

Regular Meeting  
City Hall, Marysville, Kansas-March 9, 2020

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, Beikman, Hughes, Frye, Schroller, Behrens and Throm. A quorum was present.

The minutes from the February 24th regular meeting were presented for approval. The minutes from the March 2, 2020 special meeting were presented. CM Schroller had a correction to the special meeting minutes. CM Throm moved, CM Behrens seconded to approve the minutes as amended. Motion carried by 7-0 voice vote.

**PUBLIC COMMENTS:**

**BUSINESS AND DISCUSSION ITEMS:**

- 1. MARYSVILLE SWIM TEAM REQUESTS.** Katie Oehm, Marysville Swim Team Coach asked the council if the team could place a memorial bench on the north side of the pool. CA St. John reported all the spaces are taken. CA St. John said he and the Parks supervisor would try to find another place or suggest a different memorial item. Katie asked the swim team to be allowed to practice twice daily. CC Holle presented the current policy which states the swim team will practice Monday-Friday, 11:15-12:30. The policy would need to be changed if this request is granted. The policy will be discussed after a pool manager is hired. Katie also asked the city to approve the swim meet schedule. The schedule was set before the city was consulted. CA St. John said in the future, the city should be contacted previous to setting the schedule. There is a swim meet scheduled on Wednesday evening July 1, which will cause the city to cancel free swim. Free swim is held on Wednesday evenings from 6:30 to 8:00 per the pool policy. CM Frye moved, CM Throm seconded to accept the Swim Team schedule. Motion passed unanimously.
- 2. CDBG FIRE STATION GRANT.** Emily Benedict from NCRP who will manage our grant told the council the environmental assessment was underway. The grant agreement would need to be signed by April 17, 2020, the building contract awarded by March 2021 and the project completed by March 15, 2022. CM Throm moved to approve the grant agreement contract NO. 20-pf-008 with the State of Kansas Department of Commerce to build a fire station with CDBG grant funds, CM Behrens seconded. Motion carried unanimously. Volunteer labor cannot be used toward in-kind cost share unless the City would apply and be accepted for a change in the grant.
- 3. TEMPORAY ONE-WAY ALLEY.** Resolution 2020-02 was presented at CM Frye's request. The construction on 10<sup>th</sup> & Center Street causing North 10<sup>th</sup> Street to be closed has created excessive traffic in the alley between 10<sup>th</sup> and 11<sup>th</sup> Street, between Center and Carolina. This resolution will make the alley a temporary one-way west from 11<sup>th</sup> to 10<sup>th</sup> Street. CM Throm moved to approve Resolution 2020-02 until 10<sup>th</sup> Street is re-opened. CM Pippia seconded. Motion passed unanimously.

- 4. CCLIP SECOND PHASE.** CA St. John presented a City Connection Links Improvement Plan Application prepared by BG Consultants to complete the 2<sup>nd</sup> phase of Highway 77 South. The project would be completed in the state's fiscal year 2022. This project will cost \$1,736,940 with the city share of \$736,940. The proposed project starts at the southern line of the CCLIP first phase. The council discussed asking the state to complete the road from the city limits to the edge of the bridge on Hwy 77. CM Frye moved to approve filing the application, CM Hughes seconded. Motion carried unanimously.

**RECESS REGULAR MEETING.** CM Throm moved, CM Beikman seconded to recess the regular meeting. Motion carried unanimously

*At 7:47 p.m., members of the Marysville Public Building commission were called to order in regular session with Mayor Barnes in the chair.*

Roll call was answered by the following Public Building Commission Members: Pippia, Beikman, Hughes, Frye, Schroller, Behrens and Schroller. A quorum was present.

- 1. AUDIT PAYMENT.** PBCM Throm moved, PBCM Pippia seconded authorization to pay \$1,250 to Sink, Gordon & Associates LLP for audit services. Motion carried unanimously.

*At 7:48 p.m., PBCM Throm moved, PBCM Behrens seconded to adjourn the Public Building Commission Meeting. Motion carried by unanimous roll call vote.*

## **RESUME REGULAR MEETING**

### **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.** Close City Park-Kiwanis Club Easter Egg Hunt, April 4, 2020.
- 2.** Close Lions Park-Methodist Church Easter Egg Hunt, April 11, 2020.
- 3.** City Clerk's Report for February showed \$57,754.39 collected in receipts with a like amount being deposited with the City Treasurer.
- 4.** Cash balances in funds as of February 29, 2020 were presented as well as outstanding debt and receivable balances. Revenue/Expenditure Budget Reports through February 2020 showed unadjusted accumulated revenues in the General Fund of \$989,372 or 37% of budget; Water Revenue Fund, \$131,563 or 15% of budget, Sewer Revenue Fund, \$132,128 or 17% of budget. Unadjusted statement of expenditures in the General Fund totaled \$383,360 or 12% of budget, Water Revenue Fund, \$150,488 or 10% of budget, and Sewer Revenue Fund, \$108,733 or 10% of budget.

5. Municipal Judge's Report for February showed \$2,408 being deposited with the City Treasurer and \$94 being forwarded to the State Treasurer for Judicial Branch Education, court costs and law enforcement training.

#### **APPROPRIATIONS ORDINANCE NO. 3719**

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$185,359.46; Water Revenue Fund, \$12,824.66; Sewage Revenue Fund, \$9,437.92; Sewer Replacement Fund, \$705.00; Economic Development Fund, \$1,000.00; Library Revolving, \$5,726.61; Swim Pool Sales Tax \$90.71; Special Law Enforcement, \$1,088.30; Koester Block Maintenance, \$227.81; Employee Benefit Fund, \$8,020.78; Transient Guest Tax, \$2,653.89; Sales Tax Improvements, \$64.87; making a total of \$227,200.01.
2. An appropriations ordinance was introduced and considered to honor claims against the funds of the City as audited by the Finance Committee. CM Beikman moved, CM Throm seconded to approve the appropriations ordinance totaling \$227,200.01. Motion to approve the appropriations ordinance carried by 7-0 roll call vote. City Clerk Holle assigned Ordinance No. 3719.

#### **STAFF REPORTS:**

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

1. **SCHWAB-EATON GRADING PLAN AT LAKEVIEW.** A plan designed by Schwab-Eaton for the grading and improvements at Lakeview Complex was presented to the council. This plan incorporated some of the suggestions from the council's previous meeting. The council discussed more changes in the plan especially about water run-off and natural springs. CA St. John will ask Schwab-Eaton about possible changes, batting cages and an estimate of the costs for the improvements.
2. **PURPLEWAVE TRUCKS.** CA St. John and city staff have looked into purchasing used dump trucks on Purplewave Auctions. CA St. John asked for authority to bid up to \$50,000 for 2 dump trucks on the on-line auction. The council suggested speaking with local mechanics concerning the history of problems with the truck models we are considering buying. CM Throm moved to allow CA St. John to spend up to \$50,000 for 2 dump trucks on the Purplewave Auctions, CM Behrens seconded. Motion passed 7-0. CM Beikman suggested the City consider purchasing a semi-tractor and trailer to allow the City to haul some of the salt and other products the City purchases in bulk.
3. **2020 WATERLINE PROJECT.** CM Throm moved to go out for bid for the waterline project on 17<sup>th</sup>, 18<sup>th</sup>, 20<sup>th</sup>, Laramie, May and Jenkins Streets. This project will require the contractor to bore the lines to help preserve trees. CM Frye seconded. The bid opening will be April 8<sup>th</sup> at 2:00 p.m. Motion carried unanimously.

- 4. NEW WAGE SCALE.** CA St John presented a proposed wage scale that reflects the cost of living increase in January 2020. This scale also proposed pay range changes for several police officers. The seasonal employees would be increased by \$.40 per hour. The council will discuss the new wage scale at workshop.
- 5. 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. The City has been filling the salt shed so that increased expenses in the General Fund. A Capital Projects report was also included.

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

##### **STREET:**

- 1. N 8<sup>TH</sup> STREET.** CM Hughes reported the north end of 8<sup>th</sup> Street which is gravel is in poor condition.

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

- 1. WATER COMMITTEE.** CM Throm reported the Water Committee met tonight previous to the council meeting. Marg Kos at 1303 N 12<sup>th</sup> Street had a water leak in her heating system. The water did not go in the sewer system and the committee reduced her bill by \$74.90 which was the sewer charge on the extra water.

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

- 1. RECREATION COMPANY.** CA St. John said there were some local citizens interested in forming a company to take over the Recreation Department. They are still in the research stage.
- 2. LIFEGUARDS AND POOL MANAGER.** CA St. John said the city is receiving applications for the pool manager position and lifeguards.

##### **CEMETERY & AIRPORT:**

##### **POLICE & FIRE:**

##### **ADMINISTRATION & FINANCE:**

- CM Hughes read a statement he wrote concerning minutes from the February 10, 2020 council meeting. He asked the statement to be included in the record of this council meeting and it is printed at the end of these minutes.
- CM Hughes also asked if the mayor could appoint a city attorney at this time as the City Code 1-301 says the appointments will be in April and the appointed would take office May 1. CA

St. John read the end of that sentence in the code which says, “or until their successors have been appointed and qualified.” CM Hughes questioned the termination of the previous attorney. Mayor Barnes and CA St. John said the attorney had been notified verbally and was present at the council meeting when the new City Attorney was appointed and approved. He voiced no opposition to the change and had sent an email requesting removal from correspondence.

**WAGE DETERMINATIONS:** Wage determinations of \$17.89 for Todd Packett and Austin Watts, reserve police officers were presented. CM Frye moved, CM Pippia seconded to approve the wage determinations. Motion carried unanimously.

**CITY ATTORNEY:**

**EXECUTIVE SESSION:**

**ROUND TABLE DISCUSSION:**

- 1. FIRING RANGE.** CM Pippia said there is a group of citizens who would like the City’s firing range to be open to the public. CM Pippia said they suggested a fee be charged either yearly or per visit to off-set the cost of operation. CC Holle said the rules would need to be established before insurance could be purchased. The City police department and Marshall County sheriff’s department both train at the firing range, but it is owned by the City.
- 2. CONTRACT DIESEL FUEL.** CM Beikman would like the City to research contracting diesel fuel.
- 3. HOUSE NUMBERS.** CM Schroller would like the citizens of Marysville to post house numbers and said the City supplies them free. CM Schroller would like the print to be larger in the newsletter regarding the council members’ contact information.

There being no further business, at 8:45 p.m. CM Beikman moved to adjourn, CM Pippia seconded. Motion carried unanimously.

Cindy Holle  
City Clerk

Statement written by CM Hughes and printed in its entirety as requested:

March 9, 2020

Statement by Council member Terry Hughes

At the February 24, 2020 City Council meeting City Administrator St. John refused to allow my request for an amendment to the minutes of the February 10 City Council meeting regarding liability of throwing discs in City Park. CA St. John stated that the minutes belong to the Clerk and that only the Clerk can change the minutes.

On February 25, I contacted the Kansas League of Municipalities and spoke to staff attorney Deborah Barnes. She stated that the minutes are the official record for the governing body. There are no rules in statutes as to how minutes are kept. Some Cities keep it simple while others go into a lot of detail. It is up to the Council.

Attorney Deborah Barnes clarified that only the Council can decide whether to amend the minutes or not. And that is done by Council vote.

She also noted that speeches and discussion are usually not recorded except when a specific request for something to be included “for the record” is made.

I request that this statement be included in the minutes for the record of this meeting.