u>
IDNTITEEZ	1957	30 T-SHIRTS CEMETERY/PARKS DEP + <i>Decals #6606</i>	0	00/00/0000	632.00
				Vendor Total:	<u>632.00</u>
K.P.E.R.S. EFT	0103	RETIREMENT CONTRIBUTIONS + <i>Optional Group Life</i>	0	00/00/0000	10,953.50
				Vendor Total:	<u>10,953.50</u>
KANSAS DEPARTMENT OF REVEN	0877	NEW CMB STAMP-SARGE'S LLC	0	00/00/0000	25.00
				Vendor Total:	<u>25.00</u>
KANSAS GAS SERVICE	1201	GAS SERVICE-APARTMENT 909 1/2 BROADWAY FINAL	0	00/00/0000	28.84
				Vendor Total:	<u>28.84</u>
KANSAS ONE-CALL SYSTEM, INC	838	LOCATES MAY-88	0	00/00/0000	105.60
				Vendor Total:	<u>105.60</u>
KANSAS PAYMENT CENTER	1238	WITHOLDING ORDER MS20DM000070	0	00/00/0000	363.69
				Vendor Total:	<u>363.69</u>
KANSAS RETAILERS' SALES TAX	867	SALES TAX DUE-MAY	0	00/00/0000	1,534.40
				Vendor Total:	<u>1,534.40</u>
KANSAS WITHHOLDING TAX	0299	STATE TAX WITHHELD	0	00/00/0000	3,352.50
				Vendor Total:	<u>3,352.50</u>
STEVEN ALLEN KRAUSHAAR	0974	COURT APPOINTED SERVICES GREGORY BOTTOM	0	00/00/0000	100.00
				Vendor Total:	<u>100.00</u>
LIBRARY TREAS-CITY OF MARYSV	0095	TAX DISTRIBUTION PER BUDGET	0	00/00/0000	81,429.02
				Vendor Total:	<u>81,429.02</u>
LIFEGUARD STORE, INC	1554	1 SWIM SUIT	0	00/00/0000	47.00
				Vendor Total:	<u>47.00</u>
LUSH LAWN SPRINKLERS, LLC	2715	DOUBLE CHECK BACK FLOW DEVICE POOL SPRINKLER SYSTEM	0	00/00/0000	269.00

**INVOICE APPROVAL LIST REPORT - SUMMARY BY VENDOR**

ORD #3800 6/26/23

Date: 06/22/2023

Time: 9:23 am

Page: 3

City of Marysville

Vendor Name	Vendor No.	Invoice Description	Check No.	Check Date	Check Amount
				Vendor Total:	<u>269.00</u>
MANHATTAN WRECKER SERVICE	2711	TOW/IMPOUND 2007 FORD MUSTANG WHITE-POLICE PURSUIT	0	00/00/0000	<u>332.00</u>
				Vendor Total:	<u>332.00</u>
MARYSVILLE ADVOCATE	0017	AD-SKYFEST JULY 8TH, Pool, Seasonal jobs, etc Resolution 2023-07 + Ord 1919	0	00/00/0000	<u>1,543.00</u>
				Vendor Total:	<u>1,543.00</u>
MCKINLEY MASONRY INC	2470	KOESTER BLOCK WALL RESTORATION PHASE 2 PAYMENT 1	0	00/00/0000	<u>10,960.00</u>
				Vendor Total:	<u>10,960.00</u>
MILEAGE & MEAL REIMBURSEMENT	2428	REFUND ZONING APPEAL FEE FOR 811 N 14TH-JENNIFER ABELDT	0	00/00/0000	<u>125.00</u>
				Vendor Total:	<u>125.00</u>
MUNICIPAL SUPPLY, INC	579	WATER METER PIT ANTENNAS 6' CABLE	0	00/00/0000	<u>821.50</u>
				Vendor Total:	<u>821.50</u>
NBS INSURANCE AGENCY, INC	2682	FIRE DEPARTMENT DISABILITY INSURANCE 6/1/23-6/1/24	0	00/00/0000	<u>2,535.00</u>
				Vendor Total:	<u>2,535.00</u>
NEMAHA MARSHALL R E C	1044	ELECTRICITY ST LIGHTS, WELLS, & LIFT STATIONS + Billboard	50732	06/21/2023	<u>1,558.18 H</u>
				Vendor Total:	<u>1,558.18</u>
NEMAHA VALLEY MOTORS, INC.	2012	2023 DODGE DURANGO PURSUIT AWD VIN 1SC4RDJFG0PC638750 #1007	50734	06/22/2023	<u>39,500.00 H</u>
				Vendor Total:	<u>39,500.00</u>
NETWORK COMPUTER SOLUTION	2223	ANTI-VIRUS, WIRELESS HOSTING, & MICROSOFT MONTHLY-POLICE DEPT + Tech Support	0	00/00/0000	<u>1,185.26</u>
				Vendor Total:	<u>1,185.26</u>
OFFICE OF CHIEF FINANCIAL OFF	1657	AUDIT REPORTS 2021 & 2022 FILED ELECTRONICALLY	0	00/00/0000	<u>350.00</u>
				Vendor Total:	<u>350.00</u>
PACE ANALYTICAL SERVICES INC	2519	WASTE WATER ANALYSIS-MAY	0	00/00/0000	<u>429.80</u>
				Vendor Total:	<u>429.80</u>
KENDALL J. PEEKS	2826	MOWING LEVEE-2ND PAYMENT 2023 FLOOD CONTROL	0	00/00/0000	<u>3,500.00</u>
				Vendor Total:	<u>3,500.00</u>
QUILL CORPORATION	0132	PAPER TOWELS, LAMINATE POUCHES, COPY PAPER, & CARD STOCK	0	00/00/0000	<u>237.72</u>
				Vendor Total:	<u>237.72</u>
SCULLY PARTNERS, L.P.	813	WATERWELL OPERATIONS (2023)	0	00/00/0000	<u>742.00</u>
				Vendor Total:	<u>742.00</u>
SEWER REPLACEMENT FUND	1987	TRANSFER PER BUDGET	0	00/00/0000	<u>4,165.00</u>
				Vendor Total:	<u>4,165.00</u>
SIMPLOT GROWER SOLUTIONS	2770	LEVEE CHEMICALS-ATRA-V, GRASLAN & SPIKE 20P	0	00/00/0000	<u>1,585.00</u>
				Vendor Total:	<u>1,585.00</u>
SITEONE LANDSCAPE SUPPLY	2437	STRAW BLANKETS & STARTER	0	00/00/0000	<u>95.26</u>
				Vendor Total:	<u>95.26</u>
SUNFLOWER MEDICAL CLINIC LLC	2904	EMPLOYEE DRUG TEST	0	00/00/0000	<u>25.00</u>
				Vendor Total:	<u>25.00</u>
SUPER WASH	1375	CAR WASH TOKENS-30	0	00/00/0000	<u>150.00</u>
				Vendor Total:	<u>150.00</u>

**INVOICE APPROVAL LIST REPORT - SUMMARY BY VENDOR**

ORD #3800 6/26/23

Date: 06/22/2023

Time: 9:23 am

Page: 4

City of Marysville

Vendor Name	Vendor No.	Invoice Description	Check No.	Check Date	Check Amount
SWIMMING POOL REIMBURSEMENT	2494	REIMBURSE LIFEGUARD CERT CLASS <i>4 Lifeguards</i>	0	00/00/0000	900.00
				Vendor Total:	<u>900.00</u>
TMHC SERVICES, INC.	1907	ALCOHOL/DRUG TESTING,ADMIN FEE PRE-EMPLOYMENT OTTO	0	00/00/0000	346.55
				Vendor Total:	<u>346.55</u>
UNITED PEST CONTROL, INC	712	ANNUAL TERMITE INSPECTION-ART CENTER 6/26/23-6/26/24	0	00/00/0000	265.00
				Vendor Total:	<u>265.00</u>
UTILITY SERVICE CO, INC	2511	ROV INSPECTION WATER TANK PRAIRIE LANE	0	00/00/0000	2,000.00
				Vendor Total:	<u>2,000.00</u>
WATER UTILITY RESERVE FUND	1989	TRANSFER PER BUDGET	0	00/00/0000	5,000.00
				Vendor Total:	<u>5,000.00</u>
				Grand Total:	467,265.88
				Less Credit Memos:	<u>0.00</u>
				Net Total:	<u>467,265.88</u>
				Less Hand Check Total:	<u>150,464.05</u>
				Outstanding Invoice Total :	<u>316,801.83</u>
	Total Invoices:	81			

# City Administrator's Report

6/22/2023

## 6/26/2023 Council Meeting

### 1. Highway 36 Manhole Project Bid

Included is the bid we received for the manhole project on Highway 36. The bid was from Nowak Construction, Inc and it came in at \$774,414.80. This far exceeded the engineer's estimate of \$239,957.60. It is recommended that we deny the bid and resubmit the bid request with some modifications at a later date.

**Pages: 46-55**

### 2. KDOT Sewer Replacement

Included are the two bids and the bid tab for the replacement of the collapsed sewer in front of the KDOT building. The low bid came from Jadwin Construction out of Hiawatha, Kansas for \$153,188. They propose to start the project August 28<sup>th</sup> and complete it by October 23<sup>rd</sup>. The engineer's estimate for the project was \$158,355; 3.37% higher than the low bid. Also included is a low grade rendering of what the repair is going to do for the sanitary sewer system.

**Pages: 56-59**

### 3. Budget Workshop July 6 at 6 pm

This workshop is to go over the completed budget with equipment and projects that were discussed in the previous budget workshop.

Owner: City of Marysville

Project: Hwy 36 Manhole Addition

BID TABULATION

Bid Date: June 14, 2022

Time: 2:30 PM

Bid Location: City Hall, Marysville

				Engineer's Estimate CES Group Inc.		Nowak Construction Company, Inc						
ITEM No.	KDOT Spec Sect.	PAY ITEM DESCRIPTION	QUAN	UN	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
<b>BASE BID</b>												
1.	202	REMOVAL OF EXISTING STRUCTURES	1.0	LS			\$ 1.00	\$ 1.00		\$ -		\$ -
2.	204	FOUNDATION STABILIZATION (SET PRICE)	1.0	CUYD			\$ 40.00	\$ 40.00		\$ -		\$ -
3.	611	HMA COMMERCIAL GRADE (CLASS A)	11.0	TON			\$ 1,150.00	\$ 12,650.00		\$ -		\$ -
4.	801	MOBILIZAITON	1.0	LS			\$ 49,970.00	\$ 49,970.00		\$ -		\$ -
5.	802	CONTRACTOR CONSTRUCTION STAKING	1.0	LS			\$ 13,800.00	\$ 13,800.00		\$ -		\$ -
6.	805	TRAFFIC CONTROL	1.0	LS			\$ 99,600.00	\$ 99,600.00		\$ -		\$ -
7.	807	PAVEMENT MARKING (PAINT) (YELLOW) (12")	50.0	LNFT			\$ 6.00	\$ 300.00		\$ -		\$ -
8.	807	PAVEMENT MARKING (PAINT) (WHITE) (24")	600.0	LNFT			\$ 12.00	\$ 7,200.00		\$ -		\$ -
9.	807	PAVEMENT MARKING (PAINT) (WHITE) (4")	1550.0	LNFT			\$ 1.00	\$ 1,550.00		\$ -		\$ -
10.	807	PAVEMENT MARKING (PAINT) (YELLOW) (4")	2000.0	LNFT			\$ 1.00	\$ 2,000.00		\$ -		\$ -
11.	808	PAVEMENT MARKING REMOVAL	4200.0	LNFT			\$ 0.50	\$ 2,100.00		\$ -		\$ -
12.	809	CONCRETE SAFETY BARRIER (TYPE F3) (TEMPORARY)	300.0	LNFT			\$ 104.00	\$ 31,200.00		\$ -		\$ -
13.	809	CONCRETE SAFETY BARRIER (TYPE F3) (TEMP-RELOCATE)	1200.0	LNFT			\$ 66.00	\$ 79,200.00		\$ -		\$ -
14.	810	INERTIAL BARRIER SYSTEM (TL-2)	10.0	EACH			\$ 3,000.00	\$ 30,000.00		\$ -		\$ -
15.	815	MANHOLE (SANITARY SEWER)	5.0	EACH			\$ 64,000.00	\$ 320,000.00		\$ -		\$ -
16.	817	SANITARY SEWER (10") (PVCP)	10.0	LNFT			\$ 800.00	\$ 8,000.00		\$ -		\$ -
17.	833	PCCP PATCHING (FULL DEPTH) (10") (SOUND)	100.0	SQYD			\$ 229.00	\$ 22,900.00		\$ -		\$ -
18.	843	FLOWABLE FILL (LOW STRENGTH) Revised 5/26/23	127.8	CUYD			\$ 421.00	\$ 53,803.80		\$ -		\$ -
19.	855	PAVING BRICK	100.0	SQYD			\$ 401.00	\$ 40,100.00		\$ -		\$ -
<b>TOTAL BASE BID</b>						<b>\$239,957.60</b>	<b>\$774,414.80</b>		<b>\$0.00</b>		<b>\$0.00</b>	
<b>% of LOW BID</b>						<b>30.99%</b>	<b>100.00%</b>		<b>0.00%</b>		<b>0.00%</b>	

# BID FORM FOR CONSTRUCTION CONTRACT

The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

## ARTICLE 1—OWNER AND BIDDER

1.01 This Bid is submitted to:

**City of Marysville**

**209 N. 8th**

**Marysville, KS 66508**

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

## ARTICLE 2—ATTACHMENTS TO THIS BID

2.01 The following documents are submitted with and made a condition of this Bid:

A. Required Bid security;

## ARTICLE 3—BASIS OF BID—UNIT PRICES

3.01 *Unit Price Bids*

A. Bidder will perform the following Work at the indicated unit prices as shown on **Bid Form Attachment A**.

B. Bidder acknowledges that:

1. each Bid Unit Price includes an amount considered by Bidder to be adequate to cover Contractor's overhead and profit for each separately identified item, and
2. estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all Unit Price Work will be based on actual quantities, determined as provided in the Contract Documents.

**ARTICLE 4—TIME OF COMPLETION**

- 4.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.
- 4.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

**ARTICLE 5—BIDDER’S ACKNOWLEDGEMENTS: ACCEPTANCE PERIOD, INSTRUCTIONS, AND RECEIPT OF ADDENDA**

- 5.01 *Bid Acceptance Period*
  - A. This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.
- 5.02 *Instructions to Bidders*
  - A. Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security.
- 5.03 *Receipt of Addenda*
  - A. Bidder hereby acknowledges receipt of the following Addenda:

Addendum Number	Addendum Date
#1	6.2.23

**ARTICLE 6—BIDDER’S REPRESENTATIONS AND CERTIFICATIONS**

- 6.01 *Bidder’s Representations*
  - A. In submitting this Bid, Bidder represents the following:
    - 1. Bidder has examined and carefully studied the Bidding Documents, including Addenda.
    - 2. Bidder has visited the Site, conducted a thorough visual examination of the Site and adjacent areas, and become familiar with the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
    - 3. Bidder is familiar with all Laws and Regulations that may affect cost, progress, and performance of the Work.
    - 4. Bidder has carefully studied the reports of explorations and tests of subsurface conditions at or adjacent to the Site and the drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, with respect to the Technical Data in such reports and drawings.
    - 5. Bidder has carefully studied the reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, with respect to Technical Data in such reports and drawings.



6. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and the Technical Data identified in the Supplementary Conditions or by definition, with respect to the effect of such information, observations, and Technical Data on (a) the cost, progress, and performance of the Work; (b) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, if selected as Contractor; and (c) Bidder's (Contractor's) safety precautions and programs.
7. Based on the information and observations referred to in the preceding paragraph, Bidder agrees that no further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract.
8. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
9. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and of discrepancies between Site conditions and the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.
10. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.
11. The submission of this Bid constitutes an incontrovertible representation by Bidder that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

6.02 *Bidder's Certifications*

A. The Bidder certifies the following:

1. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation.
2. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid.
3. Bidder has not solicited or induced any individual or entity to refrain from bidding.
4. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 8.02.A:
  - a. Corrupt practice means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the bidding process.
  - b. Fraudulent practice means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition.

- c. Collusive practice means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels.
- d. Coercive practice means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

BIDDER hereby submits this Bid as set forth above:

Bidder:

Nowak Construction Company, Inc.  
(typed or printed name of organization)

By:

[Signature]  
(individual's signature)

Name:

Joseph B. Nowak  
(typed or printed)

Title:

President  
(typed or printed)

Date:

5-19-23  
(typed or printed)

If Bidder is a corporation, a partnership, or a joint venture, attach evidence of authority to sign.

Attest:

[Signature]  
(individual's signature)

Name:

Lorrie Richardson  
(typed or printed)

Title:

Contract Admin  
(typed or printed)

Date:

5-19-23  
(typed or printed)

Address for giving notices:

P.O. Box 218  
Goddard, KS 67052

Bidder's Contact:

Name:

Greg Post  
(typed or printed)

Title:

Project Manager  
(typed or printed)

Phone:

316.744.8898

Email:

greg@nowakconstruction.com

Address:

P.O. Box 218  
200 S. Goddard  
Goddard, KS 67052

Bidder's Contractor License No.: (if applicable)

N/A

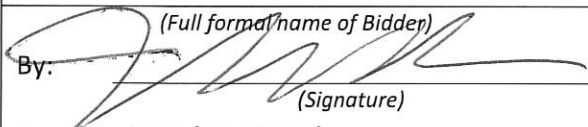

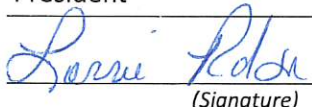

dj

Attachment A: Bid Schedule  
Marysville Highway 36 Manhole Addition

Bid Item No.	KDOT Spec Sect.	Item Description	Est Quant	Unit	Unit Price	Amount
1.	202	REMOVAL OF EXISTING STRUCTURES	1	LS	\$ <u>1<sup>00</sup></u>	\$ <u>1</u>
2.	204	FOUNDATION STABILIZATION (SET PRICE)	1	CUYD	\$ <u>\$40.<sup>00</sup></u>	\$ <u>\$40.<sup>00</sup></u>
3.	611	HMA COMMERCIAL GRADE (CLASS A)	11	TON	\$ <u>1,150<sup>00</sup></u>	\$ <u>12,650</u>
4.	801	MOBILIZATION	1	LS	\$ <u>49,970.<sup>00</sup></u>	\$ <u>49,970</u>
5.	802	CONTRACTOR CONSTRUCTION STAKING	1	LS	\$ <u>13,800<sup>00</sup></u>	\$ <u>13,800</u>
6.	805	TRAFFIC CONTROL	1	LS	\$ <u>99,600<sup>00</sup></u>	\$ <u>99,600</u>
7.	807	PAVEMENT MARKING (PAINT) (YELLOW) (12")	50	LNFT	\$ <u>6<sup>00</sup></u>	\$ <u>300</u>
8.	807	PAVEMENT MARKING (PAINT) (WHITE) (24")	600	LNFT	\$ <u>12<sup>00</sup></u>	\$ <u>7,200</u>
9.	807	PAVEMENT MARKING (PAINT) (WHITE) (4")	1550	LNFT	\$ <u>1<sup>00</sup></u>	\$ <u>1,550</u>
10.	807	PAVEMENT MARKING (PAINT) (YELLOW) (4")	2000	LNFT	\$ <u>1<sup>00</sup></u>	\$ <u>2,000</u>
11.	808	PAVEMENT MARKING REMOVAL	4200	LNFT	\$ <u>0<sup>50</sup></u>	\$ <u>2,100</u>
12.	809	CONCRETE SAFETY BARRIER (TYPE F3) (TEMPORARY)	300	LNFT	\$ <u>104<sup>00</sup></u>	\$ <u>31,200</u>
13.	809	CONCRETE SAFETY BARRIER (TYPE F3) (TEMP-RELOCATE)	1200	LNFT	\$ <u>66<sup>00</sup></u>	\$ <u>79,200</u>
14.	810	INERTIAL BARRIER SYSTEM (TL-2)	10	EACH	\$ <u>3,000<sup>00</sup></u>	\$ <u>30,000</u>
15.	815	MANHOLE (SANITARY SEWER)	5	EACH	\$ <u>64,000.<sup>00</sup></u>	\$ <u>320,000</u>
16.	817	SANITARY SEWER (10") (PVCP)	10	LNFT	\$ <u>800<sup>00</sup></u>	\$ <u>8,000</u>
17.	833	PCCP PATCHING (FULL DEPTH) (10") (SOUND)	100	SQYD	\$ <u>22.9<sup>00</sup></u>	\$ <u>2,290</u>
18.	843	FLOWABLE FILL (LOW STRENGTH) Revised 5/26/23	<span style="border: 1px solid red; padding: 2px;">127.8</span> <del>60</del>	CUYD	\$ <u>421<sup>00</sup></u>	\$ <u>53,803<sup>00</sup></u>
19.	855	PAVING BRICK	100	SQYD	\$ <u>401<sup>00</sup></u>	\$ <u>40,100</u>
<b>TOTAL</b>					\$ <u>774,414.80</u>	

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## BID BOND (PENAL SUM FORM)

<p><b>Bidder</b>  Name: Nowak Construction Co., Inc.  Address <i>(principal place of business)</i>:  P.O. Box 218  Goddard, KS 67052</p>	<p><b>Surety</b>  Name: Merchants Bonding Company (Mutual)  Address <i>(principal place of business)</i>:  P.O. Box 14498  Des Moines, IA 50306</p>
<p><b>Owner</b>  Name: <b>City of Marysville</b>  Address <i>(principal place of business)</i>:  <b>209 N. 8<sup>th</sup></b>  <b>Marysville, KS 66508</b></p>	<p><b>Bid</b>  Project <i>(name and location)</i>:  <b>Highway 36 Manholes Addition</b>  <b>Marysville, Kansas</b></p> <p>Bid Due Date: June 7, 2023</p>
<p><b>Bond</b>  Penal Sum: Five Percent of Amount Bid (5%)  Date of Bond: June 7, 2023</p>	
<p>Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth in this Bid Bond, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.</p>	
<p>Bidder  Nowak Construction Co., Inc.  _____  <i>(Full formal name of Bidder)</i></p>	<p>Surety  Merchants Bonding Company (Mutual)  _____  <i>(Full formal name of Surety) (Corporate Seal)</i></p>
<p>By:   _____  <i>(Signature)</i></p>	<p>By:   _____  <i>(Signature) (Attach Power of Attorney)</i></p>
<p>Name: Joseph B. Nowak  _____  <i>(Printed or typed)</i></p>	<p>Name: Philip J. Monasch  _____  <i>(Printed or typed)</i></p>
<p>Title: President  _____  <i>(Printed or typed)</i></p>	<p>Title: Attorney-in-Fact  _____  <i>(Printed or typed)</i></p>
<p>Attest:   _____  <i>(Signature)</i></p>	<p>Attest:   _____  <i>(Signature)</i></p>
<p>Name: Lorrie Richardson  _____  <i>(Printed or typed)</i></p>	<p>Name: Karl E. Flemke  _____  <i>(Printed or typed)</i></p>
<p>Title: Contract Administrator</p>	<p>Title: Surety Witness</p>
<p><i>Notes: (1) Note: Addresses are to be used for giving any required notice. (2) Provide execution by any additional parties, such as joint venturers, if necessary.</i></p>	

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to pay to Owner upon default of Bidder the penal sum set forth on the face of this Bond. Payment of the penal sum is the extent of Bidder's and Surety's liability. Recovery of such penal sum under the terms of this Bond will be Owner's sole and exclusive remedy upon default of Bidder.
2. Default of Bidder occurs upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.
3. This obligation will be null and void if:
  - 3.1. Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or
  - 3.2. All Bids are rejected by Owner, or
  - 3.3. Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).
4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.
5. Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award including extensions does not in the aggregate exceed 120 days from the Bid due date without Surety's written consent.
6. No suit or action will be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety, and in no case later than one year after the Bid due date.
7. Any suit or action under this Bond will be commenced only in a court of competent jurisdiction located in the state in which the Project is located.
8. Notices required hereunder must be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Postal Service registered or certified mail, return receipt requested, postage pre-paid, and will be deemed to be effective upon receipt by the party concerned.
9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind the Surety thereby.
10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond will be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute governs and the remainder of this Bond that is not in conflict therewith continues in full force and effect.
11. The term "Bid" as used herein includes a Bid, offer, or proposal as applicable.

**MERCHANTS**  
**BONDING COMPANY™**

**POWER OF ATTORNEY**

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa, d/b/a Merchants National Indemnity Company (in California only) (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

**Philip J. Monasch**

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

Surety Bond #: Bid Bond  
Principal: Nowak Construction Co., Inc.  
Obligee: City of Marysville

This Power-of-Authority is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 7th day of June, 2023.

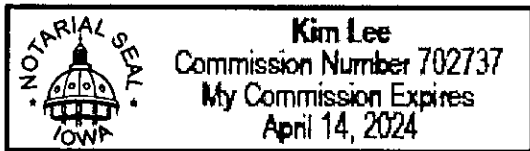


MERCHANTS BONDING COMPANY (MUTUAL)  
MERCHANTS NATIONAL BONDING, INC.  
d/b/a MERCHANTS NATIONAL INDEMNITY COMPANY

By *Larry Taylor*  
President

STATE OF IOWA  
COUNTY OF DALLAS ss.

On this 7th day of June, 2023, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.



*Kim Lee*  
Notary Public

(Expiration of notary's commission does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 7th day of June, 2023.



*William Warner Jr.*  
Secretary

June 21, 2023

Austin St. John  
City Administrator  
City of Marysville  
209 N 8<sup>th</sup> Street  
Marysville, KS 66508

RE: Engineer Letter of Recommendation  
Marysville Sanitary Sewer Repair

Mr. St. John:

At 2:00 p.m. on Wednesday, June 21, 2023 the bid opening for the above referenced project was held. There were two bids received. They were opened read aloud. The results have been tabulated and are provided on the attached Bid Tabulation form. The Bidders were Nowak Construction of Goddard, Kansas, and Jadwin Construction of Hiawatha, Kansas. The Bids are generally in good order and Jadwin Construction is the apparent low bidder with one minor math error.

The attached Bid Tabulation shows that the Est Quan x Unit Costs were generally correct except for one multiplication error on Line Item No. 8 on Jadwin Construction's Bid. The written EXTENSION price as submitted is \$1,140. The multiplied EXTENSION amount is \$1,185, a difference of \$45. In bidding, resolution of such errors favors the mathematics (quantity x unit price), rather than the written extension price. This error is very small, or less than 0.003% of the Bid Price, and should not be sole grounds to reject their Bid. It does not appear that Nowak had any discrepancies on their submitted Bid.

Both Bidders submitted a Bid Bond (Penal Sum Form) of 5%. Both of these Contractors are known to me, are quality contractors with good reputations, and to my knowledge have always had the equipment, manpower, and expertise to capably perform the work as indicated in the plans and specifications. Since they are known I do not feel the need to ask for additional qualifications. It is within the City's discretion to do so, but this would add a few weeks to the selection process.

Jadwin Construction was the apparent low bidder at \$153,188 (Note this is the "corrected" amount with the additional \$45) and Nowak was second at \$232,221. This is a difference of \$79,033. Since this is a repair of a collapsing sewer, I did include the requirement for the contractors to state dates for important milestones that they commit to meet. It is important to note that to meet these dates, the City must also meet the important milestone date of Notice of Award, and have the Construction Agreement fully executed on or before Notice to Proceed is issued. These milestone dates are as follows:

<b>Milestone</b>	<b>City of Marysville</b>	<b>Jadwin Const.</b>	<b>Nowak Const.</b>
Open Bids	June 21, 2023		
Notice of Award	July 5, 2023		
Desired Notice to Proceed		August 28, 2023	July 17, 2023
Anticipated Substantial Completion		September 29, 2023	September 1, 2023
Application for Final Payment		October 23, 2023	September 15, 2023



As you know, issuance of the Notice of Award, is a promise that the Contract for the work will be forth coming and the Contractor can start ordering/procuring materials. *This date is very important, especially in these days of material shortages if/when applicable. If this date is pushed the Contractors must be able to push their milestone dates accordingly.* Contracts must be fully executed by both Owner and Contractor before the Notice to Proceed can be issued, but both can be dated the same day. This is common. Note that Nowak Construction is committing to a schedule that begins on July 17. Jadwin is committing to a start date of August 28. As such, with Nowak the work would be complete and ready for final payment on or before September 15, and Jadwin by October 23.

As previously stated, both are quality contractors and are fully capable of completing the work. The difference is the schedule and the price. If the City *must* have the work completed by September 15 then Nowak should be hired for \$232,221. If the City is fine with an October 23 project ending date, they should hire Jadwin Const for \$153,188 and use the \$79,033 difference for something else. Note the comment on Jadwin's Bid regarding their commitment to assist if the sewer fully collapses causing an emergency prior to commencement of the work. If Jadwin is selected, the motion to accept their Bid will need include wording to waive the small bidding irregularity with respect to line item 8, increase the contract price by \$45 from \$153,143 to \$153,188, and have Jadwin agree to the adjustment. This would be very minor and easily addressed before hand if that is the direction the City wants to go.

Please call me or Rob Peschel at (785) 619-6145 if you have any questions.

Sincerely,  
CES Group, Inc.



E. James Kohman, PE  
Principal, Vice President

Cc: file

**BID TABULATION**

**Project: SANITARY SEWER REPAIRS**

**Owner: City of Marysville**

**Bid Opening Date: 6/21/23**

**Bid Time: 2:00 PM**

**Bid Location: City Hall**

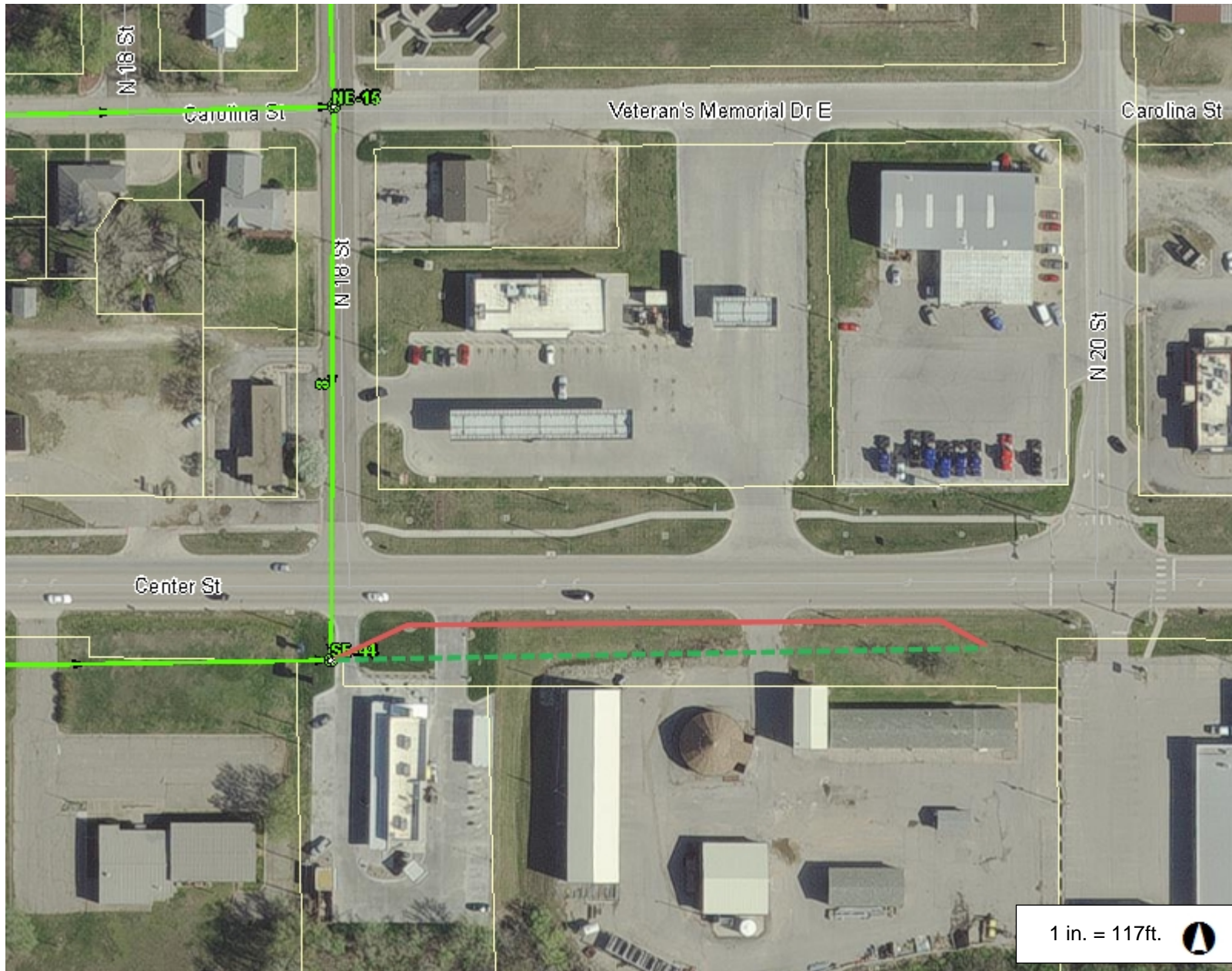
ITEM NO.	PAY ITEM DESCRIPTION	EST. QUAN	UNIT	Engineer's Estimate CES Group Inc. Marysville, KS		Jadwin Constrution & Development, LLC Hiawatha, KS		Nowak Construction Co., Inc Goddard, KS	
				UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
<b>BASE BID</b>									
1	Mobilization	1	LS	\$ 25,000.00	\$ 25,000.00	\$ 13,400.00	\$ 13,400.00	\$ 22,650.00	\$ 22,650.00
2	8" SDR 26 PVC Gravity Sewer	512	LF	\$ 100.00	\$ 51,200.00	\$ 111.00	\$ 56,832.00	\$ 265.00	\$ 135,680.00
3	Precast Manhole	1	EA	\$ 10,000.00	\$ 10,000.00	\$ 6,500.00	\$ 6,500.00	\$ 7,450.00	\$ 7,450.00
4	Sanitary Sewer Connection	1	EA	\$ 4,500.00	\$ 4,500.00	\$ 2,980.00	\$ 2,980.00	\$ 1,750.00	\$ 1,750.00
5	Concrete Encasement	80	LF	\$ 150.00	\$ 12,000.00	\$ 165.00	\$ 13,200.00	\$ 117.00	\$ 9,360.00
6	Surface Restoration (Asphalt)	30	SY	\$ 300.00	\$ 9,000.00	\$ 252.00	\$ 7,560.00	\$ 426.00	\$ 12,780.00
7	Surface Restoration (Concrete)	29	SY	\$ 150.00	\$ 4,350.00	\$ 221.00	\$ 6,409.00	\$ 99.00	\$ 2,871.00
8	Surface Restoration (Rip-Rap)	15	SY	\$ 95.00	\$ 1,425.00	\$ 79.00	\$ 1,185.00	\$ 74.00	\$ 1,110.00
9	Curb & Gutter	24	LF	\$ 120.00	\$ 2,880.00	\$ 119.00	\$ 2,856.00	\$ 80.00	\$ 1,920.00
10	Abandon Manhole	2	EA	\$ 3,750.00	\$ 7,500.00	\$ 1,452.00	\$ 2,904.00	\$ 3,450.00	\$ 6,900.00
11	Seeding	1	LS	\$ 6,000.00	\$ 6,000.00	\$ 3,400.00	\$ 3,400.00	\$ 5,150.00	\$ 5,150.00
12	Traffic Control	1	LS	\$ 12,500.00	\$ 12,500.00	\$ 29,800.00	\$ 29,800.00	\$ 8,900.00	\$ 8,900.00
13	Misc, Erosion Control, Site Restoration, Grading	1	LS	\$ 12,000.00	\$ 12,000.00	\$ 6,162.00	\$ 6,162.00	\$ 15,700.00	\$ 15,700.00
<b>TOTAL BASE BID:</b>				<b>\$158,355.00</b>		<b>\$153,188.00</b>		<b>\$232,221.00</b>	
<b>% of LOW BID:</b>				<b>103.37%</b>		<b>100.00%</b>		<b>151.59%</b>	
						Bid Amount as Submitted: \$153,143.00			

**SCHEDULE:**

Bid Due Date: June 21, 2023	June 21, 2023	June 21, 2023
Notice of Award withing 2 weeks of Bid Opening	July 5, 2023	July 5, 2023
Contracting to commence in an expedient manner all parties		
Materials Procurement (manholes, pipe, etc.) completed by:	September 15, 2023	July 17, 2023
Notice to Proceed Date:	August 28, 2023 <sup>(1)</sup>	July 17, 2023
Anticipated Substantial Completion Date:	September 29, 2023	September 1, 2023
Application for Final Payment Date:	October 23, 2023	September 15, 2023
(1)Other Comment:	Line Item 8. Math Discrepancy (2)	

- (1) - Contractor made an unsolicited statement on the Bid Form committing to: "In the event of an emergency, we can mobilize within two hours to complete the work". Engineer's interpretation is that Contractor is committing to assisting the City if the sewerline completely collapses and becomes blocked prior to commencement of the work.
- (2) - Line Item 8. The EXTENSION price *written* on the Bid is \$1,140. The *multiplied* EXTENSION is \$1,185. Correction of such errors favor the Quantity X Unit Price over the *written* EXTENSION price. This discrepancy increases the Required Contract Price by \$45, increasing to the TOTAL BASE BID amount shown above. This discrepancy amount is less than 0.003% of the Bid Price, t is minor and can be waived if the City chooses and the Bidder Agrees to the revised TOTAL BASE BID price shown above.

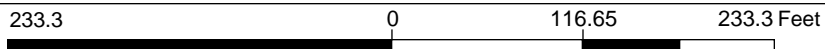
# KDOT Sewer Replacement



## Legend

- Manhole
- Flush Tank
- Force Main Valve
- Generator
- Air Release Valve
- Control Structures
- Sewer Cleanouts
- Sewer Line Points
- Lift Stations
- Grinder Pump
- Wet Well
- Force Main
- Grinder Pump Lines
- Gravity Main
- Service Line
- Parcel
- Roads

1 in. = 117ft.



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Notes