

Regular Meeting
City Hall, Marysville, Kansas-February 27, 2023

Members of the Governing Body of the City of Marysville were called to order in regular session at 7:00 p.m. on the date and place noted above with Mayor Barnes in the chair. City Administrator St. John, City Attorney McNish and City Clerk Holle were also present.

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

The minutes from the February 13, 2023, regular meeting were presented for approval. CM Throm moved; CM Behrens seconded to approve the minutes as presented. Motion carried 7-0 voice vote.

PUBLIC COMMENTS:

1. **DISC GOLF.** Karen Hughes, Ward 2, addressed the Council concerning the disc golf course in the City Park. In her opinion the course is too dangerous where it is located.
2. **7TH STREET CORRIDOR CONCERNS.** Jesse Edwards, owner of Ehnens Automotive addressed the Council concerning the plans submitted to the State of Kansas for a grant to rehabilitate 7th Street north from Highway 36 to Calhoun. He represented several business owners who have businesses along this street and are concerned with the design. He asked these businesses be contacted before a final design is selected.

BUSINESS AND DISCUSSION ITEMS:

1. **KOESTER HOUSE MUSEUM.** Sharon Kessinger representing the Koester House Museum Foundation requested the City repair the heating system in the Museum. She also requested the City develop and print a maintenance schedule for the Museum. A request for a water line on the west side of the property was included. CA St. John reported the plumbers are currently working on the heating at the Museum and Dr. Ken Duensing donated the last radiator needed to complete the project. When the plumbers finish with the heating system, they will install a spigot on the west side of the Museum. These repairs will be completed as soon as possible but most likely will not be completed in 30 days.
2. **HOLIDAY LIGHTS 617 BROADWAY.** The Chamber & Main Street asked the City to pay for lights on the building at 617 Broadway. The City owns the building and Chamber & Main Street rents it. The building would require 140 feet of lights at an approximate cost of \$1,393.00. CM Frye moved, CM Goracke seconded to pay for the lights for the building at 617 Broadway. Motion carried unanimously.
3. **DISC GOLF.** Convention & Tourism would like the City to move disc golf basket #4 and the C&T Committee will place the signage around the disc golf course. Some of the signs will be stenciled on the sidewalk and some signs will be ground level for ease of mowing. CM Goracke will move the #4 basket northwest of the current location. The City will install a large sign when it is completed displaying the entire course. These signs will be paid for from the Transient Guest Tax Fund.
4. **CONVENTION & TOURISM DIRECTOR.** The Convention & Tourism Committee would like to hire a director and requests the City create a new position within the City for the Director of Communications. They proposed this person would be paid \$42,000-\$45,000 annually and

the funds be taken from the Transient Guest Tax Fund. They are also requesting this person be a full-time employee of the City so benefits would be paid from City funds. Several questions were raised about which groups should be involved and where this person would be located. CM Keating moved, CM Snellings seconded to have the Administration and Finance Committee meet with the concerned groups to further discuss the proposal. Motion carried unanimously.

5. **JULY 8TH CELEBRATION.** CM Keating asked Mandy Cook from C&T about the hot air balloons planned for the celebration on July 8th. Mandy said there would be 6 balloons from a company in Kansas City that would be at Lakeview on Saturday and rides would be available on Sunday morning. The C&T Committee will request funds for the event at a later date.
6. **POLICY A-96 RANDOM DRUG/ALCOHOL TESTING.** Policy A-96 *A POLICY RESOLUTION ESTABLISHING GUIDELINES FOR EMPLOYEE RESPONSIBILITIES AND RANDOM DRUG AND ALCOHOL TESTING REQUIREMENTS.* This policy includes all full-time employees who are in safety sensitive positions, who operate equipment or drive city vehicles. CM Beikman moved, CM Throm seconded to approve Policy A-96. Motion carried unanimously.
7. **KAY CLUB WEEK.** The Marysville High School KAY Club asked the City to designate March 19-25 as Marysville KAY Club week. CM Frye moved, CM Throm seconded to designate and allow the mayor to declare March 19-25 Marysville KAY Club week. Motion carried unanimously.

CONSENT AGENDA. The Consent Agenda was presented for consideration. CM Throm moved, CM Frye seconded to approve the Consent Agenda. Motion carried 7-0. The Consent Agenda consisted of the following:

1. Convention & Tourism requests as follows: Guide By Cell 2023-2024, \$500.00; Kansas Travel Guide ad, \$640.00; Totaling \$1,140.00.

APPROPRIATIONS ORDINANCE NO. 3792

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$102,176.24; Water Revenue Fund, \$41,477.54; Sewage Revenue Fund, \$22,660.14; Bond & Interest Account #1A, \$24,689.78; Library Revolving, \$10,222.23; Swim Pool Sales Tax, \$250.00; Special Law Enforcement Fund, \$1,840.39; Koester Block Maintenance, \$797.50; Employee Benefit Fund, \$30,673.71; Transient Guest Tax, \$3,278.66; Sales Tax Improvements, \$33,514.68; making a total of \$271,580.87.
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 Keating seconded to approve the appropriations ordinance totaling \$271,580.87. Motion to approve the appropriations ordinance carried by 7-0 roll call vote. City Clerk Holle assigned Ordinance No. 3792.

STAFF REPORTS:

CITY ADMINISTRATOR:

- 1. FLUSH TANK REPLACEMENT PROJECT.** CA St. John presented bids to replace 14 flush tanks. Nowak Construction Company, \$506,191.00; Inline Construction, \$224,112.00; J & K Contracting, \$175,700.00; Jadwin Construction & Development, \$153,439.00. CM Throm moved to accept the low bid from Jadwin Construction & Development for \$153,439.00, CM Keating seconded. Motion carried unanimously.
- 2. 2023 CONFERENCES.** CA St. John included a list of the conferences he will attend in 2023 as follows: KCCM, Lawrence, KS March 30th-31; ICMA, Austin, TX September 30th-October 4th; LKM Annual Conference, Wichita, KS October 7th-9th; KACM Annual Conference, Dodge City, KS November 29th-December 1st. CM Keating moved, CM Behrens to approve CA St. John's conferences. Motion carried unanimously.
- 3. WAYFINDING SIGNS.** CA St. John reported the wayfinding signs the City purchased will be installed by the end of March. KDOT has finally approved all the permits for placing the signs on highway easements.

STANDING COMMITTEE REPORTS:

STREET:

- 1. ENGINEERING PROPOSALS ON 12TH ROAD AND KEYSTONE.** The Mayor reported the Street Committee interviewed BG Consultants and CES regarding their engineering proposals for 12th Road and Keystone Road. The project was separated into 4 phases. The engineering for all phases bid from CES was \$283,230.00 and the bid from BG Consultants was \$80,260.00. CM Behrens moved to accept the proposal from BG Consultants for \$80,260.00, CM Snellings seconded. Motion carried 7-0. The Council asked if CA St. John would get quotes to add 11th Terrace from Keystone Road south to Dawson Drive and 12th Road east to 11th Terrace.
- 2. PARKING AT TENNIS COURTS.** CM Frye said there are some large potholes in the parking lot at the tennis courts.
- 3. 8TH AND BROADWAY STREET LIGHTS OUT.** CM Keating reported the streetlights in the 800 block of Broadway are all out.
- 4. AT&T.** CM Frye asked when AT&T would finish their project on Highway 36, S. 8th Street and S. 9th Street. The City has no information from them at this time.
- 5. TRASH CANS ON BROADWAY.** CM Frye asked if the City had any information about replacing the trash cans on Broadway which was discussed last year. CM Keating said Landoll Company employees were discussing the best way to make them.
- 6. 10TH AND CENTER STOP LIGHT.** CM Throm reported west bound traffic always trips the turn arrow at the 10th Street stop light. CA St. John will contact Gades Sales to check the light.

WATER & WASTEWATER:

PARKS & RECREATION:

1. **POOL.** CM Throm asked for an update on the pool. CA St. John said the sand filters have been replaced. In April Manhattan Energy Center will repair the bottom of the pool and grout. Thrasher will stabilize the southwest end of the pool which is settling. City Staff is advertising for pool employees.
2. **SPEAKERS AT THE POOL.** CM Frye asked that the speakers at the pool be turned to the north for the swim meet.
3. **NEW BATHROOMS AT CITY PARK.** CM Beikman said the bathrooms at City Park need to be replaced as soon as possible, but it should not be done when it interferes with the Mother's Day Market.

CEMETERY & AIRPORT:

1. **KIOSK AT CITY CEMETERY.** Council asked if the City had received an estimate for a kiosk at the City Cemetery. The Council would like the kiosk to match the sign Schurle Signs installed for the flag donations. CM Keating moved to purchase the kiosk from Schurle Signs, CM Throm seconded. CM Keating amended his motion to purchase the kiosk from Schurle Signs not to exceed \$45,000, CM Frye seconded. Motion carried unanimously.
2. **TAXIWAY AT AIRPORT.** CM Frye asked if the City had received costs on surfacing the gravel taxiways to the hangars. CA St. John said the company had not responded yet.

POLICE & FIRE:

1. **BATHROOM REMODEL AT POLICE DEPARTMENT.** CM Frye asked how much was left to do on the remodel at the Police Department. CA St. John said the shower doors and the lockers need to be installed, then the project should be complete.
2. **SPEED TRAILER.** CM Frye asked if the speed trailer was still operable. CA St. John said it is but it is solar powered, so it works better when there is more sunshine.

ADMINISTRATION & FINANCE:

1. **CODE ENFORCEMENT.** Mayor Barnes said there were several trees around town that are dead with only the trunks remaining. The Council asked if the City could facilitate a program to help people get the dead trees taken down. The Council also discussed more aggressive nuisance enforcement and asked if other cities could be contacted whose programs seem to be working better than ours.

APPOINTMENTS:

CITY ATTORNEY: CA McNish asked for an executive session.

EXECUTIVE SESSION: At 8:50 p.m. CM Goracke moved to recess in executive session for consultation with attorneys on matters deemed privileged in an attorney-client relationship about litigation or claims against the City exception KSA 75-4319 (b) (2). This session will include the Mayor, City Council, City Administrator, and the City Attorney. The open meeting will resume in the city council chamber at 8:55

p.m. CM Throm 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.

Mayor Barnes reported Attorney Fowler had written his findings regarding Country Club Lake in a letter to the City Council and he asked the letter to be made public. CM Keating moved, CM Beikman seconded to make public the lake agreement. Motion carried unanimously. CA McNish summarized the letter which pointed out the Country Club Lake has been utilized by the public since 1936. The 80 plus years of public use of the lake have essentially foreclosed any claim by the landowners that they have a right of control over a portion of the lake. The controversy arose when Steve and Vallery Prell purchased the property adjacent to the lake in 2020. The City reached out to the Prells but could not resolve the issue. Use and access to the lake is also subject to a contract between the City and the Kansas Department of Wildlife and Parks which states the contract can be terminated if there is “restriction of public access to said land”. Fowler also stated that the city can take legal action to guarantee access and title to the lake.

ROUND TABLE DISCUSSION:

1. **PET TAGS DUE.** CM Frye reminded everyone cat and dog tags are due by March 15.
2. **KNIGHTS OF COLUMBUS FUNDRAISER.** CM Keating invited everyone to a dance on Saturday March 4 at Venue 36. This is a Knights of Columbus fundraiser to help people coming through town.
3. **SUBSTATE.** CM Keating wished MHS good luck at sub-state which is being held in Marysville.
4. **MEMORIAL WREATH.** CM Snellings asked about the memorial wreath the City places at the City Cemetery. CM Snellings will place the wreath this year.
5. **DOG WASTE ON BLUE RIVER RAIL TRAIL.** CM Beikman reported there is a lot of dog waste on the Blue River Rail Trail north of Marysville.
6. **PRIORITIZE PROJECTS.** Mayor Barnes said every meeting the Council talks about new projects which are all important. He suggested making a list of all projects so the Council can prioritize which projects are most urgent.

There being no further business, at 9:10 p.m. CM Goracke moved to adjourn, CM Throm seconded. Motion carried unanimously.

Cindy Holle
City Clerk