

Regular Meeting  
City Hall, Marysville, Kansas-March 13, 2023

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

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

The minutes from the February 23<sup>rd</sup> regular meeting were presented for approval. CM Throm moved; CM Price seconded to approve the minutes as presented. Motion carried by 6-0 voice vote.

*CM Keating entered the Council Chamber at 7:02 p.m.*

**PUBLIC COMMENTS:**

1. **INTERMODAL CONTAINERS.** Darlene Boss, Ward 2 addressed the Council asking them to vote no on intermodal container placement in the City as the Planning and Zoning Commission recommended after the public hearing.
2. **CODE ENFORCER/TOURISM DIRECTOR.** Darlene Boss also addressed the Council asking them to consider hiring a full-time code enforcement position before hiring a director of communications.
3. **INTERMODAL CONTAINERS.** Vicky Gross, Ward 3 addressed the Council thanking the council members who attended the public hearing on intermodal containers, Vicky said there were 21 people against the containers and 1 person for the containers at the hearing. She asked the Council not to allow intermodal containers in the city as the Planning and Zoning Commission recommended.
4. **COUNTRY CLUB LAKE.** Kris Schrater, 1040 Pony Express Highway, addressed the Council regarding Country Club Lake. Kris commented he disagreed with the City's attorney Jay Fowler's opinion on access and easements at the Country Club Lake. CM Keating asked Kris to consider granting a public access easement of 20 feet from the shoreline.

**BUSINESS AND DISCUSSION ITEMS:**

1. **AED LIBRARY.** Mandy Cook Director of the Library asked the City to pay \$744 toward the cost of an AED for the Library. After Council discussion CM Frye moved, CM Snellings seconded to give \$744 to the library to help pay for an AED. Motion carried 5-2 with CM Throm and CM Behrens voting no.
2. **CONVENTION & TOURISM DIRECTOR.** Wayne Kruse C&T Committee member asked the Council to give direction to the Administration and Finance Committee who will meet with the C&T board regarding a C&T Director and creating a new position within the City for a Communications Director. Wayne read portions of 3 letters of support for creating the position. Council discussed they would like to approach this idea with caution to make a well-informed decision. The Council also said they would like to look at all the organizations in the City to define the rolls and reduce any overlap to allow for more efficiency. The meeting with C&T Board and the Admin/Finance Committee will be held on Monday, March 20<sup>th</sup> at 6:00 p.m. at City Hall.
3. **DEMOLITION REIMBURSEMENT 710 N 4<sup>TH</sup> ST.** Zach Sparks is asking for an Economic Development Reimbursement of \$5,000 to tear down a blighted house and he will build either a

shouse or a duplex to replace it. Zach asked the Zoning Board of Appeals for a variance so the 30 ft by 70 ft building he plans to build will fit on the lot and the variance was approved. CM Frye moved to approve the Economic Development Reimbursement at 710 N 4<sup>th</sup> Street, CM Throm seconded. Motion carried 7-0.

4. **TEXT AMENDMENT INTERMODAL CONTAINERS.** The Planning and Zoning Commission met February 9 and conducted a public hearing concerning a text amendment to allow Intermodal Containers in the City. The P&Z Commission recommends the Council not pass a text amendment allowing intermodal containers in the City. CM Frye moved to table the decision until a full council was in attendance. CM Throm seconded. Motion carried unanimously.
5. **BURIAL FEE POLICY A-97.** CC Holle presented Policy A-97 to increase burial fees. CM Beikman asked for an additional \$50 fee be added when a grave is exhumed. CM Throm moved, CM Behrens seconded approve Policy A-97. Motion carried unanimously. This policy states:
  1. The cost of contractors fee plus \$200.00 for opening and closing of adult graves;
  2. The cost of contractors fee plus \$100.00 for opening and closing of a child/infant grave (12 years of age or under) or stillborn infant;
  3. The cost of opening plus \$150 for Urn or other casket containing ashes;
  4. All Saturday burials will have an additional charge of \$200.00;
  5. Any grave exhumed will be charged an additional \$50.There will be no burials on Sundays or City observed holidays.
6. **BALLFIELD, POOL, DISC GOLF AGREEMENT USD 364.** Darren Schroeder, Superintendent of USD 364 asked to renew the agreement for the ballfields and the pool which expired June 30, 2022. The disc golf course in City Park was added to the agreement and it was extended to June 30, 2025. CM Throm moved, CM Keating seconded to approve the agreement with USD 364. Motion carried unanimously.
7. **PARKING AT TENNIS COURTS.** CA St. John included the one bid the City received to replace the parking lot and sidewalk near the tennis courts on Walnut Street. CM Throm moved, CM Keating seconded the approve the bid from Inline Construction for \$55,064.90 the paving and sidewalk. Motion carried unanimously.

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

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

1. Alcohol Consumption request from Steven McDonald at Lee Dam Art Center June 9-12 for a family reunion.
2. Surplus 1998 Toyota Tacoma VIN 4TANL42N5W055265 forfeited to MPD in a drug case. Vehicle to be sold on PurpleWave and the money deposited in Special Law Enforcement Fund.
3. Cash balances in funds as of January 31, 2023, were presented as well as outstanding debt and receivable balances. Revenue/Expenditure Budget Reports through February 2023 showed unadjusted accumulated revenues in the General Fund of \$1,221,706 or 43% of budget; Water

Revenue Fund, \$129,798 or 14% of budget, Sewer Revenue Fund, \$129,288 or 17% of budget. Unadjusted statement of expenditures in the General Fund totaled \$498,041 or 15% of budget, Water Revenue Fund, \$134,886 or 10% of budget, and Sewer Revenue Fund, \$158,607 or 11% of budget.

4. The Municipal Judge's Report for January showed \$8,498.50 being deposited with the City Treasurer and \$493.50 being forwarded to the State Treasurer for Judicial Branch Education, court costs and law enforcement training.

#### **APPROPRIATIONS ORDINANCE NO. 3793**

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$172,354.58; Water Revenue Fund, \$17,081.38; Sewage Revenue Fund, \$10,295.81; Library Revolving, \$7,011.87; Swim Pool Sales Tax, \$344.98; Koester Block Maintenance, \$896.90; Employee Benefit, \$9,431.39; Transient Guest Tax, \$524.62; Sales Tax Improvements, \$70.46; making a total of \$218,011.99.
2. An appropriations ordinance was introduced and considered to honor claims against the funds of the City as audited by the Finance Committee. CM Frye moved; CM Throm seconded to approve the appropriations ordinance totaling \$218,011.99.
3. Motion to approve the appropriations ordinance carried by 7-0 roll call vote. City Clerk Holle assigned Ordinance No. 3793.

#### **STAFF REPORTS:**

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

1. **FINANCIALS.** CA St. John updated the Governing Body on the status of General Fund, Water Revenue Fund, Sewer Revenue Fund and Sales Tax Improvement Fund. A Capital Projects report was also included.

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

##### **STREET:**

1. **ROOF ON STREET DEPARTMENT BUILDING.** CM Throm reported the roof on the building near the street shop has been completed.
2. **12<sup>TH</sup> ROAD & KEYSTONE ROAD.** Mayor Barnes informed the public that the Council has not made any decisions about ways to finance the 12<sup>th</sup> Road and Keystone Road improvements. The funds for the improvements will possibly include a property tax increase, a special assessment and annexations. The Council has only approved hiring an engineer to design the roads, but no construction costs are known at this time. CM Frye suggested striping be added to the road for a walking path.

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

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

1. **COUNTRY CLUB LAKE.** CM Beikman asked for a Parks and Recreation Committee meeting be arranged to discuss the Country Club Lake. After discussion, Council decided to conduct a Special Meeting in regard to Country Club Lake. CC Holle will set up a meeting and notify the Council and the public.
2. **8<sup>th</sup> OF JULY CELEBRATION.** CM Keating asked if the fireworks contract could be signed for the July 8<sup>th</sup> Celebration. CM Behrens moved, CM Price seconded to have CC Holle sign the fireworks contract and the City will contribute \$5,000 from the Transient Guest Tax Fund toward the fireworks. Motion carried unanimously.
3. **MEMORIAL DAY.** CM Snellings said she would not be able to attend the Memorial Day celebration at the Marysville Cemetery so someone else would need to place the wreath at the mound.

**POLICE AND FIRE:**

1. **FIRING RANGE.** CM Frye asked if there was a plan to allow the public at the firing range. CC Holle said the insurance carrier was not in favor of opening the range to the public and when it was researched previously the cost was significant. CM Frye would like this to be researched again and he would like to see the insurance quote.

**ADMINISTRATION AND FINANCE:**

1. **KOESTER MUSEUM HEAT.** Mayor Barnes said Hanover Electric was at the Koester Museum to hook up the radiators which are all in place at the Museum. They will install a cover or change the boiler switch so it cannot be accidentally shut off.

**APPOINTMENTS:** Ron Green to Zoning Board of Appeals January 2023-December 2025. CM Throm moved, CM Beikman seconded. Motion carried unanimously.

**CITY ATTORNEY:**

**EXECUTIVE SESSION:** At 8:05 p.m. CM Price moved to recess in executive session to discuss personnel matters of non-elected personnel, not general personnel policies, exception KSA 75-4319 (b) (1). This session will include the Mayor and the City Council. The open meeting will resume in the city council chamber at 8:15 p.m. CM Beikman seconded. Motion carried 7-0. At 8:15 p.m. the council reconvened. Mayor Barnes reported no action was taken during the executive session and the regular session was continuing.

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**ROUND TABLE DISCUSSION:**

1. **AED AT BALLPARKS.** Council members discussed the need for an AED at both ballparks.
2. **BOYS BASKETBALL STATE.** CM Throm congratulated the MHS boys basketball team on their second place finish at state.

There being no further business, at 8:31 p.m. CM Frye moved to adjourn, CM Price seconded. Motion carried unanimously.

Cindy Holle  
City Clerk