

Regular Meeting  
City Hall, Marysville, Kansas-October 14, 2019

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 Grund in the chair. City Attorney Olsen, 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: Boss, Graham, Hughes, Frye, Schroller, Throm and Barnes. A quorum was present.

The minutes from the September 23rd regular meeting were presented for approval. CM Throm moved, CM Barnes seconded to approve the minutes as amended. Motion carried by 7-0 voice vote.

CM Pippia entered the council chamber at 7:05 p.m.

**PUBLIC COMMENTS:**

- 1. KAREN HUGHES TREE ORDINANCES.** Karen Hughes, 969 Jayhawk Road, Ward 2 expressed concerns with the tree height Ordinances 1885 and 1886 in the agenda packet. Karen said Ordinance 1885 which would change code 12-709 (c) would effect hundreds of trees or bushes in the city if it was enforced. The code reads “Any tree or bush located within 35 feet of any intersection or street in the city is declared to be hazardous unless the lowest branch of a tree is trimmed at least 16 feet and the maximum height of a bush does not exceed 30 inches above the top of the curb nearest the tree or bush, unless a member of the board of health determines a lower height is necessary to preclude a traffic or safety hazard.” Karen asked the council to reword or rethink this ordinance before passing it. CA St. John said the changes to the ordinances only effected the height of the tree limbs which would be changed from 12 feet to 16 feet, the remainder of the ordinances have not been changed. CM Frye asked about code 13-406 which reads “The city shall have the right to prune any tree or shrub when it interferes with the proper spread of light along the street from a street light, or interferes with visibility of any traffic control device or sign.” CM Frye commented he thought the ordinance was vague.

**BUSINESS AND DISCUSSION ITEMS:**

- 1. ADVISORY AGREEMENT WITH RICK ENSZ.** Rick Enszt addressed the governing body requesting the city sign a Municipal Advisory Agreement with Cooper Malone McClain, Inc., his employer. The agreement is identical to the previous agreement the city had with Cooper Malone McClain, Inc. which expired in June. The new agreement would expire October 14, 2022. Mayor Grund said she and CM Boss spoke with Raymond James’ representative, who is also a financial advisor and he told them his company does not require a long-term agreement. Rick said by state statue companies are required to have a signed Municipal Advisor Engagement Letter to issue the bonds and his company has their clients sign an advisory agreement also. Rick felt a company would give better advice if they have a long-term advisory agreement. Mayor Grund said she was quoted a 1.5% interest rate by Raymond James and Cooper Malone McClain’s interest rate is shown at 3.5%. Rick said if the underwriting method was used at the present time, that could be true. His company was “guessing” the future until the exact time of the issuance, and they wanted to make sure it was high enough. Rick said his company had used the competitive bid method. Mayor Grund asked which method was less expensive. Rick replied in the studies that have been done it could be either one. Rick and the governing body discussed the debt service

methods and costs. CM Barnes confirmed with Rick Ensz, that in Section 3 Terms of this Engagement of the Municipal Advisory Agreement, it states the client can terminate this agreement with a 30-day written notice. CM Frye moved to accept the Municipal Advisory Agreement with Cooper Malone McClain, Inc., CM Throm seconded. Motion passed 6-2 with CM Pippia and CM Schroller voting no.

2. **ORDINANCES 1885 AND 1886 AMENDED TREE HEIGHT.** Consensus of council was to send both ordinances to the Tree Board for review.
3. **LANDOLL'S PROPOSED SURVEILLANCE/SAFETY LIGHTING.** Landoll Corporation proposed installing lighting on the lot located at North 20<sup>th</sup> Street and Airport Road next to the City Cemetery. Mayor Grund confirmed with CA St. John that Landoll Corporation rents this lot from the city. Landoll Corporation would be responsible for the installation and the cost of electricity. CM Frye questioned if the wires would be overhead or underground, where poles would be placed, where the electricity would come from and what kind of lighting would be used and when the lease terminates if Landoll's would remove the lights. CA St. John will bring more information to the next council meeting.

The order of business was suspended at 7:42 p.m. to conduct the Public Hearing on the Fire Station and CDB grant to resume at the conclusion of the hearing.

**NOTICES AND HEARINGS.** Mayor Grund asked if there were any comments about the proposed Fire Station on North 20<sup>th</sup> Street or the financing of the Station. No comments were made, and the hearing was concluded at 7:43 p.m.

**BUSINESS AND DISCUSSION ITEMS RESUMED:**

4. **BG CONSULTANTS REPRESENTATIVE CLINT HIBBS.** Clint presented the Preliminary Architecture Report to the governing body. This PAR report will be included in the CDB grant application. Clint said the report included safety, training, ADA and NFPA improvements which should be updated in our present facilities if a new facility is not built. Three options were presented: 1. Do nothing. 2. Build a satellite facility at the new location and renovate the current facilities at a cost of about \$1.9 million. 3. Build a new central fire station for \$1.5 million. CM Hughes asked if CA St. John had gathered the costs for neighboring town's new fire houses. CA St. John said he had only spoken with the City of Hanover. Hanover's fire house cost \$530,030 and includes city office space and is 6,000 square feet. It was built in 2019 for \$90 per square foot. Hanover has 5 bays and did not receive a CDB grant. CM Throm moved to proceed with the fire station application, CM Pippia seconded. Motion carried unanimously.
5. **RESOLUTION 2019-07 APPLICATION TO SUBMIT CDB GRANT AND RESOLUTION 2019-08 ASSURANCE OF FUNDING TO MAINTAIN THE FIRE STATION.** Emily Benedick from North Central Regional Planning Commission, who is assisting the City in the application process for the CDB grant for the Fire Station, presented the resolutions necessary to apply for the CDB grant and the Kansas Department of Commerce. CM Hughes pointed out a

typo in the Determination of Level of Review and a double negative which makes the document confusing. Emily said the document would be updated before the city signs the paperwork. Emily also went through all the forms which will need to be signed and enclosed with the CDB grant. Emily also presented the Administration Agreement with NCRPC to allow Emily to be the administrator of the grant, which will only take effect if the City receives a 2020 CDB grant. CM Throm moved to approve Resolution 2019-07 CDB Grant Application, CM Barnes seconded. Motion passed unanimously. CM Throm moved to approve Resolution 2019-08 Assuring the Kansas Department of Commerce the City Will Provide for Operation and Maintenance of the New Fire Station, CM Frye seconded. Motion carried unanimously. CM Throm moved to approve signing the Statement of Assurances and Certifications, CM Frye seconded. Motion carried unanimously. CM Throm moved to approve signing the Residential Anti-displacement and Relocation Assistance Plan, CM Barnes seconded. Motion carried unanimously. CM Throm moved to approve signing the Determination of Level of Review, CM Frye seconded. Motion carried unanimously. CM Throm moved to approve the CDBG Administration Agreement, CM Frye seconded. Motion carried unanimously. CM Throm moved to approve signing the Applicant Recipient Disclosure Update Report, CM Barnes seconded. Motion carried unanimously. Emily mentioned the bond counsel costs are included in the estimated construction costs in the grant application as part of the city's share of the match for the grant.

- 6. ORDINANCE 1887 AUTHORIZING THE CITY TO ISSUE GENERAL OBLIGATION BONDS.** CM Frye moved to approve Ordinance 1887 authorizing the city to issue GO Bonds in the principal amount of \$550,000 to fund the city's share of the Fire Station, CM Throm seconded. Motion carried 8-0.

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

1. City Clerk's Report for September showed \$41,487.65 collected in receipts with a like amount being deposited with the City Treasurer.
2. Cash balances in funds as of September 30, 2019 were presented as well as outstanding debt and receivable balances. Revenue/Expenditure Budget Reports through September 2019 showed unadjusted accumulated revenues in the General Fund of \$2,284,924 or 92% of budget; Water Revenue Fund, \$657,988 or 73% of budget, Sewer Revenue Fund, \$589,857 or 76% of budget. Unadjusted statement of expenditures in the General Fund totaled \$1,826,367 or 64% of budget, Water Revenue Fund, \$612,343 or 43% of budget, and Sewer Revenue Fund, \$686,175 or 61% of budget.
3. Municipal Judge's Report for September showed \$4,351 being deposited with the City Treasurer and \$626 being forwarded to the State Treasurer for Judicial Branch Education, court costs and law enforcement training.
4. Convention and Tourism request for Director Michelle Whitesell to attend the Rural Power Up Event at the Sampler Foundation in Inman, Kansas. The only cost will be mileage.

5. Maysville Chamber of Commerce requests the city serve free coffee and donuts at the annual Black Squirrel Night October 24. The Chamber also asks the City block off Broadway from 7<sup>th</sup> Street to 10<sup>th</sup> Street with the use of the sound system for the costume contest. The Chamber would like the restrooms at the Main Street Office be open from 5:00 p.m. to 8:00 p.m.

#### **APPROPRIATIONS ORDINANCE NO. 3708**

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$154,122.42; Water Revenue Fund, \$32,898.73; Sewage Revenue Fund, \$29,959.53; Street & Highway Fund, \$40,030.25; Economic Development Fund, \$1,000.00; Library Revolving, \$10,636.61; Swim Pool Sales Tax \$3,940.18; Koester Block Maintenance, \$1,899.93; Employee Benefit Fund, \$15,167.42; Transient Guest Tax, \$618.66; Sales Tax Improvements, \$15,061.77; Water Utility Reserve, \$31,210.00; making a total of \$336,545.50.
2. An appropriations ordinance was introduced and considered to honor claims against the funds of the City as audited by the Finance Committee. CM Schroller questioned several vouchers. CM Throm moved, CM Barnes seconded to approve the appropriations ordinance totaling \$336,545.50. Motion to approve the appropriations ordinance carried by 8-0 roll call vote. City Clerk Holle assigned Ordinance No. 3708.

#### **STAFF REPORTS:**

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

1. **EXTENDING THE SEWER MAIN ON KEYSTONE ROAD.** CA St. John reported Dexter Spitsnogle, who is building a home at 1139 Keystone Road, is asking the City to pay to bring the sewer to within 100 feet of his property. Dexter had sited some statutes in an email to CA St. John. CA St. John forwarded the email conversation to City Attorney Olsen. CM Throm and CM Barnes did not think it would be possible to extend the sewer main without undergoing a large project. CM Boss asked CA Olsen if the City was responsible for paying to bring the sewer within 100 feet. CA Olsen said he would not advise the City to pay until he had done more research. Consensus of council was to wait for the information from CA Olsen before making a decision. CM Frye left the council chamber at 8:38 p.m. and returned at 8:41 p.m.
2. **CES WATERLINE ENGINEERING.** CA St. John presented a bid from CES to design a water project on Laramie from 17<sup>th</sup> Street to 20<sup>th</sup> Street and May from 16<sup>th</sup> Street to 17<sup>th</sup> Street. This is 8 blocks. Mayor Grund asked if the City should replace all the water meters in 2020 instead of over 4 years to gain the efficiency and cut water loss sooner. The cost for the meters is approximately \$240,000 which is less than the total water project planned. Mayor Grund asked which project CA St. John would prefer the City complete first. CA St. John said the City would need to use a contractor to install all the meters in 1 year. CM Barnes questioned if the City would want to replace all the meters at once in 20 years when they wear out. CA St. John said the City could start a rotation changing them out in 15 years over a 5-year timeframe. Mayor Grund suggested the City could complete the Jenkins Street water project which includes valves

near the hospital and the water meter project. CA St. John will discuss the options with staff and bring his recommendation back to council at the next meeting.

3. **ART CENTER WINDOWS.** CA St. John presented 3 bids for windows for the Lee Dam Art Center. Two bids are for vinyl windows and one bid is for aluminum clad windows with a wood interior. CM Frye asked if the windows were to be replaced for efficiency. CA St. John said yes, and the current windows are the originals, so they are old. CM Frye said the contractors he has worked for thought a refurbished window was as good as a new window and refurbishing could be cheaper. CM Frye also said most vinyl windows need to be replaced in 20 years and wood windows would last longer. CA St. John will get bids for wood clad windows from the local dealers and bring the information back to council.
4. **ADA RAMP PROJECT.** CA St. John presented 3 bids for the ADA ramp project. Inline Construction was the low bidder using the 10% local bid differential. Inline Construction's bid also included seeding the grass. This project was budgeted at \$51,000. CM Frye moved to accept the low bid from Inline Construction for \$46,645, CM Barnes seconded. Motion carried unanimously.
5. **KANSAS DEPARTMENT OF AGRICULTURE STREAMBANK STABILIZATION.** A Kansas Department of Agriculture representative contacted the City asking permission to stabilize the streambank on Spring Creek south of the levy. The only cost to the city would be the permit fee of \$560. CM Throm moved to give the state access to our land and to pay the \$560 cost of the permit to stabilize the streambank, CM Barnes seconded. Motion carried unanimously.
6. **BID TO BORE WATER LINES.** CA St. John presented a bid from Street Plumbing Heating & Electric (formerly Deep Creek) to bore 425 linear feet of 1-inch water service line and 270 linear feet of 2-inch water service line. The 1-inch water line will replace a water main near St. Gregory's Catholic School where several water leaks have occurred. It also brings the water meters of 4 homes to outside meter pits. The 2-inch water line moves the City's water meter from where the new fire station will be built across the street to the Lakeview Complex. CM Hughes left the council chamber at 9:00 p.m. CM Barnes moved to approve the bid with Street Plumbing Heating & Electric for \$8,880 to be paid from the Water Reserve, CM Pippia seconded. Motion carried 7-0.
7. **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 master project list was also presented.
8. **COST SHARE APPLICATION.** Tony Duever engineer at CES put together the KDOT Cost Share application for 11<sup>th</sup> Road South, Keystone Road and 12<sup>th</sup> Road South as previously discussed by the council. The cost estimate of \$2.6 million included road base work, asphalt and

storm water improvements. The 25% match by the City plus the engineering fees would total approximately \$880,000. CA St. John said this would be a fast project with a projected completion date of 2020. There is \$200,000 in the budget in the Sales Tax Fund for this project. CA St. John said the K-State Economic Study had some suggestions for funding for this type of project. Tony sent the application to KDOT as the due date was October 11. Mayor Grund asked about improving the intersection at 12<sup>th</sup> Road and Highway 36. CA St. John said CES engineer Tony Duever was working on an Access Management project for the intersection.

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

##### **STREET:**

1. **SALT SHED COMPLETED.** CM Throm said salt had been dumped into the new shed. CA St. John said the City had ordered 6 loads of salt.

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

1. **CIPP BIDS.** Mayor Grund said she spoke with the representative from Midlands at the League of Kansas Municipalities conference. He said his company would be doing a large project in Riley County and suggested our City send out bids for the 2020 CIPP project soon to attain the best price.

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

1. **LAKEVIEW COMPLEX AND MS&R TERMINATION.** Mayor Grund reported Schwab & Eaton had not contacted MSR Director Fragel about the storm water at the Lakeview Complex. CA St. John said he had spoken with Schwab & Eaton and they would contact Director Fragel after they had collected the technical information. Mayor Grund said she was sad to read the resignation letter from Marysville Sport & Rec. They will not seek to renew their contract which expires December 31, 2020. CM Graham reported she and CM Barnes had met with MS&R. The shade structure the Marysville Community Foundation and local citizens help fund will be installed after the storm water issues are addressed at Lakeview. CM Graham said the water department was repairing the water leak at Feldhausen Field and MS&R are concerned about snow piles placed in the parking lot at Lakeview during the winter. Mayor Grund asked CA St. John to present other locations for city snow piles. CM Graham said MS&R suggested there could be grants available for ball field improvements from Major League Baseball and Scotts Fertilizer. Also, there are some grants for facilities from the Kansas Health Association. CA St. John said he would try to research some of these sources.

- 2. FOAM USAGE UNDER THE TENNIS COURTS.** CM Boss and Mayor Grund spoke to a representative from a company that would like to talk to the city about using foam under the tennis courts to separate the moisture from the asphalt.

**CEMETERY & AIRPORT:**

**POLICE & FIRE:**

**ADMINISTRATION & FINANCE:**

**APPOINTMENTS:**

**CITY ATTORNEY:** Mayor Grund asked CA Olsen to write a letter in response to Michael Murphy's request for a public hearing. CA St. John said the Murphy's had received a letter about an issue with their sewer and the issue had been resolved prior to Mr. Murphy's request. CA Olsen said the hearing was moot point at this time if the sewer issue had been resolved, but he would write a letter to Mr. Murphy and tell him he could address the council during public comments.

**ROUND TABLE DISCUSSION:**

- 1. HOME GRANTS.** Mayor Grund said it was great news 17 homes were purchased with the help of the Marysville Home Ownership Pilot grant program.
- 2. PEPC FUNDRAISER.** Pony Express Partnership for Children is asking for volunteers to help conduct a fundraiser Sunday, October 27. Mayor Grund would like to have an activity. Any council member who would like to help her should contact city hall.
- 3. NEWSLETTER.** Mayor Grund asked if anyone had ideas for the Fall Newsletter. CM Boss suggested a reminder about clean-up week in November. CA St. John said he had several articles including, tree trimming, house numbers, and an update on the CCLIP project on South Highway 77. He will write those articles. CC Holle asked to have the holiday closings included.
- 4. K-STATE ECONOMIC STUDY.** CM Boss reported the city would be included in video conferences with the K-State students about their preliminary results of the Economic Study on Wednesday, October 23 and Thursday, October 24. The K-State students will present their projects November 6 at City Hall.
- 5. CIVICS DAY AT MJHS AND MHS.** CM Boss said she, Mayor Grund, and CM Schroller participated in the first Civics Day at the Marysville High School and Junior High. They spoke on city elections.

6. **KANSAS LEAGUE OF MUNICIPALITIES CONFERENCE.** Mayor Grund, CM Boss, CM Schroller, CM Pippia and CM Barnes attended the LKM Conference. All council members said it was a great conference with many networking and learning opportunities. CM Pippia said the Lieutenant Governor was very positive about Kansas' future and Rural Prosperity. CM Barnes said the State would be investing more money in the Kansas Department of Commerce and the Main Street Program. All council members noted the importance of accurate reporting to the 2020 Census to insure funding for the City and the State. CM Boss reported the names of all the city employees and volunteer firefighters: 35-year employee-David Hammett; 30-year volunteer firefighter, Charles Schwindamann, and David Bruna; 25-year volunteer firefighter Charles Oehm; 20-year employee, Todd Ackerman; 20-year volunteer firefighters, Jami Rose and Michael Wetter; 10-year volunteer firefighter, Kyle Bargman,
  
7. **CURBSIDE RECYCLING.** CM Frye said single stream recycling has been canceled in Marysville, by the vendor, due to cost and no source to sell the recycling to. Sorted stream recycling is still cost effective. The council discussed ways the City could make recycling available 24 hours a day.

There being no further business, at 9:46 p.m. CM Frye moved to adjourn, CM Pippia seconded. Motion carried unanimously.

Cindy Holle

City Clerk