

Regular Meeting
City Hall, Marysville, Kansas-July 12, 2021

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, and City Clerk Holle were also present.

After the Pledge of Allegiance, roll call was answered by the following council members: Pippia, Frye, Schroller, Hughes, Beikman, Price, Behrens and Throm. A quorum was present.

The minutes from the June 28th regular meeting were presented for approval. CM Throm moved, CM Behrens seconded to approve the minutes as presented. Motion carried by 8-0 voice vote.

PUBLIC COMMENTS:

CONDEMNED PROPERTY 205 N. 10TH ST-JULIE MURPHY. Julie Murphy owner of the property at 205 N. 10th Street, asked if there would be another hearing on the property. She was told all the hearings have been completed and the property has been condemned. She asked if demolition would start soon and said she would like to sort through the property inside the apartment building for the next month. Julie said she should have everything she wanted to keep off the property in 30 days.

JOE COHORST-PROPERTY AT 616 BROADWAY. Joe Cohorst the previous owner of the property at 616 Broadway which the City purchased and the closing date is July 12, asked if he could remove some property from inside the business. He would like to remove a few more large items. CA St. John said Inline would most likely not be on site this week for the demolition. Joe said he would have the items removed by the end of the week. He will contact City Attorney McNish about signing the closing papers.

BUSINESS AND DISCUSSION ITEMS:

- 1. THE WALL THAT HEALS-DEAN THOMAS.** Dean Thomas a representative from the Legion Committee in charge of the Wall That Heals asked the City to supply 2 porta potties for August 25-30. The City will also provide cones and or barricades for traffic control. The Fire Department and the Police Department will assist in traffic control. Dean asked if Musco Lighting would be constructing the new light at Feldhausen Field in August. CA St. John said he had spoken with Musco Lighting, and they would not be working when the Wall That Heals is here. Dean said they would like to use ATVs and golf carts to shuttle people from the parking area if they have difficulty walking. CM Throm moved to allow the committee to use ATVs and golf carts on the street for this event, CM Behrens seconded. Motion carried unanimously. A map of the requested parking area was presented. The north entrance to Feldhausen Field will be used for emergency entrance and exit and no parking will be allowed near that entrance. CM Throm moved to approve Resolution 2021-07 A *RESOLUTION AUTHORIZING TEMPORARY NO PARKING AND INSTALLATION OF TEMPORARY NO-PARKING SIGNS ON THE EAST SIDE OF VETERANS MEMORIAL DRIVE SOUTH OF FELDHAUSEN FIELD TO CAROLINA STREET, FROM THE EAST SIDE OF 19TH STREET FROM LARAMIE STREET SOUTH TO THE ALLEY, AND THE SOUTH SIDE OF CAROLINA STREET FROM VETERANS MEMORIAL DRIVE TO 20TH STREET IN THE CITY OF MARYSVILLE*, CM Behrens seconded. Motion carried unanimously.

- 2. BLACK SQUIRREL BARK PARK ALCOHOL CONSUMPTION ON CITY PROPERTY.** McKenzie Maddox a member of the Black Squirrel Bark Park Committee requested the City allow alcohol consumption on City property near the entry to the proposed dog park on the south side of Jackson Street near the 7th Street intersection. The Bark Park Committee is conducting a fund raiser on July 23, 2021. The area will be barricaded, they will display signage and the event is for participants who are 21 years or older. CM Frye moved to allow alcohol consumption in the barricaded area on Jackson Street July 23, 2021, from 6 p.m. to 11 p.m., CM Pippia seconded. Motion carried 7-1 with CM Throm voting no.
- 3. CHAMBER/MAIN STREET SQUIRREL CRAWL ALCOHOL CONSUMPTION ON CITY PROPERTY AND STREET CLOSING.** Kate Tommer from the Chamber/Main Street organization requested the City close the alley between 7th and 8th Street from the northeast corner of the Helvering Center through the northeast side of S. 7th Street. S. 7th Street from Elm to Broadway the east side only. They also would like to block the entire City parking lot behind the Helvering Center. They will start setting up in the morning and would like these areas blocked from 4:00 p.m. until 11 p.m. for the event. They will use the downtown speaker system from 4:00 p.m. until 9:00 p.m. The City will provide 6 barricades and 4 trash barrels which the committee will set-up. This event is the annual Squirrels Just Wanna Have Fun ladies' night out "Squirrel Crawl" and will be held on August 13, 2021. The committee asks the City to allow alcohol consumption in the barricaded area, with signage displayed and the event will be attended by participants who are 21 years or older. CM Throm moved to approve the Chamber/Main Street requests for August 13, 2021, CM Pippia seconded. Motion carried unanimously.
- 4. FOUL BALL NET AT LAKEVIEW.** BI Will Ralph presented a plan to install foul ball protection surrounding the 3 diamonds at the Lakeview Complex. The representative from Gourock, which is the company that will make the nets to size and shape, recommended the use of foul ball protection fabric and not shaded foul ball fabric because of the large amount of wind at the Lakeview Complex. The City staff will install the netting system with concrete footings and the poles bolted into place. The nets should be installed before the MHS spring softball season and will be removed each fall for storage. CM Throm moved to purchase the foul ball protection nets from Gourock for Lakeview Complex for \$5,260.47 including shipping and the support poles from Landoll Company, LLC for \$3,498.00. This will be paid from the General Fund, Recreation Improvements. CM Behrens seconded. Motion carried unanimously.
- 5. RESOLUTION 2021-08 NUISANCE AT 905 CALHOUN.** BI Ralph presented pictures and the Notice of Violation for 905 Calhoun owned by Daniel Busby. Daniel Busby did not request a hearing, nor did he appear on July 12, 2021. The City has abated nuisances on this property several times in the past. CM Throm moved, CM Beikman seconded to approve Resolution 2021-08 setting a deadline of July 22, 2021, for the owner to abate the nuisance. Following July 22, the City will abate the nuisance and assess the costs to Daniel Busby. Motion carried unanimously.

6. **RESOLUTION 2021-09 NUISANCE AT 504 SPRING.** BI Ralph presented pictures and the Notice of Violation for 504 Spring owned by Roger Miller. Roger Miller did not request a hearing, nor did he appear on July 12, 2021. It was noted this property has a privacy fence which had partly fallen at the time of the pictures, but according to the City Code a nuisance may not be kept behind a privacy fence. CM Beikman moved, CM Throm seconded to approve Resolution 2021-09 setting a deadline of July 22, 2021, for the owner to abate the nuisance. Following July 22, the City will abate the nuisance and assess the costs to Roger Miller. Motion carried unanimously.
7. **RESOLUTION 2021-10 NUISANCE AT 408 N. 9TH STREET.** BI Ralph presented pictures and the Notice of Violation for 408 N. 9th Street owned by Alina Shortle and occupied by Damon Scott. Alina Shortle or Damon Scott did not request a hearing, nor did they appear on July 12, 2021. CM Throm moved, CM Pippia seconded to approve Resolution 2021-10 setting a deadline of July 22, 2021, for the owner to abate the nuisance. Following July 22, the City will abate the nuisance and assess the costs to Alina Shortle. Motion carried unanimously.
8. **RESOLUTION 2021-11 REGARDING INTENT TO LEVY A PROPERTY TAX EXCEEDING THE REVENUE NEUTRAL RATE.** CA St. John presented a resolution 2021-11. *A RESOLUTION OF THE CITY OF MARYSVILLE, KANSAS REGARDING THE GOVERNING BODY'S INTENT TO LEVY A PROPERTY TAX EXCEEDING THE REVENUE NEUTRAL RATE.* The RNR for the City is 66.37 mills and the proposed mill levy will be capped at a maximum of 67.64 mills. A public hearing regarding the City's intent to exceed the RNR will be held August 9 at 7:00 p.m. at the City Hall. CM Throm moved to approve Resolution 2021-11, CM Behrens seconded. Motion carried unanimously.

NOTICES AND HEARINGS:

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

1. MCAC -Request to serve alcohol at an Art Reception September 11, 2021, at Lee Dam Art Center.
2. Kathryn Kirchhoff -Request to serve alcohol at a family reunion September 25, 2021, at Lee Dam Art Center from 11:00 a.m. to 4:00 p.m.
3. City Clerk's Report for June showed \$28,736.03 collected in receipts with a like amount being deposited with the City Treasurer.
4. Cash balances in funds as of June 30, 2021, were presented as well as outstanding debt and receivable balances. Revenue/Expenditure Budget Reports through June 2021 showed unadjusted accumulated revenues in the General Fund of \$2,008,140 or 78% of budget; Water Revenue Fund, \$385,398 or 43% of budget, Sewer Revenue Fund, \$388,917 or 51% of budget. Unadjusted statement of expenditures in the General Fund totaled \$1,529,071 or 47% of budget,

Water Revenue Fund, \$563,882 or 35% of budget, and Sewer Revenue Fund, \$685,829 or 32% of budget.

5. Municipal Judge's Report for June showed \$1,150.00 being deposited with the City Treasurer and \$47.00 being forwarded to the State Treasurer for Judicial Branch Education, court costs and law enforcement training.

APPROPRIATIONS ORDINANCE NO. 3751

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$118,911.61; Water Revenue Fund, \$103,469.07; Sewage Revenue Fund, \$74,602.14; Sewer Replacement, \$16,451.97; Bond & Interest #1, \$120,237.50; Library Revolving Fund, \$9,866.06; Swim Pool Sales Tax \$25,309.78; Special Law Enforcement, \$480.00; Koester Block Maintenance, \$1,104.15; Employee Benefit, \$31,608.94; Transient Guest Tax, \$5,053.41; Sales Tax Improvements, \$37,109.09; making a total of \$544,203.72.
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 \$544,203.72.
3. Motion to approve the appropriations ordinance carried by 8-0 roll call vote. City Clerk Holle assigned Ordinance No. 3751.

STAFF REPORTS:

CITY ADMINISTRATOR:

1. **NUISANCE BUILDINGS-SHERIFF AUCTION.** CA St. John spoke with County Attorney Jason Brinegar. Brinegar informed CA St. John the property at 1205 Carolina will be on the next Sheriff Auction at the end of the year. 205 N. 10th Street will not be on the next Sheriff Auction. After Council discussion about the City's ability to recover the demolition costs at the Sheriff Auction, and the current bid to remove the structure by Kruse Dozing, CM Price moved to abate the nuisance and demolish the structure at 1205 Carolina pending verification with Kruse Dozer that they will honor the bid of \$10,000. CM Beikman seconded. Motion carried 5-3 with CM Frye, CM Schroller and CM Hughes voting no.
2. **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. **TREES BLOCKING VISION AT INTERSECTIONS.** CM Beikman asked the Street Department to check for trees blocking vision at intersections.

- 2. STREET IMPROVEMENT AT 12TH AND SPRING.** CM Schroller asked when the project to replace the street at S. 12th and Spring would begin. CA St. John said it should start this week and the citizens who live on the street have been informed by AHRs the contractor for the project. The street will be completed before school starts in August.

WATER & WASTEWATER:

PARKS & RECREATION:

CEMETERY & AIRPORT:

POLICE & FIRE:

ADMINISTRATION & FINANCE:

- 1. FITNESS REPORT.** CM Schroller asked if the City had received any reports from Marysville Health and Fitness. CC Holle said we have not, and the fitness center is used mostly by firemen currently.
- 2. HANDYMAN.** CM Schroller said BI Ralph was doing a good job with nuisances and maybe the City should look for a part-time handyman instead of a code enforcer.
- 3. DUMP.** CM Price asked if the City had found a person to run the dump. CA St. John said we have not but he has started working on a camera system with Verizon to monitor the dump without an employee present.

APPOINTMENTS

CITY ATTORNEY:

EXECUTIVE SESSION:

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ROUND TABLE DISCUSSION:

- 1. FIREWORKS EXTENDED HOURS.** CM Hughes said he received 4 calls complaining about the extended hours to shoot fireworks over the 4th of July weekend.
- 2. FIRE STATION OPEN HOUSE.** CM Beikman suggested the City hold an open house when the new fire station is completed.

There being no further business, at 8:11 p.m. CM Hughes moved to adjourn, CM Pippia seconded.
Motion carried unanimously.

Cindy Holle
City Clerk