

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 22nd 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 1st 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 13th 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. **17TH STREET OVERLAY/CURB AND GUTTER.** CA St. John included quotes from Hall Brothers for N 17th 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 17th 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 REHABILITATION.** 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. **11th ROAD SOUTH EASEMENTS.** CM Keating asked about the 11th 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. **12th ROAD/KEYSTONE ROAD.** CM Keating asked if the City had received the plans from BG Consultants about 12th Road, Keystone Road and 11th 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 8th Street to 16th 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. 9th 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 15th Street near Nordhus Motors on Center Street could be routed to the manhole on 14th 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 14th.
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 14th.

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 10th 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 1st 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