

Regular Meeting  
City Hall, Marysville, Kansas-January 22, 2024

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 Frye in the chair. Interim City Administrator Pederson, City Attorney McNish and City Clerk Holle were also present.

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

The minutes from the January 8<sup>th</sup> regular meeting were presented for approval. CM Beikman moved; CM Schrater seconded to approve the minutes as presented. Motion carried by 8-0 voice vote.

**PUBLIC COMMENTS:**

1. **POOL ISSUES.** Elizabeth Doll, Bremen, Kansas addressed the Council regarding issues at the pool last year: deck chairs, slides, cold water, and cloudy water due to the water leak.
2. **MARSHALL COUNTY SPORTS & REC.** Jaycee Pacha, co-owner of Marshall County Sports and Rec presented the participation numbers for the 2023 recreation programs.
3. **COMMUNITY POOL GROUP.** Rory Clark representing a group of citizens reported there is a group who would like to assist and advocate for the Aquatic Center. If anyone would like to be involved with the group, please contact Rory Clark.

**BUSINESS AND DISCUSSION ITEMS:**

1. **BRAUCHI HEIGHTS 2 SUBDIVISION.** BI Ralph presented the ULDC code which governs the sewer requirements on a subdivision and the regulations for a lot split. JoAnn Walcott representing Spencer-Walcott Properties, LLC addressed the Council requesting the City grant them an exemption for the requirement to install the sewer before the property is sold. JoAnn's request states they would like to pass the cost on to the purchaser not the City for the sewer. No action was taken.
2. **CONVENTION & TOURISM REQUESTS.** Wayne Kruse Director of Convention & Tourism reported Marysville will be added soon to the Scenic By-Ways in Kansas showcasing the Pony Express. Wayne also said the park by the Pony Express Rider on the 7<sup>th</sup> Street corridor will be referred to as Pony Park. CM Behrens moved; CM Throm seconded to officially name the park at the 7<sup>th</sup> Street Corridor Pony Park. Motion carried unanimously. The C&T request for monies from the Transient Guest Fund are as follows: \$300 Dues & Publications; \$500 Social Media Posts, \$2,000 Printing Tourism Marketing Material; \$1,000 Gravel Dash Advertising Grant (part of the money to travel & promote the Gravel Dash at Iowa Bike Expo; \$750 office expense (printing, supplies, etc.) Totaling \$4,550.00. CM Throm moved; CM Schrater seconded to approve the funds request totaling \$4,550.00. Motion carried 8-0.
3. **ADA PARKING AT 605 BROADWAY.** CES Group is designing their new building located at 605 Broadway. CES is requesting the City allow them to place a handicap accessibility parking space on the city street near the corner of 6<sup>th</sup> Street and Broadway. After discussion about hard surface and brick surface and code compliance CM Beikman moved, CM Throm seconded to allow CES Group LLC to put an ADA parking space on Broadway at 6<sup>th</sup> Street on the south side. Motion carried 7-1 with CM Behrens voting no.
4. **STORM SIREN PURCHASE.** City Inspector Ralph included a quote of \$43,746.75 for a storm siren at 12th Road and Limestone which has been inoperable for 6 years. CM Snellings moved; CM Throm seconded to purchase the storm siren. After Council discussion the motion failed 3-5 with CM Behrens, CM Keating, CM Beikman, CM Schrater, CM Goracke voting no.

5. **TRACTOR PURCHASE.** Cemetery Parks Supervisor Cercone presented 3 quotes he requested to purchase a compact tractor: LandMark Implement, Marysville John Deere 4044M tractor with trade-in \$28,905.27 tractor, \$3,240.47 snow blade, \$7,295.16 grapple; KanEquip, Wamego Kubota MX5400 tractor without trade-in \$42,200.00, snow blade \$4,300.00, grapple \$3,800.00; Roehrs Machinery, Beatrice, Nebraska New Holland Workmaster 40 tractor with trade-in \$24,000.00, snow blade \$4,300.00, grapple \$4,250.00. The weight, the horsepower and the warranties varied on all the tractors. CM Behrens moved, CM Snellings seconded to purchase the tractor, the snow blade, and the grapple from LandMark Implement for \$39,440.90. Motion carried 5-3 with CM Keating, CM Beikman and CM Throm voting no.
6. **ORDINANCE NO. 1925 20-MINUTE PARKING.** Ordinance No. 1925 *AN ORDINANCE AMENDING SECTION 14-211 OF THE MARYSVILLE CITY CODE PROVIDING FOR 20 MINUTE PARKING.* This ordinance states “It shall be unlawful for any person to park a motor vehicle for any period exceeding 20 minutes in the first two parking spaces on the west side of 8<sup>th</sup> Street, south of the alley between Broadway and Elm Street during the hours of 12 p.m. to 5 p.m., Monday through Friday.” CM Beikman moved; CM Keating seconded to approve Ordinance No. 1925. Motion carried 6-2 with CM Behrens and CM Throm voting no.

#### **NOTICES AND HEARINGS:**

#### **CONSENT AGENDA.**

The Consent Agenda was presented for consideration. CM Throm moved; CM Snellings seconded to approve the Consent Agenda. Motion carried 8-0. The Consent Agenda consisted of the following:

1. Alcohol consumption request at the Lee Dam Art Center-Arvilla Throm, 50<sup>th</sup> wedding anniversary June 8, 2024.
2. Authorization to request payment from CBDG Grant 22-PF-025 on the wetlands and lagoon project. Todd Frye, Lucinda Holle and Kenneth Kickhaefer.
3. RFP to Superior Excavating, LLC for \$94,691.45.

#### **APPROPRIATIONS ORDINANCE NO. 3815**

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$98,953.85; Water Revenue Fund, \$46,520.34; Sewage Revenue Fund, \$66,823.41; Sewer Replacement Fund, \$359,567.66; Bond & Interest Account #1, \$28,271.73; Library Revolving Fund, \$11,228.72; Koester Block Maintenance, \$137.06; Employee Benefit, \$34,438.67; Transient Guest Tax, \$5,583.52; Sales Tax Improvements, \$41,297.92 making a total of \$692,822.88.
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 \$692,822.88.
3. Motion to approve the appropriations ordinance carried by 8-0 roll call vote. City Clerk Holle assigned Ordinance No. 3815.

#### **STAFF REPORTS:**

#### **CITY ADMINISTRATOR:**

1. **HIGHWAY 77 (SOUTH 10<sup>TH</sup> STREET IMPROVEMENTS).** ICA Pederson reported the sewer pipe on Highway 77 south will be videoed to check if the pipe was damaged in the previous highway replacement project. This will determine if the City will incur more costs before the new section of road can be replaced.

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

##### **STREET:**

1. **TREES ON BROADWAY.** CM Throm reported the trees on Broadway are hitting and breaking the mirrors on the snowplows. Also, there were lots of cars on Broadway and Center that were not moved so the snow removal was difficult. Many of the sidewalks were not scooped within the timeframe in the City Code. It is especially important around the schools. Mayor Frye said this is the first large snow we have had in a while and with a little grace everyone will re-learn how to get the snow removal accomplished.
2. **KEYSTONE AND 12<sup>TH</sup> ROAD.** CM Keating stated he thought the City needs to develop a long-term plan for the gravel roads around the perimeter of Marysville.
3. **ENGINEERING ON KEYSTONE AND 12<sup>TH</sup> ROAD.** ICA Pederson said he spoke with BG Consultants and the contract the City approved in February 2023 with the additional area approved in April 2023 will be honored. Consensus of the Council is to request a copy of the contract to sign.
4. **SNOW PILE REMOVAL.** CM Beikman asked if the snow piles could be removed from Center Street (Hwy 36) before they are removed from Broadway. Wide loads could then be moved on the highway instead of Broadway Street.

##### **WATER & WASTEWATER:**

1. **RATE STUDY.** ICA Pederson said the water/sewer rate analysis that Get Great Rates.com is conducting will require the City to compile a list of Capital Improvements needed in the next 10-15 years. These will be discussed at the next workshop. The study will take about 6 months.
2. **LEAK ON S 15<sup>TH</sup> STREET.** CM Throm thanked the water crew who repaired a leak in the extreme cold on S 15<sup>th</sup> Street.
3. **WATER PROJECT ON 8<sup>TH</sup> AND ELM.** CM Behrens asked if Jadwin Construction was working on the water project on 8<sup>th</sup> and Elm. It was reported they cannot work in the cold and snow, but they check the signs and barricades.

##### **PARKS & RECREATION:**

1. **POOL.** The City has received 1 application for a pool manager and none for lifeguards yet. Most of the City's lifeguards are trained at the Beatrice YMCA and we have not received information on the classes yet. The City pays for certification if they pass the class and are hired. The City also pays for the pool manager to attend a school to learn about filters, chemicals, and the general running of pool facilities.

##### **CEMETERY/AIRPORT:**

##### **POLICE AND FIRE:**

1. **COMMITTEE MEETING FRIDAY.** There will be a Police and Fire Committee meeting Friday, January 26, 2024, at noon to discuss the Police policy to exercise on city property and on city time.

**ADMINISTRATION AND FINANCE:**

1. **AUDIT.** The auditors have started working on the 2023 audit and the Council will receive a new notification about fraud. This is the first year for this requirement.
2. **KOESTER BLOCK MEETING.** CM Behrens reported there was a meeting of the Admin and Finance Committee to discuss creating a formal RFP to see if there are developers interested in developing the commercial properties owned by the City on the Koester Block. In this way the City hopes to preserve the structures, benefit the commercial businesses, and maybe help the housing shortage. ICA has begun to create the RFP. Consensus of Council is to proceed with the RFP for the commercial properties on the Koester Block.

**APPOINTMENTS:** Mayor's annual appointments:

*Airport Advisory Commission*-Mandy Cook, January 2024-December 2025

*Convention & Tourism*-Kyle Goracke liaison

CM Beikman moved; CM Snellings seconded to approve the Mayor's appointments. Motion carried unanimously.

**CITY ATTORNEY:** CA McNish thanked the City for giving him the opportunity to serve and told the Council he has enjoyed his time as city attorney. He has been appointed as Magistrate Judge of the 21<sup>st</sup> Judicial District (Clay and Riley County) which requires him to give up his private practice. The date should be set within the next month.

**EXECUTIVE SESSION:** At 9:00 p.m. CM Beikman moved to recess into executive session to discuss personnel matters of non-elected personnel, discussion on specific personnel matters, not general personnel policies, exception K.S.A. 75-4319 (b) (1). This session will include the Mayor, City Council, and interim City Administrator. The open meeting will resume in the city council chamber at 9:10 p.m. CM Throm seconded. Motion carried 8-0. At 9:10 p.m. the council reconvened. Mayor Frye reported no binding action was taken during the executive session and the regular session was continuing.

**ROUND TABLE DISCUSSION:**

1. **THANKS TO THE SNOW REMOVAL CREWS.** CM Goracke thanked the City crews who scooped the snow and cleaned the streets. Mayor Frye said he had heard nothing but positive comments.
2. **THEFTS SOLVED.** Mayor Frye said it was great the City Police Department solved the thefts of several bikes and motorcycles and returned the property to the owners.
3. **MCAC EVENT.** Mayor Frye said the MCAC event last weekend was another success, and the Council should be proud to get to represent this amazing community.

There being no further business, at 9:12 p.m. CM Keating moved to adjourn, CM Snellings seconded. Motion carried unanimously.

Cindy Holle  
City Clerk