

Regular Meeting
City Hall, Marysville Kansas-May 14, 2018

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 Administrator St. John and City Clerk Price were also present.

After the Pledge of Allegiance, roll call was answered by the following council members: Boss, Pippia, Graham, Hughes, Frye, Throm and Barnes. Absent: Schroller. A quorum was present.

NATIONAL POLICE WEEK. Mayor Grund read a proclamation in observance of National Police Week, May 13th-19th.

OATH OF OFFICE-JOE MAYHEW. Joe Mayhew took the oath of office for a Police Officer II position.

The minutes from the March 26th meeting were presented for approval with proposed amendments by Mayor Grund and CM Boss. CM Throm moved, CM Pippia seconded to approve the minutes as amended. Motion carried by 7-0 voice vote.

BUSINESS AND DISCUSSION ITEMS:

1. **MANDY COOK-LITTLE FREE LIBRARY.** Council was presented with a request to establish a little free library in the City Park. The library is made from an old newspaper stand and will be stocked by Library employee, Mandy Cook. The library encourages travelers to take a book or leave a book. Council discussed placement within City Park and Mayor Grund requested that the Parks and Recreation Committee assist with determining its location in City Park. Council consensus was to proceed with the project.
2. **WAYNE KRUSE-CONSUMPTION REQUEST (BOWER RECEPTION).** CM Throm moved, CM Frye seconded approval of a consumption request submitted by Wayne Kruse, Marshall County Arts Cooperative for an Artists Reception on June 7th from 5:00 p.m. to 6:30 p.m. in honor of Jeff Bower at the Lee Dam Art Center. Motion carried unanimously.
3. **KYLE GORACKE-PROPOSED DISC GOLF COURSE (CITY PARK).** Kyle Goracke, 1307 May, presented a proposed layout for a nine-basket disc golf course he would like to install in the City Park. The baskets are removable. The entire course would be funded from donations. Council discussed additional liability, safety concerns, specific locations and appropriate signage. Mayor Grund asked the Parks and Recreation Committee to meet with Mr. Goracke, CA St. John and CPS Richardson to walk the proposed course and make a recommendation. Council concurred.
4. **TODD ACKERMAN-PROPOSED SCHOOL RESOURCE OFFICER.** PC Ackerman informed council he is looking at different agreements with the city and USD #364 for the proposed School Resource Officer. He indicated he is also working on possible grant funds to help pay for the position. Council discussed costs, benefits, budgeting and needs of the department. Consensus is to proceed to try to fill the position and apply for grant funds. CA St. John will follow up with the auditors about proper recording reimbursements from USD # 364.
5. **POLICY A-82: WATER SHUT OFF NOTICE AND PROPOSED AMENDMENTS.** Attached for review was a policy for providing notice when water is shut off along with revisions from Mayor Grund. Council discussed minor changes, including adding verbiage to notify the Governing Body about water shutoffs. The policy will be redrafted and brought back to the next regular meeting.

NOTICES AND HEARINGS:

1. **PLANNING COMMISSION UPDATE.** CM Boss reported on the recent Planning Commission meeting which included a request from Nic Stoll to build a tri-plex unit in an area zoned R-3. Multi-family dwellings are a use permitted upon review and will require a special hearing of the Planning Commission. Alex Shultz also attended asking if the vacant buildings downtown could be converted to apartments. Currently, apartments are not allowed on first floors. Alex was informed to bring his request to council.

CONSENT AGENDA. The Consent Agenda was presented for consideration. CM Throm moved, CM Pippia seconded to approve the Consent Agenda. Mayor Grund questioned the increased fees and services provided in the Agland agreement and CC Price clarified procedures for approval of Cereal Malt Beverage Licenses. Motion to approve carried unanimously. The Consent Agenda consisted of the following:

1. City Clerk's Report for April showed \$89,508.23 collected in receipts with a like amount being deposited with the City Treasurer.
2. Municipal Judge's Report for April showed \$1,929.50 being deposited with the City Treasurer and \$231.50 being forwarded to the State Treasurer for Judicial Branch Education, court costs and law enforcement training.
3. Revenue/Expenditure Budget Reports through April 2018 showed unadjusted accumulated revenues in the General Fund of \$1,201,789 or 50% of budget; Water Revenue Fund, \$250,524 or 28% of budget; Sewage Revenue Fund, \$251,539 or 33% of budget. Unadjusted statement of expenditures in the General Fund totaled \$770,833 or 27% of budget; Water Revenue Fund, \$331,139 or 18% of budget and Sewage Revenue Fund, \$188,165 or 16% of budget.
4. Agland Electric-Maintenance Agreement (Two Years).
5. Convention and Tourism Requests: Kansas Travel Guide Listing, \$320.00; Marshall County Tourism Guide, \$375.00; Big Blue River Days, \$3,500.00; Mother's Day Dash, \$200.00; Kansas Rocks Oregon Trail, \$2,500.00, totaling \$6,895.00.
6. Cereal Malt Beverage License-Bite Me BBQ.

APPROPRIATIONS ORDINANCE NO. 3674

1. Claims against the funds of the city were submitted for council consideration as follows: General Fund, \$137,489.34; Water Revenue Fund, \$72,123.34; Sewage Revenue, \$12,331.48; Special Improvement, \$3,000.00; Library Revolving, \$10,902.17; Swimming Pool Sales Tax, \$7,618.45; Koester Block Maintenance, \$3,089.28; Employee Benefit Fund, \$13,738.59; Transient Guest Tax, \$4,026.93; Municipal Equipment Reserve Fund, \$7,253.30 and Sales Tax Improvements, \$4,373.73; making a total of \$275,946.61.
2. An appropriations ordinance was introduced and considered to honor claims against the funds of the City as audited by the Finance Committee. CM Frye moved, CM Throm seconded to approve the appropriations ordinance totaling \$275,946.61. Large expenditures included two payrolls and the Fifth and Carolina Street Waterline Project. Motion to approve the appropriations ordinance then carried by 7-0 roll call vote. City Clerk Price assigned the Ordinance No. 3674.

STAFF REPORTS:

CITY ADMINISTRATOR:

1. **TENNIS COURTS.** Attached was a bid from Pro Track and Tennis for \$26,704 to resurface the tennis courts, with an option to repair the new and extending cracks. Additionally, to repair new cracks and cracks that extended beyond the initial repair, the bid was \$19,380. CA St. John asked council if they would like to proceed with the repairs or start planning for new courts. Mayor Grund shared photos that she had taken when the Armor Crack Repair System had been applied by Pro Track and Tennis in 2014. She asked to delay any decisions until Pro Track and Tennis could be contacted to review the photos and inquire about the existing warranty. Mayor Grund also asked the Parks and Recreation Committee to discuss the potential tennis court repairs and come back with a recommendation. Council concurred.
2. **CITY HALL WINDOWS.** A bid was presented from Crome Lumber for new commercial grade windows at City Hall for \$23,399.38. CA St. John noted that the bid for commercial grade windows from Manko was \$18,448. Council discussed the necessity of having written bid specifications for future projects. Council also discussed buying local and being good stewards for the taxpayers. Mayor Grund expressed concerns about not awarding the bid locally. CM Throm then moved, CM Frye seconded to approve the bid with Manko in the amount of \$18,448 for commercial windows at City Hall. Motion carried by 4-3 voice vote. CM Boss, CM Pippia and CM Graham voted no.
3. **NORTH STREET WATERLINE, PHASE 2.** Bid results for the waterline project on North Street from Seventh to Twelfth Street were presented. Larson Construction had the low bid of \$294,180 which was below the engineers' estimate of \$325,871. CES Project Engineer Tony Duever recommended accepting the low bid. CM Boss moved, CM Barnes seconded to award the bid to Larson Construction, funding \$200,000 out of Water Revenue as budgeted and the remainder out of the Water Utility Reserve. CM Throm questioned if the contractor is aware of the rock between Seventh and Eighth Streets on North Street. Council discussed change orders. CA St. John was asked to reach out to CES Group to ask the question.

At 8:25 p.m., CM Throm moved, CM Pippia seconded to take a five-minute recess. Motion carried unanimously. At 8:30 p.m., Mayor Grund called the regular meeting back to order.

CA St. John reported he wasn't able to reach CES Group. CM Boss and CM Barnes withdrew their motions.

4. **STREET BID REQUEST/PLANS.** Requests for bids for three street projects were presented which included: 1) Carolina Street from Third to Fifth; 2) Twentieth Street from North Street to Airport Road; and 3) Twentieth Street from Center to Carolina Street. Preliminary plans for Twentieth Street from Center to Carolina were also included. CA St. John reported that Twentieth Street improvements will need to be done in two phases to provide consistent access to Pony Express Auto. CA St. John confirmed that recent improvements to Twentieth Street between North Street and Airport Road were not part of the street replacement calculations and will remain. Concerns regarding semi-truck traffic flow out of Casey's on Carolina was discussed. Bids will be opened June 6th at 2:00 pm. CM Throm moved, CM Pippia seconded to proceed with request for bids as presented. Motion carried unanimously. Bids require a project completion date of October 31st.
5. **ADA RAMP BID REQUEST/PLANS.** The request for bids for seventeen ADA ramps and the CES engineering plans were presented. Bids will be opened June 6th at 2:00 pm. CM Throm moved,

CM Barnes seconded to proceed with the request for bids as presented. Motion carried by unanimous voice vote. The bids require a project completion date of October 31st. CA St. John said he is also working on a grant through AARP for future ADA ramp projects.

6. **SQUIRREL DESIGN.** A squirrel design prepared by Chloe Cudney was reviewed. The design depicts the major city departments and keeps the squirrel mostly black. Council revisions included: 1) red brick streets; 2) signage and possibly swings for the City Park; 3) adding the date the City was founded on the acorn; and 4) adding a City Hall building. Council consensus is to proceed with the revised design.
7. **FINANCIALS/PROJECT COSTS.** Expenditures were up across the board in the major funds: General, Water and Sewer. The main reason was that the City had a third payroll in April. Another reason was that the City paid for its property and liability insurance in April this year, whereas it was paid in May last year. Also, in the General Fund, the city purchased the mower and Aera-vator for parks and cemetery and HVAC for City Hall. Water Revenue expenses increased due to North Street waterline engineering costs and HVAC costs for City Hall. No action was taken.
8. **DAM BREAK UPDATE.** CA St. John reported he has not heard anything back from the Army Corps of Engineers. Signs were posted, and chains placed across the stairway to prevent access to the dam. CC Price will check on the City's liability with our insurance company.

CITY CLERK:

1. **RSVP AWARD.** CC Price thanked RSVP for the award given to the City for site of the year.
2. **STATEMENT OF SUBSTANTIAL INTEREST.** Mayor Grund shared that the League of Kansas Municipalities recommended Governing Body members update their statement of substantial interest in April. CC Price had contacted County Clerk Stohs regarding this and CC Stohs noted that the forms should be updated whenever a significant change has occurred. Otherwise, CC Stohs said updating the statements upon filing for election was sufficient.
3. **COLLECTIONS BUREAU OF KANSAS (CBK).** Mayor Grund asked how the process was going with CBK. CC Price reported there will be monthly reports with payments that come in. Some submissions have been made for municipal court collections and utility collections.

STANDING COMMITTEE REPORTS:

STREET:

1. **STREET SWEEPER.** CM Throm asked about the new street sweeper. CA St. John reported it would arrive May 15th and Johnston personnel will be here to provide Street Department training on the sweeper.
2. **NINTH STREET-LIMESTONE ROCK DETERIORATING.** CM Boss said she has noticed with recent rains the limestone rock deteriorating on Ninth Street wall. Mayor Grund reported it was a WPA Project, so there could be some grant funding for improvements. CA St. John will follow up.

3. **STOP LIGHT-FOURTEENTH AND CENTER STREET.** CM Frye reported the stop light was not working correctly at Fourteenth and Center Street. CA St. John said the sensor was not working. The Street Committee will meet and discuss options.
4. **DETERIORATION OF STREET-HIGHWAY 36, WEST OF OVERPASS.** CM Frye reported deterioration of the pavement on US Highway 36, west of the overpass. CA St. John will follow up with the State, as they maintain that portion of the Highway.
5. **DETERIORATION OF STREET-HIGHWAY 36, EIGHTEENTH STREET.** CM Throm asked if anything has been done to correct the deterioration of US Highway 36 near Eighteenth Street. CA St. John said he looked at the area, but no action has been taken. Council discussed reaching out to the original contractor, Amino Brothers.

WATER AND WASTEWATER:

1. **STORM WATER INFORMATION.** CM Boss stated that an individual gave downtown businesses incorrect information that the city was proposing a storm water fee or tax. CM Boss clarified that was not true. CM Boss stated that the storm water AD Hoc Committee had only met once to begin discussion of this issue. The Committee has asked CC Price to research comparable cities about their policies. Mayor Grund said that the city is in the beginning stages of evaluation of our storm water system. CM Pippia spoke about comparing other cities to Marysville.

PARKS AND RECREATION:

1. **SWIMMING POOL HEATER.** Mayor Grund asked if the heater was working at the swimming pool. CA St. John said it wasn't the heater but was a gas line issue and the pool would be open for lap swim on Wednesday. CM Throm asked about keeping the pool temperature cooler.
2. **JOLLY JOGATHON-FORTY YEARS.** Mayor Grund reported this will be the fortieth year for the Jolly Jogathon. She requested a plaque for Cleve Walstrom for coordinating the event. CA St. John will follow up with Michelle Whitesell, Convention and Tourism Director to see if she has any additional ideas to honor Cleve. Council consensus was to proceed with getting a plaque.
3. **OPEN SPACE LOTS-EXERCISE COURSE.** Mayor Grund asked if council would be interested in using the open space lots for exercise stations, which would enhance our citizens' quality of life and utilize these FEMA lots. . Council consensus was to continue to consider this option.
4. **VOLUNTEERS-WEED CONTROL.** CM Boss said Beth Skinner and a few other ladies who have been pulling weeds downtown and at water tower hill for many years will soon be retiring. She asked about honoring them in some way and finding new volunteers. Council suggested a special ceremony during this year's Arbor Day celebration.
5. **LIONS PARK-BROKEN GLASS.** CM Graham reported lots of broken glass on the ground at Lions Park. CA St. John will follow up with CPS Richardson.
6. **TRASH AROUND CITY.** CM Boss reported seeing a lot of trash around the city. No action was taken.

ADMINISTRATION AND FINANCE:

1. **SKY LANTERNS-UPDATING CODE BOOK.** CM Hughes reported there is nothing in the City Code referencing sky lanterns being prohibited. CM Hughes then moved to include verbiage about sky lanterns in Chapter 7, Article 3 of the City Code. CA St. John said it would be duplication, as the City has adopted the International Fire Code which states that sky lanterns are prohibited. Council discussed the request made at the last Council meeting to ignite sky lanterns and discussed options on how to communicate that sky lanterns are prohibited. CM Hughes said he wants everyone in town to know the sky lanterns are illegal. The motion to modify the City Code died for lack of a second.
2. **KOESTER HOUSE MUSEUM ADVISORY BOARD.** Mayor Grund shared that there are two requests from the Koester House Museum Advisory Board. CC Price clarified that someone from the Advisory Board will come to present these requests in person. No action was taken.
3. **NORTH STREET WATERLINE PROJECT-BID AWARD.** CA St. John said he heard back from CES Group and the rock was not specifically addressed in the bid documents on North Street between Seventh and Eighth Street. CM Boss moved, CM Barnes seconded to approve the low bid with Larson Construction for \$294,180, funding \$200,000 from Water Revenue and the remainder from Water Utility Reserve. Motion carried unanimously.

APPOINTMENTS AND WAGE DETERMINATIONS:

1. **ANNUAL APPOINTMENTS.** As listed in the agenda, the following mayor appointments were presented: Fire Chief, David Richardson; Deputy Fire Chief, Don Ballman; Assistant Fire Chief, Sean Cohorst; Library Board, Stacey Wullschleger and Dr. Shane Thoreson (April 2018-2022). Mayor Grund added the appointments of Elizabeth Baskerville-Hiltgen as City Prosecutor and Craig Olsen as City Attorney, noting their contractual billing rates would remain the same. CM Frye moved, CM Pippia seconded to approve all of the Mayor's appointments presented. Motion carried unanimously.

EXECUTIVE SESSION. At 9:41 p.m., CM Hughes moved, CM Barnes seconded to recess in executive session pursuant to non-elected personnel, exception K.S.A. 75-4319(b)(1), to discuss employee performance matters which includes the Governing Body, CA St. John and CC Price. The open meeting will resume in the City Council chambers at 9:55 p.m. Motion carried unanimously. At 9:55 p.m., council reconvened. Mayor Grund reported no binding action was taken during Executive Session.

ROUNDTABLE DISCUSSION:

1. **POPPY DAY.** Mayor Grund read a proclamation declaring May 25th as Poppy Day.
2. **MEMORIAL DAY SERVICES.** Mayor Grund encouraged participation at the upcoming Memorial Day Services being held at the City Cemetery on May 28th.
3. **FLEA MARKET UPDATE.** Council discussed the past weekend events and activities.
4. **WEED/NUISANCE NOTICES.** CM Boss thanked CI Richardson for all of the recent letters sent for weeds and nuisances.

5. **CEMETERY IMPROVEMENTS.** CM Hughes reported getting a complaint on how the city cemetery looked over the weekend. CA St. John explained the weather and time being the biggest issues.
6. **ART SHOW.** CM Frye complimented the talent at the art show held at the High School over the weekend.
7. **PONY UP DONATIONS.** CM Frye mentioned the success of the recent Pony Up Donation day and thanked everyone who donated.
8. **BLUE RIVER RAIL TRAIL, FUTURE IMPROVEMENTS.** CM Frye spoke about the recent donations made to the Blue River Rail Trail and he asked council to keep in mind future improvements that will need to be made.
9. **NEXT COUNCIL MEETING.** Mayor Grund reminded the Council that the next regular meeting would be Tuesday, May 29th.

There being no further business, at 10:02 p.m. CM Frye moved to adjourn, CM Throm seconded. Motion carried unanimously.

Debbie M. Price, MMC
City Clerk