

Regular Meeting
City Hall, Marysville, Kansas-June 24, 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. City Administrator Haverkamp, City Attorney Westbrook 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 June 10th regular meeting were presented for approval. CM Throm moved; CM Schrater seconded to approve the minutes as presented. Motion carried by 8-0 voice vote.

Mayor Frye asked the Council to amend the agenda by adding item #16 regarding repair or replacement of a lift station pump to the Business and Discussion items. CM Throm moved, CM Schrater seconded to approve adding the quote from Agland Electric Motor Service. Motion carried unanimously.

PUBLIC COMMENTS:

1. **MARYSVILLE PUBLIC LIBRARY.** Mandy Cook, director of the Marysville Public Library reported on the summer programs and the story walk. She also reported the library has received a \$69,452.72 grant through Digital Opportunities to Connect Kansans to enhance digital literacy.
2. **TOUCHDOWN CANNON.** Sterling Clark said the Alumni Association would like to fire a cannon at home football games when a touchdown is scored. The cannon will be shot on USD 364 property on the practice field and does not have live rounds. Council will have staff look at the City Code to make sure there are no violations.
3. **FIREWORKS EXTENSION.** Sterling Clark, Ward 2 asked the Council to extend the times fireworks could be discharged. CM Snellings moved, CM Schrater seconded to allow fireworks to be discharged longer on Friday, June 28th and Saturday, June 29th, also Friday, July 5th from 10:00 a.m. to 11:00 p.m. Motion carried unanimously.

BUSINESS AND DISCUSSION ITEMS:

1. **TENNIS COURTS USAGE 8/24/24.** Sheldon Smith representing the MJHS and the MHS tennis programs asked to use the tennis courts for a pickleball tournament for fundraising on August 24th, 2024. CM Beikman moved, CM Throm seconded to allow the MJHS and MHS tennis program to use the tennis courts on Saturday, August 24. Motion carried unanimously.
2. **COMMUNITY POOL GROUP.** Rory Clark from the volunteer Community Pool Group asked for permission to sell t-shirts with the Marysville Aquatic Center name to raise funds for lifeguard scholarships and other programs and events. CM Throm moved; CM Snellings seconded to allow the group to sell Marysville Aquatic Center t-shirts. Motion carried unanimously.
3. **MARYSVILLE MINUTE.** The Convention and Tourism Committee asked to renew the contract with Tommy McNish from August through December 2024. He is paid \$400 per month to produce videos for the City's social media. CM Throm moved; CM Snellings seconded to approve signing the agreement. Motion carried unanimously.
4. **TRANSIENT GUEST TAX FUNDS FOR MCNISH.** The C&T Committee asked for \$2000 in funds for the McNish contract. CM Throm moved; CM Snellings seconded to approve the funds from Transient Guest Tax. Motion carried unanimously.
5. **STEAM LOCOMOTIVE UP 460.** The Kansas Steam Heritage Association asked the Council to consider giving the old UP 460 steam locomotive that sits in City Park to them to restore and move

so it could be functional again. They would pay for the move, storage, and restoration. While they complete their fundraising the locomotive would stay in Marysville.

6. **MARSHALL COUNTY RAILROAD HISTORICAL SOCIETY.** Marshall County Railroad Historic Society asked for the City to consider giving them the steam locomotive located in City Park. They operate the Central Branch Railroad in southwest Marshall County. After much discussion, the Council chose to send the requests to the Parks and Rec Committee to do more research.
7. **STOP SIGNS VARIOUS INTERSECTIONS.** The Police & Fire Committee met to discuss various uncontrolled intersections: 13th Street and Carolina, 14th Street and Broadway, 4th Street and Broadway, 15th Street and Laramie and 14th Street and Calhoun. The committee also discussed adding crosswalks on 15th Street and Laramie and 14th Street and Calhoun at the crossings to Dargatz Park. CM Throm moved, CM Ferris seconded to place stop signs on the north side and the south side of Carolina on 13th Street. Motion carried unanimously. CM Schrater moved, CM Snellings seconded to place stop signs on the east side and the west side of Broadway at 14th Street. Motion carried unanimously. CM Schrater moved, CM Goracke seconded to place stop signs on the east side and the west side of Broadway at 4th Street. Motion carried unanimously. CM Goracke moved, CM Schrater seconded to make a four-way stop on 14th Street at Calhoun and a four-way stop on 15th Street at Laramie with crosswalks added to those corners. Motion carried unanimously.
8. **TASER AGREEMENT.** The tasers the Police Department currently use are no longer able to be repaired or serviced. The police committee recommended purchasing 9 Taser 10's with holsters and 10 batteries on a 10-year agreement. The agreement would also include unlimited duty cartridges and annual certification cartridges. CM Schrater moved, CM Ferris seconded to sign a 10-year contract with Axon Tasers with a down payment of \$1,500 and \$9,525.16 annually. Motion carried unanimously. It will take approximately 4-5 months to receive the order and be invoiced.
9. **KOESTER HOUSE FOUNDATION PROPOSAL FOR OWNERSHIP OF KOESTER PROPERTY.** The Koester House Museum Foundation Board asked the Council to gift them all the Koester Block property less the commercial buildings which are in negotiations with Frontier Development Group. Currently there is an RFP out for new Koester House located at 908 Elm which is due in August. The Council made no decision at this time and asked the Foundation to respond with a proposal to the RFP.
10. **ORDINANCE 1927 ETHICS CODE.** Ordinance 1927 was presented. *"AN ORDINANCE AMENDING THE MARYSVILLE CITY CODE BY ADDING A PORTION TO 1-213 CODE OF ETHICS."* This ordinance would add a penalty for violation of the code. (f) Violation of any of these codes could result in the strongest penalty allowed by law. CM Throm moved; CM Snellings seconded to approve Ordinance 1927. Motion carried 8-0 roll call vote.
11. **RENT AT 909 BROADWAY.** Broadway's A Cut Above is closing. CA Haverkamp asked if the Council would like to change the rate or leave it the same at \$325 per month. CM Beikman moved; CM Keating seconded to leave it the same. Motion failed 2-6 with CM Snellings, CM Ferris, CM Behrens, CM Throm, CM Schrater and CM Goracke voting no. CM Snellings moved; CM Throm seconded to change the rate at 909 Broadway to \$375 per month. Motion carried 7-1 with CM Beikman voting no.
12. **NORDHUS STORM SEWER FINANCING.** CA Haverkamp presented an estimate for bond amortization from Ranson Financial. This was a 20-year bond for \$1,305,000. The interest rate including fees would be 4.75%. CA Haverkamp also presented a proposal from the 3 local banks

Citizens State, United and First Commerce with a rate of 5.5% for 10 years. The Council asked CA Haverkamp to speak again with the local banks asking for a lower interest rate. There is still time to check out more options before the project begins.

- 13. FRONTIER DEVELOPMENT GROUP NEGOTIATIONS-KOESTER BUILDINGS.** CM Behrens, CM Keating, Tyler Holoman and several members of the Koester Block Advisory Committee and the Koester Foundation Board met to discuss the proposed sale or lease of the commercial properties on the Koester Block. The group proposed a 100-year lease with an option for FDG to buy after 39 and a half years. FDG will pay \$10,000 now and \$1,000 per year with the lease payment negotiated every 5 years. CM Behrens moved, CM Keating seconded to approve the 100-year lease of the Koester Block commercial properties with the option to buy after 39 and a half years. Motion carried unanimously. CM Behrens moved, CM Schrater seconded to have CA Westbrook send a letter of intent to FDG. Motion carried unanimously. FDG asked the city to consider a Reinvestment Housing Incentive District. This is a program to eliminate the property tax on the new rehabilitation of the upper floors of the commercial property. The base tax would remain in place. No decision was made about the RHID.
- 14. RESOLUTION 2024-06 UNSAFE STRUCTURE 904 MAY.** Resolution 2024-06 was presented. *“A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF MARYSVILLE, KANSAS, AT WHICH THE OWNERS, THEIR AGENTS LIENHOLDERS OF RECORD, OCCUPANTS AND OTHER PARTIES IN INTEREST IN STRUCTURES LOCATED WITHIN SAID CITY AND DESCRIBED HEREIN MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS AN UNSAFE OR DANGEROUS STRUCTURE..* After Council discussion CM Beikman moved, CM Snellings seconded to set a hearing on August 12, 2024, to condemn the structure at 904 May, Resolution 2024-06. Motion carried unanimously.
- 15. LIFT STATION #4 REPAIRS.** The lift station #4 located near the Sale Barn needs to be repaired or possibly replaced. Agland Electric Motor Service quoted an estimate of \$6,913.50 to repair if possible and a replacement would cost \$23,842.50 plus freight. CM Snelling moved, CM Schrater seconded to repair the pump if possible or replace the pump if necessary. Motion carried unanimously.

NOTICES AND HEARINGS:

CONSENT AGENDA.

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

1. Lagoon project application #5 to KDHE for funds to pay Superior Excavating, LLC for \$50,108.74.
2. Public Auction of 2 firearms: 9mm handgun serial A446039 and Stoeger 9mm handgun T6429-21U19205 were sold to L&K Firearms and Ammo LLC for \$426.26 which will be deposited in the Special Law Fund. Public Auction of 4 firearms: AMT .380 Kurz A86939, Stoeger STR-9 T6429-21U19205, SCCY CPX-1 9mm A446039 and Cricket .22 271078 were sold to L&K Firearms and Ammo LLC for \$405.51 which will be deposited in the General Fund.

APPROPRIATIONS ORDINANCE NO. 3825

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$90,348.16; Water Revenue Fund, \$46,094.06; Sewage Revenue Fund, \$35,328.26; Sewage Replacement Fund, \$270,277.25; Library Revolving Fund, \$11,724.70; Swimming Pool Sales Tax, \$26,427.66; Koester Block Maintenance, \$741.65; Employee Benefit, \$32,571.74; Transient Guest Tax, \$6,388.44; Sales Tax Improvements, \$37,756.16; making a total of \$557,658.08.
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 Snelling seconded to approve the appropriations ordinance totaling \$557,658.08.
3. Motion to approve the appropriations ordinance carried by 8-0 roll call vote. City Clerk Holle assigned Ordinance No. 3825.

STAFF REPORTS:

CITY ADMINISTRATOR:

1. **FIREWORKS.** CA Haverkamp reminded citizens they can shoot fireworks June 27th through July 5th with altered times as approved previously.
2. **EMC INSURANCE DIVIDEND.** Jen Sedlacek from Alliance Insurance delivered a dividend check from EMC Insurance to the City for \$14,314.58.
3. **VERIZON CELL TOWER.** The City was notified Verizon should begin their cell phone tower project in the Industrial Park on July 15th.
4. **VOLUNTEERS NEEDED.** Skyfest is July 13th and National Night Out is August 6th. Volunteers are needed for both events.
5. **BUDGET WORKSHOPS.** There will be budget workshops on July 1st at 6:15 p.m. and July 15th at 5:30 p.m.

STANDING COMMITTEE REPORTS:

1. **POLICE & FIRE.** The Police and Fire Committee met earlier about the tasers and the traffic control devices at certain intersections.
2. **ADMIN & FINANCE COMMITTEE.** The Chamber MainStreet Board, Convention and Tourism members and the Admin/Finance Committee met to discuss creating a contract to hire Chamber MainStreet to provide services to manage Convention and Tourism. Their next meeting will be July 1st at 5:15 p.m.

APPOINTMENTS:

CITY ATTORNEY:

FERAL CATS. CA Westbrook reported he has been researching feral cat ordinances for other cities. He will provide staff with copies to review.

PARKING IN ALLEYS. CA Westbrook said he is also researching parking in alleys.

EXECUTIVE SESSION:

COUNCIL COMMENTS:

1. **FIREWORKS AT SKYFEST.** CM Keating said the fireworks at Skyfest will be set to 90's music and should start around 9:15 p.m. on July 13th at Lakeview.

2. **11th ROAD BIDDING.** Mayor Frye asked if the 11th Road south project would be starting soon. CA Haverkamp said it should be bid soon. The sidewalk on the south side of Keating Drive will need to be removed. Rip rap will be used to stabilize the ditch.

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

Cindy Holle
City Clerk