

Regular Meeting
City Hall, Marysville, Kansas-December 9, 2024

Members of the Governing Body of the City of Marysville were called to order in the regular session at 7:00 p.m. on the date and place noted above with Mayor Frye in the chair City Administrator Haverkamp and Interim City Clerk Ralph were also present.

After the Pledge of Allegiance, roll call was answered by the following council members: Snellings, Ferris, Behrens, Keating, Beikman, Throm, Schrater, and Goracke. A quorum was present.

The minutes from the November 25th 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:

BUSINESS AND DISCUSSION ITEMS:

1. **DOWNTOWN SIGNAGE, AWNING, & MURAL GUIDELINES.** New guidelines for signs, awning, and murals for the downtown district were presented by Rory Clark of the OneMarysville design committee. After council discussion, CM Throm moved; CM Schrater seconded to approve the guidelines as presented. Motion carried unanimously.
2. **205 CALHOUN INSPECTION.** Building Inspector Ralph submitted a report on the inside inspection at the condemned property at 205 Calhoun. The house now meets the minimum housing code. CA Haverkamp reported a gas inspection had been done on Friday and it passed. CA Westbrook report stated the hearing for the appeal of condemnation on the property has been continued until January 15, 2025, at 10:00 a.m. His recommendation was to refrain from taking further action until the pending litigation is concluded. After council discussion with property owner, Mindy Argo, CM Keating moved; CM Snellings seconded to remove the property from the condemnation list. Motion carried unanimously.
3. **CHRISTMAS IN NORTH PARK REQUEST.** Liz Warren representing the North Park neighborhood presented a request for Christmas in North Park. CM Keating moved; CM Goracke seconded to approve the request. Motion carried unanimously.
4. **RESOLUTION 2024-26 MARSHALL COUNTY MITIGATION PLAN.** Resolution 2024-26 Marshall County Mitigation Plan was presented. CM Beikman moved; CM Throm seconded to approve Resolution 2024-26. Motion carried 8-0.
5. **ORDINANCE 1936-WATER RATE INCREASE.** Ordinance 1936 increasing water rates for 2025 was presented. CM Keating noted water and sewer rates have not increased since 2015. After council discussion CM Throm moved; CM Snellings seconded to approve the ordinance as presented. Motion carried by 8-0 voice vote.
6. **ORDINANCE 1937-SEWER RATE INCREASE.** Ordinance 1937 increasing sewer rates for 2025 was presented. After council discussion CM Throm moved; CM Schrater seconded to approve the ordinance as presented. Motion carried by 8-0 voice vote.
7. **ORDINANCE 1938-CREATING STORM WATER UTILITY FUND.** Ordinance 1938 creating a Storm Water Utility fund was presented. This fund is being created to have a dedicated fund to pay for storm water improvements such as the storm water collapse by Nordhus Motors on Center St. After council discussion CM Schrater moved; CM Snellings seconded to approve the ordinance as presented. Motion carried by 8-0 voice vote.
8. **ORDINANCE 1939-STORM WATER RATE.** Ordinance 1939 setting storm water rates for 2025 was presented. After council discussion CM Throm moved; CM Schrater seconded to approve the ordinance as presented. Motion carried by 8-0 voice vote.

9. **GILMORE BELL RHID.** An RHID agreement with Gilmore Bell was presented. Frontier Development Group, the developer for the Koester block commercial buildings, will cover the cost of this. After council discussion, CM Behrens moved; CM Snellings seconded to approve the agreement as presented. Motion carried unanimously.
10. **ADVERTISING CITY CLERK POSITION.** CA Haverkamp discussed possible places to advertise the open city clerk position such as the Marysville Advocate, the League of Kansas Municipalities, the League of Nebraska Municipalities, and the CCMFOA website. Council consensus was to advertise with the Marysville Advocate and the Kansas League of Municipalities for three weeks and then reevaluate if further advertising is needed at the first council meeting in January.
11. **CHARTER ORDINANCE 9 & ORDINANCE 1900 DISCUSSION.** Charter Ordinance 9 and Ordinance 1900 were provided for discussion. The legality of these ordinances and Ordinance 1891 are in question. Council consensus was to review these ordinances and bring back recommendations on how to move forward to the next council meeting.

NOTICES AND HEARINGS:

CONSENT AGENDA. The Consent Agenda was presented for consideration. CM Throm moved; CM Goracke seconded to approve the Consent Agenda. Motion carried 8-0. Consent Agenda consisted of the following:

1. Alcohol Consumption request at the Lee Dam Art Center on December 14th for the Marysville Mutual Christmas Party.
2. The City Clerk's Report for November showed \$45,953.42 collected in receipts with a like amount being deposited with the City Treasurer.
3. Cash balances in funds were presented as well as outstanding debt and receivable balances. Revenue/Expenditure Budget Reports through November 2024 showed unadjusted accumulated revenues in the General Fund of \$3,052.60 or 104% of budget; Water Revenue Fund, \$857,267 or 95% of budget, Sewer Revenue Fund, \$716,756 or 93% of budget. The unadjusted statement of expenditures in the General Fund totaled \$2,815,504 or 86% of budget, Water Revenue Fund, \$879,309 or 68% of budget, and Sewer Revenue Fund, \$637,421 or 51% of budget.
4. The Municipal Judge's Report for November showed \$4935.00 being deposited with the City Treasurer and \$235.00 being forwarded to the State Treasurer for Judicial Branch Education, court costs and law enforcement training.

APPROPRIATIONS ORDINANCE NO. 3836

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$94,257.13; Water Revenue Fund, \$16,293.30; Sewer Revenue, \$14,585.02; Library Revolving Fund, \$14,112.54; Swim Pool Sales Tax Fund, \$538.92; Koester Block Maintenance Fund, \$257.79; Employee Benefit Fund, \$29,407.24; Transient Guest Tax, \$1,221.23; Municipal Equipment Reserve Fund, \$42,285.00; Sales Tax Improvement Fund, \$52.42 making a total of \$213,010.59.

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 Schrater seconded to approve the appropriations ordinance totaling \$213,010.59.
3. Motion to approve the appropriations ordinance carried by 8-0 roll call vote. Interim City Clerk Ralph assigned Ordinance No. 3836.

STAFF REPORTS:

CITY ADMINISTRATOR:

1. **POTTER'S FIELD FENCE.** CA Haverkamp reported the Cemetery/Parks Department had completed the Potter's Field Fence at the cemetery.
2. **ADVERTISING POLICE CHIEF POSITION.** CA Haverkamp reported the open Police Chief position will be posted as soon as the wording has been finalized.

STANDING COMMITTEE REPORTS:

1. **ADMIN/FINANCE COMMITTEE.** The Admin/Finance Committee met with MHS Principal Tim Woodcock to discuss creating an ordinance for a Youth Advisory Committee. A draft ordinance is being written. Mayor Frye attended the school board meeting with Mr. Woodcock to get their support.
2. **STREET COMMITTEE.** The Street Committee met with Thaniel from BG Consultants to discuss the HWY 77 south project and the 12th Road, Keystone Rd, and 11th Terrace Project. Thaniel will work with the State of Kansas to see their time frame on their work on the overpass to coincide with the city's project. The 12th Rd, Keystone Rd, and 11th Terrace project is estimated at \$4 million. CM Goracke reported that Representative Lisa Moser visited, and he and CM Keating showed her these road projects. She was not aware of any grants available at this time but is optimistic there will be future opportunities for help funding these projects. Street Supervisor Gundelfinger shared with the committee estimated prices to take these roads back to gravel until funding is available to resurface these roads. Council consensus was to get a shovel ready plan ready and pursue funding. CA Haverkamp said funds would not be available until the 2027 budget year for the 12th Rd, Keystone Rd, and 11th Terrace project unless grant funding would become available. The Street Committee will meet to discuss this project further as well as allowing homeowners to put millings down on the gravel portion of Dawson Dr. and if the City would share in the cost. This portion of Dawson Dr. is not a city street and is not in the correct location shown on the plat.
3. **WATER/SEWER COMMITTEE MEETING.** Mayor Frye said a Water/Sewer committee meeting is needed to discuss a sewer rate calculation issue. CM Keating suggested that they also discuss the waterline issue on Keystone Road.

APPOINTMENTS & WAGE DETERMINATION:

1. **PLANNING & ZONING.** Mayor Frye made the following appointments to the Planning & Zoning Commission: Barb Kickhaefer, Shelby Temps, Steve Blumer, and Pat Ellenbecker, alternate for a term of January 2025-December 2027. CM Schrater moved; CM Throm seconded to approve the mayor's appointments. Motion carried unanimously.
2. **FIRE DEPARTMENT.** Mayor Frye made the following appointments to the Fire Department: Don Ballman, Chief; Joe Pils, Deputy Chief; and Alex Rombeck, Assistant Chief. CM Schrater moved, CM Throm seconded to approve the mayor's appointments. Motion carried unanimously.

EXECUTIVE SESSION: Mayor Frye asked for an executive session to discuss non-elected personnel. At 8:17 p.m. CM Schrater moved the city council recess into executive session to discuss personnel matters of

non-elected personnel, discussion on specific personnel matters, not general personnel policies, exception K.S.A. 75-4319(b) (1). This meeting will include the Mayor, City Council, and City Administrator. The open meeting will resume in the city council chamber at 8:30 p.m. CM Snellings seconded. Motion carried 8-0. At 8:30 p.m. the council reconvened. Mayor Frye reported no binding action was taken during the executive session and the regular meeting was continuing.

COUNCIL COMMENTS:

1. **24-HOUR PARKING ON STREETS.** CM Snellings shared an email she received about the 24-hour limit for parking on the streets. The 24-hour limit was questioned. Council consensus was to have the Police & Fire Committee meet to discuss this and do some research on why the limit is 24 hours.
2. **CARS ON NUISANCE LIST.** CM Schrater questioned why there were still vehicles left on the nuisance list. Staff will follow up.
3. **COMMITTEE REAPPOINTMENT.** CM Beikman asked how often committee members get reappointed. Mayor Frye said typically when the mayor is elected committee members are reappointed.
4. **CHRISTMAS OPENING.** CM Throm said the Christmas opening had a good crowd and was nice.
5. **CHRISTMAS OPENING.** CM Schrater said the parade was nice and the contests were good.
6. **CONTRACTING SALT.** CM Beikman asked if we had enough salt for the streets for this year and if it could be contracted. CA Haverkamp said we do have a stockpile, and it would be hard to contract due to not knowing how much we might need for the year.

There being no further business, at 8:40 p.m. CM Behrens moved to adjourn, CM Snellings seconded. Motion carried unanimously.

Samantha J. Ralph
Interim City Clerk