

Regular Meeting
City Hall, Marysville, Kansas-March 28, 2022

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: Snellings, Keating, Beikman, Goracke, Price, Behrens, and Throm. A quorum was present. CM Frye was absent.

The minutes from the March 14th regular meeting were presented for approval. CM Throm moved, CM Price seconded to approve the minutes as presented. Motion carried 7-0 voice vote.

PUBLIC COMMENTS:

1. **JOHN HOWARD PARTY.** Sharon Kessinger invited the Council and the citizens to a party in honor of John Howard who worked at the Koester House Museum for 20 years and has been active in our community for many years. The open house will take place Saturday, April 2, noon to 3:00 p.m. at the Koester House Museum during Museum Days.
2. **MANDY COOK C&T REQUEST.** Mandy Cook C&T President submitted a request for payment of \$360 for advertising and \$50 for social media as a grant for Museum Day. The committee did not submit the request on time to be included in the agenda.
3. **DUST CONTROL ON 12TH ROAD.** Sandie Kemplay, 1188 Timber Creek Drive asked the Council to apply dust control to 12th Road especially in front of the homes in Keystone Addition. She referred to a petition she submitted which is included in the agenda. Carol Blocker 1126 Ashbury Lane addressed the Council about dust control on 12th Road and asked if a car count could be conducted on that road.

CM FRYE ENTERED THE COUNCIL CHAMBER AT 7:08 P.M.

BUSINESS AND DISCUSSION ITEMS:

1. **FIRE DEPARTMENT SOFTWARE.** Alex Rombeck Secretary of the Marysville Fire Department requested new software for the Fire Department. The current software is from the same company but is no longer supported and cannot be updated. This software is used to create reports for the State Fire Marshall and Insurance Reports. The Fire Department does not wish to use the Asset Management portion of the software. The initial cost to purchase the program and train the users would be \$2,630.00 for personnel management and fire incident. An annual maintenance fee of \$2,035.00 will be charged following the initial installation. CM Throm moved to purchase the software; CM Snellings seconded. Motion carried 8-0. Alex also asked if the City could get a phone to work inside the new fire station. It is a metal building and has caused some reception issues on cell phones. The City will look for a solution.
2. **MOTHER'S DAY MARKET.** Marysville Chamber & Main Street Director Kate Tommer presented the committee requests for the Mother's Day Market. The City Park will be barricaded from 4:00 p.m. Friday thru Sunday. The Committee will rent a tent to put in the park for a select group of vendors. They request the use of gators and golf carts for the

weekend. Council cautioned these vehicles cannot be driven on the highway. City staff will dump trash barrels on Saturday and Sunday. The Committee will rent porta potties and the City will call for dumpsters. The Committee is asking City staff to pick up potatoes from Lincoln Center and MHS when prepared and deliver them to the Wagon Wheel for storage. The Committee also requests the City staff erect the Main Street's tent on the 7th Street corridor for the chicken barbeque. The price of the chicken barbeque will increase due to inflation. CM Throm moved to approve the requests, CM Goracke seconded. Motion carried 7-0-1. CM Snellings abstained; she is on the committee.

3. **BIG BLUE RIVER DAYS.** Kate Tommer Marysville Chamber & Main Street Director presented requests for the annual Big Blue River Days and Autofest Car Show Friday and Saturday June 3rd and 4th. The 7th Street Corridor will be closed from Broadway south to Walnut also Elm Street from 6th to 7th. 8th and 9th Streets will be closed from Broadway to Elm. Broadway will be closed from 5th Street to 10th Street from Friday after cruising until Saturday evening. The Car Club will pick up barricades from the Street Shop on their trailer and block the streets. City staff will erect the Main Street tent in CES's lot near the City's building at 604 Broadway. There will be kids' activities on 6th Street between Broadway and Elm. Saturday evening there will be Beer Olympics in the green space west of the murals in the Pony Park. A snow fence will be erected near the highway for safety. In the BBQ & Car Show corridors alcohol will be allowed on the street and Marysville Chamber & Main Street will sell alcohol from the "Beer Bin" which will be located on the south side of Broadway by the Pony Park. The committee for the activities asked to use ATVs and golf carts. The Council cautioned them if there were any incidents of drivers under the influence driving these vehicles they would not be allowed again. CM Throm moved to approve the Big Blue River Days and Autofest Car Show requests, CM Frye seconded. Motion carried unanimously.
4. **STORY WALK DONATION REQUEST.** Mandy Cook KAY sponsor at MHS asked the City to make a \$1,000 donation to the Story Walk Project. The KAYs are trying to get a Blue Cross Blue Shield grant to finance the project which will cost \$15,534.96. Mandy is asking the Marysville Library for a donation also. CM Frye moved to donate \$1,000 to the Story Walk project from the Special Parks Fund contingent on the KAYs receiving the Blue Cross Blue Shield grant to complete the project. CM Throm seconded. Motion carried 8-0.
5. **TENNIS COURT CONSTRUCTION AND MAINTENANCE GIFT AGREEMENT.** CA McNish included a contract he wrote that outlines the duties of the City and Chad and Joy Kramer who are donating most of the funds to construct 6 tennis courts. The courts will be located in City Park where the old courts are currently located. The City will contribute \$100,000 and the Kramer's will pay the remaining costs. Chad Kramer will act as the construction manager but will consult with the Governing Body. The invoices will be approved by the Council and will be paid through the City. The courts will be the property of the City of Marysville. This agreement is contingent upon USD 364 contributing \$5,000 annually for maintenance of the courts which will be held in a fund for future maintenance and rehabilitation of the courts. CM Frye moved to approve the agreement with Chad and Joy Kramer and to dedicate \$100,000 to the project, CM Throm seconded. Motion carried unanimously. The City will make the engineering plans from previous years available. A location for an additional 2 tennis courts will be investigated.

6. **SPRINKLER REPAIR LAKEVIEW.** Lush Lawn Sprinklers LLC provided a quote for \$11,379.22 to repair the sprinkler system on the red diamond at Lakeview Complex with work to begin upon approval of the bid. Lush Lawn Sprinklers LLC also provided a quote of \$28,789.22 to replace the entire system on the red diamond but work cannot begin until the end of May or the first of June when Rec ball is in full swing. CM Frye moved to approve the bid of \$11,379.22 to repair the sprinkler system on the red diamond at Lakeview Complex. CM Keating seconded. Motion carried 8-0.

7. **DUST CONTROL ON 12TH ROAD.** A petition was presented to the Council requesting the City, Marshall County and or the Marysville Township improve 12th Road during the next 5 years. At the present time the residents request the City pay to put dust control on 12th Road. CA St. John presented a map showing which entity own the roads and portions of the roads surrounding the Keystone Addition and Keystone Road. The City has currently budgeted \$200,000 for engineering on 12th Road at the intersection of US Highway 36 and south past the driveway of Hometown Lumber. No action was taken, and the Street Committee will meet with the Marysville Township Board.

NOTICES AND HEARINGS:

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

1. Convention and Tourism request totaling \$1,810.00 as follows: Travel Guide Listings \$400.00, to be reimbursed, Printing at City Hall up to \$1,000.00. (An additional \$410 for a grant for advertising Museum Day was added during public comment.)

APPROPRIATIONS ORDINANCE NO. 3769

1. Claims against the funds of the City were submitted for Council consideration as follows:
General Fund, \$119,941.12; Water Revenue Fund, \$38,917.32; Sewage Revenue Fund, \$24,190.51; Airport Revolving, \$67.50; Library Revolving, \$5,565.79; Library, \$5,889.23; Library Employee Benefit, \$1,121.20; Swim Pool Sales Tax, \$530.67; Koester Block Maintenance, \$1,070.06; Employee Benefit Fund, \$8,745.09; Transient Guest Tax, \$376.81; Sales Tax Improvements, \$34,579.26; making a total of \$240,994.56.

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 Behrens seconded to approve the appropriations ordinance totaling \$240,994.56. Motion to approve the appropriations ordinance carried by 8-0 roll call vote. City Clerk Holle assigned Ordinance No. 3769.

STAFF REPORTS:

ADMINISTRATOR:

1. **FIRE STATION MEETING ROOM RENTAL POLICY.** Recommended rules and regulations for the new Fire Station Meeting Room were presented. The room rent will be \$50 per day. The room may be used for business meetings, organizational meetings, classes, and trainings only. Top priority is given to the Fire Department for meetings. A deposit of \$50 for cleaning will also be paid and can be refunded if the area is cleaned after use. A check list for cleaning will be supplied to all renters. All meetings will be scheduled through City Hall. CM Frye moved to approve the Rules and Regulations for the Fire Station meeting space. CM Throm seconded. Motion carried unanimously.
2. **STORM SEWER REPORT.** A portion of the report from HK Solutions was presented. HK Solutions cameraed some of the City storm sewers and sanitary sewers. There is a collapsed line and a blockage between 6th and 7th along Carolina. There are pictures of the storm sewer on Center Street between 5th and 6th which show a pipe which could be causing an issue. If we remediate these issues, it should help the flooding on Carolina near the 7th Street Corridor.

CITY CLERK:

1. **TOBY CARRIG BONUS.** Toby Carrig the Convention and Tourism Director was given a bonus by the Council on February 28, 2022. Toby wrote a letter turning down the bonus saying the funds could better be used in the City. This will note in the minutes the City will not payout the bonus.
2. **SPRING CLEAN UP WEEK.** The City's annual Spring Clean Up Week for curb pick-up of yard waste will be April 18th through the 21st.

STANDING COMMITTEE REPORTS:

STREET:

1. **CRACK SEALING.** CM Throm reported the City crew had been out crack sealing streets.
2. **TRAFFIC COUNTER.** CM Frye asked if the City's traffic counter still worked or if the City had access to a traffic counter. It was discussed there may be a software update needed or Marshall County may have access to a counter.
3. **TRASH CANS ON BROADWAY.** CM Frye asked if the trash cans on Broadway could be replaced before Big Blue River Days. A Street Committee meeting will be held to discuss the new trash cans.

WATER & WASTEWATER:

1. **LAGOON PLANS.** CM Throm said the Council had seen preliminary plans to the Lagoon Project but has not heard anything from the engineers for a while. He asked when the Council would see the plans. CA St. John said now that the CDBG grant has been accepted by the City the engineering will begin and BG Consultants had been to the lagoon site to start the process.

PARKS & RECREATION:

CEMETERY & AIRPORT:

- 1. PAINTING AIRPORT BUILDING.** Mayor Barnes included in the agenda a copy of the lease for airport hangars. He said the lease shows hangars must have functioning planes and there are 3 hangars which do not. The new leases begin April 1 and he asked how the Council wished to proceed with the 3 hangars in violation of the lease. Council asked the 3 owners be contacted and asked what their plans for the hangars were.
- 2. AIRPORT BUILDING.** CM Throm said the upgrades to the Airport Building had been completed and look good.

POLICE & FIRE:

- 1. NUISANCE VIOLATIONS.** The Council discussed the possibility of the police officers helping to identify nuisance violations because they are on the streets often. Non-operating vehicles or parked vehicles on the street are the jurisdiction of the Police Department, but nuisances in yards are under the jurisdiction of the Code Enforcer. A Police and Fire Committee meeting will be held to discuss this.

ADMINISTRATION & FINANCE:

APPOINTMENTS:

City Prosecutor – John McNish - Mar 29, 2022, to Dec 31, 2022

Tree Board – Deborah Bell – Apr 1, 2022, to Dec 31, 2024

Sharon Kramer – Apr 1, 2022, to Dec 31, 2024

Rick Cudney – Apr 1, 2022, to Dec 31, 2024

CM Beikman moved to approve the mayor's appointments; CM Throm seconded. Motion carried unanimously.

CITY ATTORNEY: CA McNish thanked the council for his appointment as City Prosecutor.

EXECUTIVE SESSION:

At 9:16 p.m. CM Goracke moved to recess in executive session to discuss personnel matters of non-elected personnel, discussion on specific personnel matters, not general personnel policies, exception KSA 75-4319 (b) (1). 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 9:36 p.m. CM Price seconded. Motion carried 8-0. At 9:26 p.m. CA St. John left the executive session. At 9:36 p.m. council reconvened. Mayor Barnes reported no action was taken during the executive session and the regular session was continuing.

CA McNish asked CC Holle to read 4 wage determination adjustments:

Water/Sewer Supervisor Kent Bargman, \$27.12; Cemetery/Parks Supervisor Dominic Cercone, \$24.29;

Street Supervisor Gary Gundelfinger, \$26.08; City Clerk Lucinda Holle, \$28.26. CM Throm moved to approve the wage determinations adjusted by the Council, CM Frye seconded. Motion carried 8-0.

CC Holle read a wage determination adjustment for City Administrator, \$39.42. CM Throm moved to approve the wage determination adjustment; CM Price seconded. Motion carried 7-1 with CM Beikman voting no.

ROUND TABLE DISCUSSION:

1. **SINK HOLES.** CM Price reported there are several sink holes around town where the City crews have done excavation. One is near the new Fire Station, and one is barricaded by 12th and Otoe. The City crews should be repairing these soon.
2. **POOL.** CM Throm asked if the City had a date the welding would be done at the pool. CA St. John said the company has been contacted.
3. **HANDICAP PARKING SPACE.** CM Throm asked if the City could research why the handicap space by the Marshall County Courthouse was removed.
4. **BURNING TRASH.** CM Throm asked if there was a City Ordinance about trash burning. He was informed the regulation is in City Code 7-601 and if there were violations the Police Department would handle them.
5. **APARTMENT BUILDING ON N 10TH STREET.** The Council discussed ways to temporarily make the condemned apartment building on the corner of N 10th Street and Center Street secure. City staff will get quotes from contractors to board up windows and doors. CM Keating said Landoll Company LLC discards lots of sheets of wood that the City could use for the project.
6. **CARS WITH FLAT TIRES ON STREETS.** CM Throm reported there are lots of cars parked on City streets with flat tires.
7. **ELECTRIC VAULT AT FELD FIELD.** CM Price said he was concerned about the new electric vault at Feldhausen Field. He thought there should be protection around the vault so it could not be ran into.

There being no further business, at 953 p.m. CM Frye moved to adjourn, CM Price seconded. Motion carried unanimously.

Cindy Holle
City Clerk