

Regular Meeting  
City Hall, Marysville, Kansas-July 13, 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, Frye, Schroller, Hughes, Beikman, Price, Behrens and Throm. A quorum was present.

The minutes from the June 22nd regular meeting were presented for approval. CM Beikman moved, CM Throm seconded to approve the minutes as presented. Motion carried by 8-0 voice vote.

The minutes from the June 29<sup>th</sup> special meeting were presented for approval. CM Beikman moved, CM Throm seconded to approve the minutes as presented. Motion carried by 8-0 voice vote.

**PUBLIC COMMENTS:**

**BUSINESS AND DISCUSSION ITEMS:**

1. **THE WALL THAT HEALS, VIETNAM VETERANS MEMORIAL.** Dean Thomas representing the Marysville Legion asked the city to donate porta-potties for this event which will be held at Feldhausen Field. The traveling memorial wall will be in Marysville between the 15<sup>th</sup> and 20<sup>th</sup> of September with viewing starting at 12:01 a.m. September 17th. CM Beikman moved the City would supply 3 porta-potties 1 of which would be handicap accessible and some standalone hand sanitizers, CM Throm seconded. Motion carried unanimously. Parking requirements surrounding Feldhausen Field were discussed. City staff will develop a plan for parking and bring resolutions to the council. The Wall That Heals group require no protester be allowed inside the fence where the Wall will be displayed. The City will need to decide how to enforce this request.
2. **RESOLUTION 2020-05 POOL BOND PAY-OFF.** *A resolution of the City of Marysville, Kansas requesting the redemption of certain Marysville, Kansas Public Building Commission Revenue Bonds, Series 2013.* This resolution calls the 2013 pool bonds for redemption. CM Throm moved to approve resolution 2020-05, CM Frye seconded. Motion passed by an 7-1 vote. CM Price voted no.
3. **RESOLUTION 2020-06 CORONAVIRUS RELIEF FUND.** *A resolution of the City of Marysville, Kansas to accept funds appropriated to the City of Marysville by the State of Kansas through the state's coronavirus relief fund and distributed by Marshall County to mitigate the spread of COVID-19 and invest in long term recovery.* CM Frye moved to approve resolution 2020-06 allowing the City to accept funds from the state's coronavirus relief fund. CM Throm seconded. Motion carried unanimously.
4. **PURCHASE CAT 420F BACKHOE.** CA St. John presented a quote from Foley Equipment for a Caterpillar Model 420F2 backhoe costing \$142,984.00 with a trade allowance for our 420F of \$53,800.00. This includes an extended warranty. CM Throm moved to purchase the 420F2

backhoe from Foley Equipment for \$89,184.00 after the trade allowance, \$50,000 will come from the Municipal Equipment Reserve, \$19,592 each from the Water Revenue Fund and the Sewer Revenue Fund. CM Pippia seconded. Motion carried unanimously.

5. **FIRESTATION GEOTECH ENGINEERING.** BG Consultants suggested the City hire Terracon to complete geotechnical engineering services at the new fire station location on North 20<sup>th</sup> Street. This information will help the engineers determine the proper base to build the fire station on. CM Throm moved to hire Terracon to complete geotechnical engineering at the new fire station costing \$3,850, CM Pippia seconded. Motion carried unanimously.
6. **APPROVAL OF GOVERNING BODY HANDBOOK.** CM Throm moved to approve the Governing Body Handbook as presented, CM Beikman seconded. Motion carried unanimously.

#### **NOTICES AND HEARINGS:**

Notice was given to John J. Hunninghake, the owner of 410 Carolina Street, that there has been a complaint of rats and rat harborage. The notice was sent on June 18, 2020 and the rat-stop needed to be completed 15 days from receipt of the notice. The notice also stated a hearing would be held by the City Council on July 13, 2020 at 7:00 p.m. Resolution No. 2020-07, *A resolution finding violations of the health and welfare code; authorizing the building inspector/City Code Enforcement Officer to abate or remove conditions causing violations of health and welfare code and providing that the cost incurred by the city to abate or remove such conditions be assessed as charges against the real estate upon which the nuisance conditions are situated.* CM Throm moved to approve resolution 2020-07, CM Frye seconded. Motion passed 8-0 roll call vote.

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

1. Convention and Tourism requests: Ad in the summer edition \$675 and fall edition \$395 of the KANSAS! Magazine. MCAC will reimburse \$337.50. Donation for advertising the Vietnam Memorial Wall to the American Legion Post #163 sponsor \$1,000.00.
2. Fire Protection Contract with Elm Creek Township January 1, 2021 thru December 31, 2023 for a sum equivalent to 3.5 mill levy on assessed valuation for the township each year.
3. City Clerk's Report for June showed \$43,369.01 collected in receipts with a like amount being deposited with the City Treasurer.
4. Cash balances in funds as of June 30, 2020 were presented as well as outstanding debt and receivable balances. Revenue/Expenditure Budget Reports through June 2020 showed unadjusted accumulated revenues in the General Fund of \$1,917,991 or 71% of budget; Water Revenue Fund, \$403,228 or 45% of budget, Sewer Revenue Fund, \$396,270 or 52% of budget. Unadjusted statement of expenditures in the General Fund totaled \$1,188,537 or 37% of budget, Water Revenue Fund, \$399,371 or 28% of budget, and Sewer Revenue Fund, \$298,221 or 27% of budget.

5. Municipal Judge's Report for June showed \$3,469.00 being deposited with the City Treasurer and \$164.50 being forwarded to the State Treasurer for Judicial Branch Education, court costs and law enforcement training.

**APPROPRIATIONS ORDINANCE NO. 3727**

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$120,026.62; Water Revenue Fund, \$37,626.74; Sewage Revenue Fund, \$10,394.22; Sewage Replacement Fund \$4,015.00; Library Revolving, \$5,862.93; Swim Pool Sales Tax \$13,877.11; Special Law Enforcement Fund, \$480.00; Koester Block Maintenance, \$204.77; Employee Benefit Fund, \$6,931.76; Transient Guest Tax, \$357.12; Municipal Equipment Reserve, \$14,352.00; Capital Improvements, \$1,120.00; Sales Tax Improvements, \$2,683.99; making a total of \$217,932.26.
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 Beikman seconded to approve the appropriations ordinance totaling \$217,932.26. Motion to approve the appropriations ordinance carried by 8-0 roll call vote. City Clerk Holle assigned Ordinance No. 3727.

**STAFF REPORTS:**

**CITY ADMINISTRATOR:**

1. **GEOTECH SERVICES FOR LAGOON IMPROVEMENTS.** CA St. John presented a proposal from Terracon for geotechnical engineering at the lagoon site. These services would include samples from the proposed site for a new cell and wetlands. The fee for these services will be \$7,865. An additional fee of up to \$3,000 to perform geotechnical services at an alternate site for wetlands and irrigation. CM Throm moved to accept the proposal from Terracon for geotechnical engineering for \$10,865.00, CM Behrens seconded. Motion carried unanimously.
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. **1205 CAROLINA MLARNIK CLEAN-UP.** CM Throm reported he had 2 calls about cleaning up the property at 1205 Carolina. CM Frye has also observed many items accumulating weekly at this property. The City has previously cleaned up this property. CA St. John said this property is in court proceedings and the City will need to wait until the court has finished it's process.
2. **STORM CLEAN-UP.** CA St. John said the city crews have been cleaning up the town for several days and the dump has run extended hours.

3. **STOPLIGHT VISORS.** CM Frye mentioned there has been a visor on the stoplight on the southwest corner of 10<sup>th</sup> and Center missing and now there is another broken.
4. **CITY CREWS APPRECIATED.** The council praised the city crews for the clean-up around town.
5. **AERATOR AT COUNTRY CLUB LAKE.** The aerator at Country Club Lake will be installed after Evergy installs the electricity.
6. **HARTLEY RIDGE STREETS.** Mayor Barnes expressed concerns about the decision the council made at the June 22, 2020 regular council meeting agreeing to make Hartley Ridge streets private drives. He asked who would maintain the streets when all the lots had been sold, would the residents expect the City to build a road in the future because they pay taxes. Mayor Barnes was also concerned there would be no letter of credit to fix the road if the City accepts this as a private drive and the streets have not been completed. It was made clear the council does not and should not reverse decisions on a normal basis. Mayor Barnes said he did not think it was in the City's best interest long term to allow the private drives if they were not built to street standards as the ULDC suggests. Hartley Ridge is a thru road. The Zoning Board of Appeals did not require the entire street be built at once. CM Frye moved to proceed with Hartley Ridge streets as originally platted, CM Pippia seconded. Motion carried 8-0.

**WATER & WASTEWATER:**

**PARKS & RECREATION:**

1. There will be a public meeting for anyone interested in operating the Sports and Recreation Program for the City. The meeting is July 21 at 6:30 p.m. at City Hall.

**CEMETERY & AIRPORT:**

**POLICE & FIRE:**

**ADMINISTRATION & FINANCE:**

**APPOINTMENTS:**

**CITY ATTORNEY:**

**EXECUTIVE SESSION:**

**ROUND TABLE DISCUSSION:**

1. **MOVIES AT FELDHAUSEN FIELD.** CM Frye and CM Schroller reported the free movies at Feldhausen Field were well attended and fun.

2. **CHAIN LINK FENCE.** CM Beikman suggested the chain link at the basketball court on N 20<sup>th</sup> Street could be used at the proposed dog park.

There being no further business, at 8:17 p.m. CM Frye moved to adjourn, CM Hughes seconded. Motion carried unanimously.

Cindy Holle  
City Clerk