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, Behrens, Keating, Beikman, Throm, Schrater, and Goracke. CM Ferris was absent. A quorum was present.

The minutes from the January 13th regular meeting were presented for approval. CM Throm moved; CM Schrater seconded to approve the minutes as presented. Motion carried by 7-0 voice vote.

**PUBLIC COMMENTS:**

1. **MARYSVILLE PUBLIC LIBRARY REPORT.** Lesa Dierking, representing the Marysville Public Library, was present to discuss current programs offered by the library.

**BUSINESS AND DISCUSSION ITEMS:**

1. **DEMOLITION BIDS FOR 904 MAY.** Three bids were received for the demolition of the condemned house at 904 May: Don Bruna Construction $6,900.00, Schell Farm & Construction $6,895.00, and Inline Construction $9,500.00. CA Haverkamp reported the owner had entered into a contract to sell the property and the buyer’s intention was to have it demolished. CA Haverkamp recommended that council not award the bid at this time and to set a time frame for demolition by the new owner. CM Schrater moved; CM Snellings seconded to reject all bids and set a timeline of May 30 for the new owners to have it demolished. Motion carried unanimously.
2. **SEAL CHIP & OIL PRICES 2025.**  Prices for seal chips and oil were presented for the 2025 chip and seal routes. CM Throm moved; CM Beikman seconded to approve the seal chip and oil prices for 2025. Motion carried unanimously.
3. **SNOWPLOW DUMP TRUCK.** One of the snowplow dump trucks has a motor that needs to be rebuilt. An estimate of $12,000-$18,000 was given to rebuild the motor. On auction sites similar trucks were selling for $10,000-$60,000. After council discussion consensus was to get bids on rebuilding the engine and check on a rebuild warranty.
4. **RESOLUTION 2025-01 NUISSANCE 606 N 4TH.** Resolution 2025-01 to abate a nuisance vehicle at 606 N 4th was presented. CM Keating moved; CM Schrater seconded to approve the resolution as presented. Motion carried unanimously.
5. **RESOLUTION 2025-02 NUISSANCE 608 N 4TH.** No action was taken as the nuisance vehicle had been removed.
6. **RESOLUTION 2025-03 NUISSANCE 608 N 4TH.** No action was taken as the nuisance vehicle had been removed.
7. **DBT MAINTENANCE AGREEMENT RENEWAL-AWOS.** The annual renewal agreement with DBT Maintenance for the AWOS system at the airport was presented. CM Beikman moved; CM Throm seconded to approve the DBT Maintenance Agreement. Motion carried unanimously.
8. **CHARLES JD KOESTER HOUSE DISCUSSION.** There is a party interested in leasing the Charles JD Koester House/Koester Restaurant. CA Haverkamp asked how the council would like to proceed. Council would like a firm price on the necessary repairs to get it ready to rent in order to set a rental price. Council would like to advertise the property for rent through the end of February.

**NOTICES AND HEARINGS:**

**CONSENT AGENDA:**

The Consent Agenda was presented for consideration. CM Throm moved; CM Snellings seconded to approve the Consent Agenda. Motion carried 7-0. The Consent Agenda consisted of the following:

1. Alcohol consumption request at the Koester House Museum-Sharon Kessinger February 13th, 14th, & 15th, 2025, for the Sylvia Dinner.

**APPROPRIATIONS ORDINANCE NO. 3840**

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, $192,042.78; Water Revenue Fund, $71,480.12; Sewage Revenue Fund, $119,259.71; Sewage Replacement Fund, $4,250.00; Bond & Interest #1, $10,887.50; Library Revolving Fund, $14,849.02; Swimming Pool Sales Tax Fund, $300.63; Koester Block Maintenance Fund, $155.98; Employee Benefit Fund, $30,683.21; Transient Guest Tax Fund, $2,383.83; Sales Tax Improvements Fund, $53,917.95; making a total of $500,210.73.
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 $500,210.73.
3. Motion to approve the appropriations ordinance carried by 7-0 roll call vote. Interim City Clerk Ralph assigned Ordinance No. 3840.

**STAFF REPORTS:**

**CITY ADMINISTRATOR:**

1. **CITY PARK BATHROOM UPDATES.** CA Haverkamp reported staff is working on updates to the bathrooms in City Park. New stall partitions and doors are being ordered.
2. **CITY CLERK INTERVIEW.** CA Haverkamp reported interviews for the city clerk positions have started with one left this week.
3. **CHIEF OF POLICE POSITION.** CA Haverkamp reported the chief of police job opening is being advertised through February 24 and some applications have already been received.
4. **15TH STREET STORM SEWER BID OPENING.** CA Haverkamp reported the new date for the bid opening for the 15th Street storm sewer project will be February 18th at 2:00 p.m.
5. **COPS OFFICE VISIT.** CA Haverkamp reported the COPS office with the Department of Justice will be in town this week to evaluate our Police Department.
6. **CDBG AUDIT-LAGOON/WETLANDS.** CA Haverkamp reported the CDBG audit for the lagoon/wetlands project went well but we are awaiting the final report.

**STANDING COMMITTEE REPORTS:**

1. **ADMIN/FINANCE COMMITTEE.** The Admin/Finance Committee has been conducting the city clerk interviews.

**APPOINTMENTS:**

**COUNCIL COMMENTS:**

1. **LOCAL GOVERNMENT DAY.** CM Snellings, CM Behrens, & CM Schrater reported on Local Government Day. There are several bills that are being presented that could affect cities. There will be a legislative forum on March 15 at Landoll Lanes.
2. **ELM STREET APARTMENT INFESTATION.** CM Snellings asked for an update on the infestation at Elm Street Apartments. CA Haverkamp reported staff is working with the management and owners as well as the City Attorney to remedy the situation.
3. **CAMERAS ON OVERPASSES.** CM Beikman asked if we could rebid cameras to be put on the overpasses to aid the Police Department.
4. **LEVEE DAMAGE UPDATE.** CM Schrater asked if there was any update on the investigation of who caused the damage to the levee. Cameras have been put up, but they have not been able to identify the vehicle or driver.
5. **EMAIL TO ALLOW BACKYARD CHICKENS.** CM Schrater read an email he had received in favor of allowing backyard chickens. The admin/finance committee is discussing allowing back yard chickens and adding other animals on two or more acres. A 4-H parent had met with the admin/finance committee to ask the city to allow more animals on two acres for 4-H projects.
6. **THANK YOU SNOW REMOVAL.** CM Schrater thanked the city crews again as well as other snow removal companies for their hard work during the recent snowstorm.
7. **BACKYARD CHICKENS.** CM Goracke asked that the council consider allowing backyard chickens and make sure the ordinance is enforceable for those that don’t follow the rules.   
     
   *At 7:44 p.m. Assistant City Attorney Martin Mishler entered the meeting room.*
8. **STORM WATER FEES.** Mayor Frye wanted to address some questions about the new storm water fees. Storm water fees will not apply to properties that are outside the city limits. Storm water projects continue to pop up.
9. **FORMER MAYOR MERT OTT PASSING.** Mayor Frye recognized the passing of former Mayor Mert Ott and thanked him for his service to the community. He gave his condolences to the family.

**CITY ATTORNEY**:

1. **ASSISTANT CITY ATTORNY MARTIN MISHLER.** CA Sunderland’s partner, Martin Mishler, introduced himself to the council and was present to address the council on projects they have been working on for the city.
2. **CHARTER ORDINANCE REVIEW.** CA Mishler presented a proposed Charter Ordinance to clarify mayoral appointments. Some revisions were suggested. CA Mishler will revise and send a new draft.
3. **CONSTRUCTION EASEMENTS.** Construction easements for the 15th Street storm sewer project have been drafted and just need to be signed.
4. **NUISSANCE AT ELM STREET APARTMENTS.** CA Mishler asked the status of the nuisance at Elm Street Apartments. CA Haverkamp reported staff is trying to get back in contact with them as progress has stalled recently. They had extermination set up monthly. CM Keating suggested following up with the county commissioners or health department. CA Mishler said once adequate progress is no longer being made the city can pass a resolution outlining steps to move forward. If necessary, the city can then go in and abate the nuisance if these steps are not being followed.
5. **BACKYARD CHICKENS.** Mayor Frye asked CA Mishler how other cities he represents handle backyard chickens. He said most cities are now allowing backyard chickens in city limits.

**EXECUTIVE SESSION:** At 8:10 p.m. CM Beikman moved the city council recess into executive session to discuss possible acquisition of real estate exception K.S.A. 75-4319(b) (6). This meeting will include the Mayor, City Council, City Administrator, and City Attorney. The open meeting will resume in the city council chamber at 8:20 p.m. CM Throm seconded. Motion carried 7-0. At 8:20 p.m. the council reconvened. Mayor Frye reported no binding decisions were made during the executive session, and the regular meeting was continuing.

There being no further business, at 8:21 p.m. CM Keating moved to adjourn; CM Goracke seconded. Motion carried unanimously.

Samantha J. Ralph

Interim City Clerk