

Regular Meeting  
City Hall, Marysville, Kansas-July 10, 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, Snellings, Beikman, Goracke, Price, Behrens, and Throm. A quorum was present. CM Keating was absent.

The minutes from the June 26<sup>th</sup> regular meeting were presented for approval. CM Throm moved; CM Behrens seconded to approve the minutes as presented. Motion carried by 7-0 voice vote.

**PUBLIC COMMENTS:**

**BUSINESS AND DISCUSSION ITEMS:**

- 1. PONY EXPRESS HALF MARATHON AND 5K.** Crystal Roudybush from St Gregory's School presented requests to the Council for their annual Pony Express Half Marathon and 5K. This is held in conjunction with the Gravel Dash on September 9<sup>th</sup>. The request asks the City Police block the 8<sup>th</sup> and Broadway and the 8<sup>th</sup> and Center intersections to allow the runners to cross the streets at 8:00 a.m. and 8:15 a.m. to begin the race. Volunteers will help the runners cross the other intersections and they will place small signs in the right of way along the route to keep runners on the course. CM Throm moved, CM Goracke seconded to approve the requests. Motion carried unanimously.
- 2. LIBRARY AGREEMENT.** CA St. John included a proposed agreement from the Library Director between the Library and the City in regard to library building usage. Previously there had not been any agreement. CM Throm moved, CM Behrens seconded to table the agreement until the July 24<sup>th</sup> regular meeting. Motion carried unanimously.

**NOTICES AND HEARINGS:**

- 1. RESOLUTION 2023-31 NUISANCE AT 1203 LARAMIE STREET.** Code Enforcement Officer Stock presented pictures and the Notice of Violation for 1203 Laramie Street owned by Daniel Gillespie. Daniel Gillespie did not request a hearing, nor did he appear on June 26, 2023. CM Throm moved, CM Behrens seconded to approve Resolution 2023-31 setting a deadline of July 23, 2023, for the owner to abate the nuisance. Following July 23, the City will abate the nuisance and assess the costs to Daniel Gillespie. Motion carried unanimously.

***AT 7:04 CM KEATING ENTERED THE COUNCIL CHAMBER.***

- 2. RESOLUTION 2023-32 NUISANCE AT 900 ALSTON STREET.** Code Enforcement Officer Stock presented pictures and the Notice of Violation for 900 Alston Street owned by Gregg A. and Angela R. Hecke. Gregg or Angela did not request a hearing, nor did they appear on July 10, 2023. CM Throm moved, CM Goracke seconded to approve Resolution 2023-32 setting a deadline of July 23, 2023, for the owner to abate the nuisance. Following July 23, the City will abate the nuisance and assess the costs to Gregg A. and Angela R. Hecke. Motion carried unanimously.
- 3. RESOLUTION 2023-33 NUISANCE AT 207 BROADWAY STREET.** Code Enforcement Officer Stock presented pictures and the Notice of Violation for 207 Broadway Street owned by Skylar Widmer. Skylar Widmer did not request a hearing, nor did he appear on April 10, 2023. CM

Behrens moved, CM Snellings seconded to approve Resolution 2023-33 setting a deadline of July 23, 2023, for the owner to abate the nuisance. Following July 23, the City will abate the nuisance and assess the costs to Skylar Widmer. Motion carried unanimously.

4. **RESOLUTION 2023-34 NUISANCE AT 207 BROADWAY STREET.** Code Enforcement Officer Stock presented pictures and the Notice of Violation for 207 Broadway Street owned by Skylar Widmer. Skylar Widmer did not request a hearing, nor did he appear on April 10, 2023. CM Throm moved, CM Snellings seconded to approve Resolution 2023-34 setting a deadline of July 23, 2023, for the owner to abate the nuisance. Following July 23, the City will abate the nuisance and assess the costs to Skylar Widmer. Motion carried unanimously.
5. **RESOLUTION 2023-35 NUISANCE AT 207 BROADWAY STREET.** Code Enforcement Officer Stock presented pictures and the Notice of Violation for 207 Broadway Street owned by Skylar Widmer. Skylar Widmer did not request a hearing, nor did he appear on April 10, 2023. CM Frye moved, CM Snellings seconded to approve Resolution 2023-35 setting a deadline of July 23, 2023, for the owner to abate the nuisance. Following July 23, the City will abate the nuisance and assess the costs to Skylar Widmer. Motion carried unanimously.
6. **RESOLUTION 2023-36 NUISANCE AT 207 BROADWAY STREET.** Code Enforcement Officer Stock presented pictures and the Notice of Violation for 207 Broadway Street owned by Skylar Widmer. Skylar Widmer did not request a hearing, nor did he appear on April 10, 2023. CM Throm moved, CM Frye seconded to approve Resolution 2023-36 setting a deadline of July 23, 2023, for the owner to abate the nuisance. Following July 23, the City will abate the nuisance and assess the costs to Skylar Widmer. Motion carried unanimously.
7. **RESOLUTION 2023-37 NUISANCE AT 207 BROADWAY STREET.** Code Enforcement Officer Stock presented pictures and the Notice of Violation for 207 Broadway Street owned by Skylar Widmer. Skylar Widmer did not request a hearing, nor did he appear on April 10, 2023. CM Goracke moved, CM Price seconded to approve Resolution 2023-37 setting a deadline of July 23, 2023, for the owner to abate the nuisance. Following July 23, the City will abate the nuisance and assess the costs to Skylar Widmer. Motion carried unanimously.
8. **CONDEMNATION HEARING 205 CALHOUN (WALTER MLNARIK).** Mayor Barnes conducted a condemnation hearing on the property owned by Walter Mlnarik located at 205 Calhoun. BI Ralph reported Walter has repaired some issues and connected the water and electricity. Walter said he should have a new roof on by the end of September. He asked to extend the completion date. CM Frye moved, CM Snellings seconded to extend the demolition date to September 30, 2023. Motion carried unanimously.
9. **CONDEMNATION HEARING 1009 NORTH (J & V FURNITURE).** Mayor Barnes conducted a condemnation hearing on the property owned by J & V Furniture located at 1009 North. Josh Volle said he has removed most of the garage and only the roof is left. The garage will be removed by the end of July. Josh will clean up the remaining yard and he asked to extend the condemnation resolution date. CM Throm moved, CM Price seconded to extend the condemnation date to August 31, 2023. Motion carried unanimously. Josh also asked to have his mowing and yard clean up invoice for 501 Alston reduced. He said he did not get the registered letter.
10. **CONDEMNATION HEARING 707 NORH 8<sup>TH</sup>. (CLEAN STEVE INVESTMENTS).** Mayor Barnes conducted a condemnation hearing on the property owned by Clean Steve Investments

located at 707 N 8<sup>th</sup> Street. BI Ralph said Steve Nietfeld has repaired some of the violations. Steve said he would finish the roof and tin the sides and he asked to extend the completion date. CM Price moved, CM Frye seconded to extend the demolition date to September 30, 2023. Motion carried unanimously.

**11. CONDEMNATION HEARING 819 PONY EXPRESS HIGHWAY (JAY'S STOP LLC).**

Mayor Barnes conducted a condemnation hearing on the property owned by Jay's Stop LLC located at 819 Pony Express Highway. Jay's Stop LLC is in the process of selling the property. The attorneys should complete the paperwork by August 15. The new owner has made arrangements to have the roof repaired. The present owner said he will repair the roof if the sale falls through. CM Frye moved, CM Snellings seconded to extend the demolition date to September 30, 2023. Motion carried unanimously.

**12. CONDEMNATION HEARING 406 JENKINS (LISA SCHWINDAMANN).**

Mayor Barnes conducted a condemnation hearing on the property owned by Lisa Schwindamann located at 406 Calhoun. Lisa is deceased and her brother Chad is repairing the home. BI Ralph said he has made some progress. Chad asked to extend the completion date. CM Throm moved, CM Price seconded to extend the demolition date to September 30. Motion carried unanimously.

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

1. Alcohol Consumption request from Amy Patterson at Lee Dam Art Center October 21 for a wedding.
2. Cash balances in funds were presented as well as outstanding debt and receivable balances. Revenue/Expenditure Budget Reports through June 2023 showed unadjusted accumulated revenues in the General Fund of \$2,357,258 or 83% of budget; Water Revenue Fund, \$402,223 or 45% of budget, Sewer Revenue Fund, \$384,512 or 50% of budget. Unadjusted statement of expenditures in the General Fund totaled \$1,668,208 or 52% of budget, Water Revenue Fund, \$414,399 or 32% of budget, and Sewer Revenue Fund, \$300,286 or 22% of budget.
3. The Municipal Judge's Report for June showed \$3,636.50 being deposited with the City Treasurer and \$391.00 being forwarded to the State Treasurer for Judicial Branch Education, court costs and law enforcement training.

**APPROPRIATIONS ORDINANCE NO. 3801**

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$116,674.30; Water Revenue Fund, \$23,084.15; Sewage Revenue Fund, \$10,653.33; Street & Highway, \$6,749.70; Bond & Interest Account #1 Fund, \$17,734.23; Library Revolving Fund, \$7,503.51; Swim Pool Sales Tax, \$22,900.92; Koester Block Maintenance, \$1,726.99; Employee Benefit, \$9,888.60; Transient Guest Tax, \$2,666.48; Sales Tax Improvements, \$55,064.90; making a total of \$274,647.11.

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 \$274,647.11.
3. Motion to approve the appropriations ordinance carried by 8-0 roll call vote. City Clerk Holle assigned Ordinance No. 3801.

#### **STAFF REPORTS:**

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

1. **JAYHAWK ROAD DUST CONTROL.** CA St. John discussed dust control with Don Bruna using millings on Jayhawk Road. Don suggested applying millings and rolling them to make a solid surface instead of gravel therefore eliminating the dust. After council discussion the Council directed CA St. John to direct Don to mix the millings into the rock surface to reduce the dust. The test strip will be ½ block west of the 13<sup>th</sup> Street intersection and ½ block east of the 13<sup>th</sup> Street intersection on Jayhawk Road.
2. **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.

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

##### **STREET:**

1. **6<sup>TH</sup> & KOESTER CATCH BASIN.** CM Throm asked when the catch basin on the corner of 6<sup>th</sup> and Koester Street will be completed. There have been new storm sewer pipes installed and the hole is open.

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

1. **LAGOON PROJECT.** CA St. John said the bid opening on the lagoon project will be Friday, July 14<sup>th</sup>.

##### **PARKS & RECREATION:**

1. **POOL.** CM Throm asked if a contractor has been scheduled to repair the pool. CA St. John said Manhattan Energy Center will be here on August 14. The pool closes on August 12<sup>th</sup> and the pool staff will clean on August 13<sup>th</sup>.
2. **LUMBER AT FELDHAUSEN FIELD.** CM Price asked why there was a large pile of lumber at Feldhausen Field. The wood was delivered to be used to repair the bleachers. CM Price reported that the Legion Zone Baseball tournament has been scheduled for this weekend.

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

1. **AIRPORT CLOSING.** CC Holle reported the airport project pre-construction meeting will be Wednesday, July 12<sup>th</sup> and the project will start that day. A notam has been called into the FAA to post the closing of the runway for repairs.

**POLICE AND FIRE:**

**ADMINISTRATION AND FINANCE:**

- 1. CONVENTION & TOURISM DIRECTOR.** Mayor Barnes reported the Admin & Finance Committee met July 9<sup>th</sup> with Convention & Tourism chairman Mandy Cook and Marshall County Development Corporation president Bruce Dierking. The C&T Director position was discussed, and the C&T Committee recommended hiring Wayne Kruse for the interim position until December 31, 2023. Wayne was hired by Chamber/Main Street as the interim director for the same time period. CM Keating moved, CM Snellings seconded hiring Wayne Kruse as a contract employee to be the C&T Interim Director from July through December 2023. His salary will be \$15,000.00 for the six months. Motion carried unanimously.

**APPOINTMENTS:**

**CITY ATTORNEY:**

**EXECUTIVE SESSION:**

**ROUND TABLE DISCUSSION:**

- 1. SKYFEST.** CM Frye said Skyfest was well attended and there were people from several surrounding counties. CM Behrens mentioned there were cars parked on 20<sup>th</sup> Street which was not to be allowed and caused a traffic hazard. CM Keating thanked the Fire Department and the Police Department for all the help they gave with setting up the event. CM Snellings said there were more than 125 volunteers who worked at the event. All the Council said it was a success.
- 2. JOSH VOLLE WEED NOTICE.** CM Frye asked if the Council wished to reduce the invoice Josh Volle received for mowing and cleaning up the yard at 501 Alston as Josh requested. After Council discussion about fees charged and certified letters, CM Frye moved, CM Price seconded to reduce the invoice by \$150. Motion carried 6-2 with CM Throm and CM Behrens voting no.
- 3. JUNKER ORDINANCE.** CM Frye asked if the City should look at the “junk ordinance.” There have been citizens running salvage/junk businesses in the City. CC Holle said there are regulations in the ULDC which is located on the City website, or they can contact City Hall.
- 4. WEEDS GROWING IN THE STREETS.** CM Beikman said there were weeds growing in the brick street on Hillcrest around a vehicle which has not moved in a while. If the vehicles are moved the street sweeper will pull the weeds from the street.
- 5. FIRE STATION.** CM Price said the fire station looked good lit up during Skyfest.
- 6. BETH SKINNER THANK YOU.** Mayor Barnes and CM Beikman thanked Beth Skinner for all the years she has planted flowers and weeded the various flower gardens in Marysville.
- 7. SCOUT CABINS.** CM Behrens asked what the City will do with the Girl Scout Cabin now that the Girl Scout Regional office has sent an official letter stating they will no longer be using the cabin. The Council would like a report on the condition of this cabin and also the Boy Scout Cabin to determine how the City should proceed.

8. **KOMA VIOLATION.** Kris Schrater and Vallery Prell had reported perceived KOMA violations to the Attorney General which the AG researched. The Attorney General cleared the City and said no violation had occurred.

There being no further business, at 8:05 p.m. CM Keating moved to adjourn, CM Snellings seconded. Motion carried unanimously.

Cindy Holle  
City Clerk