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Regular Council Meeting
Monday, September 24, 2018
4:30 PM

The regular meeting of the City Council for the City of Marion, Kansas was held Monday, September 24, 2018 with Todd Heitschmidt presiding as Mayor; Council Members John Wheeler, Susan Gray and Jerry Kline present. Also, in attendance were: Roger Holter, City Administrator; Tiffany Jeffrey, City Clerk; Susan Robson, City Attorney; Tyler Mermis, Police Chief; Margo Yates, Parks & Recreation Director; Marty Fredrickson, Public Works Director; Phyllis Zorn, Marion Record; Darin Neufeld, EBH Engineering; Rosemary Saunders, Ranson Financial; Chelsea Morris, USDA; Max Ewert and Mike Beneke.

Invocation: Holter provided invocation followed by the pledge of allegiance.

Call to Order: Heitschmidt called the regular meeting to order at 4:30pm.

Approval of Agenda: Heitschmidt moved to approve agenda as presented; Wheeler seconded; motion carried 4-0.

Public Forum: Mike Beneke addressed Council regarding the other silage pile in town.

Consent Agenda: Heitschmidt moved to approve consent agenda as presented; Gray seconded; motion carried 4-0.

- Approval of the Minutes of the September 10th Regular City Council Meeting
- Approval of the Minutes of the September 10th Marion Land Bank Meeting
- Approval of the Minutes of the September 17th Public Hearing Meeting
- Approval of Warrants in the amount of \$225,726.90
- Approval of Payroll in the amount of \$33,530.12
- Approval of August Treasurer's Report
- Approval of Business License for Marion Tech

Approval of EBH Engineering Invoice for Preliminary Engineering Report: Neufeld presented the final invoice for the preliminary engineering report for the waterline project in the amount of \$2,500. Heitschmidt moved to approve the invoice as presented in the amount of \$2,500; Wheeler seconded; motion carried 4-0.

Resolution 18-11 Authorizing Cost and Payment for the Waterline Replacement Project: Holter presented Resolution 18-11 to include the revised cost of the waterline replacement project to \$4.2M. Heitschmidt moved to approve Resolution 18-11 as presented; Gray seconded; Wheeler asked if there is a possibility of not going forward with the project if we aren't awarded the CDBG grant money. Motion carried 4-0.

Resolution 18-12 Certifying authority and application to CDBG Grant: Holter presented Resolution 18-12 granting the Mayor authorization to sign the documents for the CDBG Grant. Heitschmidt moved to approve Resolution 18-12 as presented; Gray seconded; motion carried 4-0.

Resolution 18-13 Pledged support of continuing water distribution system: Holter presented Resolution 18-13 pledging the continuing support of our water distribution system. Heitschmidt moved to approve Resolution 18-13 as presented; Wheeler seconded; motion carried 4-0.

Revised CDBG Document & Hearing approval: Saunders presented the updated CDBG documents as the public hearing was held last Monday, September 17th. Heitschmidt moved to approve the updated CDBG determination of level review as presented; Wheeler seconded; motion carried 4-0.

USDA-RD Funding Commitment: Chelsea Morris presented the letter of intent to meet conditions and request for obligation of funds. She advised the total loan amount is \$3,428,000 with an additional \$600,000 from the CDBG grant. Heitschmidt asked if there is a possibility of still getting a grant from USDA as well as loan. Morris advised that at this time we aren't eligible to receive the USDA grant because the City operates a fiscally responsible utility with rates within their guidelines for rural water systems with no water quality or safety violations. Heitschmidt moved to approve the letter of intent to meet conditions and request for obligation of funds as presented; Wheeler seconded; Holter outlined the water rate increase based on the loan amount to cover the debt obligation. Discussion held. Motion carried 4-0.

Approval of Water Well Agreement: Robson presented the water well agreement with Mr. Bower's property. This agreement will allow us to drill test wells on the property. Bower's is requesting a one-time payment of \$7,500 for use of the property. The Vogel's will still have to sign a letter with the State that allows the City to have the water well within so many feet of their property. Kline moved to approve the water well agreement with Mr. Bower's; Heitschmidt seconded; motion carried 4-0.

Mayoral & Council Report: Nothing more to report.

Administrator Report: Nothing more to report.

Parks & Recreation Report: Nothing more to report.

City Clerk Report: Nothing more to report.

Police Chief Report: Nothing more to report.

City Attorney Report: Nothing more to report.

Public Works Report: Nothing more to report.

Economic Development Report: Nothing more to report.

Public Forum: Max Ewert asked Council when Coble Street would be resurfaced.

Heitschmidt moved to recess meeting for 3 minutes to resume at 5:23pm.

Executive Session: Heitschmidt moved to enter into executive session at 5:23pm for 17 minutes executive session to discuss personnel matters of nonelected personnel pursuant to K.S.A. 75-4319(b)(1) to include Mayor, City Council, City Attorney and City Administrator; Wheeler seconded; motion carried 3-0 (Kline absent at the time of vote).

Regular meeting resumed at 5:40pm. No action taken. Wheeler excused himself from the meeting.

Adjournment: Kline moved to adjourn meeting at 5:42pm; Heitschmidt seconded; motion carried 3-0.

Todd Heitschmidt, Mayor

ATTEST: _____
Tiffany Jeffrey, City Clerk