

CITY COUNCIL AGENDA
APRIL 18, 2022
6:00 P.M.

1. Roll Call
2. Adoption of Agenda
3. Approve or Correct Minutes of Regular Session of April 4, 2022 and Correct Minutes of Regular Sessions of February 7, 2022, February 22, 2022 and March 7, 2022.
4. Business from the Audience – limited to 3 minutes per speaker. Any person, resident or non-resident, wishing to address the Council may approach the microphone and state their name, address and comments. Non-residents are invited to speak first, followed by residents of the city. Although we are readily available outside our formal meetings, this will be your only opportunity to offer your thoughts during this evening’s meeting as comments from the floor will not be taken during the regular meeting. Although certainly welcome, you are not required to stay for the remainder of the meeting and may exit the Council Chambers in a quiet and respectful manner.
5. Committee Reports
 1. Public Relations and Public Safety Committee
 2. Municipal Services and Personnel Committee
 3. Property, Finance, Budget and Audit Committee
 4. Community Development and Code Committee
 5. City Administrator’s Report
 6. Mayor’s Report
6. Discussion and Appropriate Follow Up
 1. Certification of Election Results
 2. Event Request – Jim the Wonder Dog Day – May 14, 2022
7. Ordinances
 1. Amend the City’s Stormwater Management Ordinance – Second Reading
 2. Authorize Transfer of Certain Funds for Economic Development Purposes Between the City of Marshall and the City’s Board of Public Works – Second Reading
 3. Execute an Agreement Between the City of Marshall and RTS Waste Services LLC for the Provision of Solid Waste Collection Services
 4. Vacate Gieringer Addition Subdivision Plat I
 5. Execute an Amendment to an Agreement with Burns & McDonnell Engineering Co. Inc.
 6. Appropriation
8. Unfinished Business
9. Adjourn Sine Die

OATH OF OFFICE TO
DREW GREEN, COUNCIL MEMBER WARD I
TIM R. REEDER, COUNCIL MEMBER WARD II
DAN BRANDT, COUNCIL MEMBER WARD III
CRAIG THOMPSON, COUNCIL MEMBER WARD IV

BY CITY CLERK JULIE LEWIS

**PRESENTATION OF CERTIFICATION OF ELECTION
BY MAYOR DEWEY R. HENDRIX**

1. Roll Call
2. Business from the Audience
3. Grievance Board Election
4. Other Council Business
5. Adjourn

**POSTED 4/15/2022
10:00 A.M.**

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY'S STORMWATER MANAGEMENT ORDINANCE

WHEREAS, Chapter 425 of the Code of Ordinances of the City of Marshall, Missouri, contains provisions relating to the management of stormwater; and

WHEREAS, the Council of the City of Marshall desires to amend its Code of Ordinances as it relates to stormwater management as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

SECTION 1. Section 452.140.B of the Municipal Code of Ordinances of the City of Marshall, Missouri, is hereby amended as follows: the reference to "Cole County Recorder of Deeds" shall be deleted and replaced with "Saline County Recorder of Deeds."

SECTION 2. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed. In all other respects, the Code of Ordinances of the City of Marshall, Missouri shall remain unchanged.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the Council of the City of Marshall, Missouri, this ____ day of _____ 20__.

President

APPROVED by the Mayor this ____ day of _____ 20__.

Mayor

FILED this ____ day of _____ 20__.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE TRANSFER OF CERTAIN FUNDS FOR ECONOMIC DEVELOPMENT PURPOSES BETWEEN THE CITY OF MARSHALL, MISSOURI, AND THE CITY'S BOARD OF PUBLIC WORKS

WHEREAS, economic development is needed within the City of Marshall for the purpose of increasing tax revenue, creating employment opportunities, increasing housing availability, and otherwise improving the overall economic health of the City;

WHEREAS, the City's Board of Public Works is a vital part of the City's overall economic health in that it provides consistent, quality utility service to users both within and without the City, at affordable rates;

WHEREAS, from time to time, a need for funding arises for economic development purposes, which has not been budgeted, and the establishment of a fund for economic development will provide the City with flexibility within its operations and budget to accommodate changing circumstances; and

WHEREAS, for their mutual benefit, the City and its Board of Public Works desires to establish a transfer of funds for the purpose of improving the overall economic health of the City.

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. Transfers Required. The Board of Public Works shall transfer or pay into the General Fund of the City of Marshall for economic development purposes on a quarterly basis one-half percent (0.5%) of the gross revenues from charges for services as stated in the most recently completed audit of the Board of Public Works less any transfers made pursuant to Section 700.240 of the City's Code of Ordinances.

Section 2. Additional Transfers Authorized. The Board of Public Works shall, at the request of the City Council, transfer or pay into the General Fund of the City of Marshall for economic development purposes amounts in addition to those authorized in Section 1 that do not annually exceed one percent (1%) of the gross revenues from charges for services as stated in the most recently completed audit of the Board of Public Works less any transfers made pursuant to Section 700.240 of the City's Code of Ordinances. The City shall notify the Board of Public Works of its intent to request such additional funds during the upcoming fiscal year at least thirty (30) days prior to the adoption by the Board of Public Works of its annual budget for said fiscal year. Funds so requested shall be payable on a quarterly basis. Additional sums exceeding one and one-half percent (1.5%) may be transferred at the request of the City Council but only with the approval and consent of the Board of Public Works.

Section 3. Transfer Cap. Funds accumulated pursuant to the transfers set forth in Sections 1 and 2 of this Ordinance shall not exceed the total sum of \$2,000,000, and if at any time the funds accumulated reach this threshold, all transfers being made pursuant to this ordinance shall cease.

until the funds accumulated have been reduced to at least \$1,500,000, at which time transfers pursuant to Section 1 and 2 shall resume.

Section 4. Use of Funds by City. Use of the funds transferred pursuant to this Ordinance shall be made only upon resolution or ordinance adopted by the City Council of the City.

Section 5. No Increase to Rates. The Board of Public Works shall not increase rates or add an additional user fee to offset any transfers authorized by this Ordinance.

Section 6. Effective Date. This Ordinance shall be in full force and effect upon final passage and approval.

PASSED by the Council of the City of Marshall, Missouri, this _____ day of _____, 2022.

President

APPROVED by the Mayor ___ this day of _____, 2022.

Mayor

FILED this _____ day of day of _____, 2022.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MARSHALL AND RTS WASTE SERVICES LLC FOR THE PROVISION OF SOLID WASTE COLLECTION SERVICES IN THE CITY OF MARSHALL.

WHEREAS, the City of Marshall seeks to contract with RTS Waste Services LLC for the collection of solid waste in the City; and

WHEREAS, the Council has determined that competitive negotiations through informal discussion and bargaining provided the best value to the City, and therefore, the conventional bidding process has not been utilized in that for this contract, time was a crucial factor due to staffing issues within the City and there is inherent economy in contracting with RTS Waste Services LLC in that it enhanced the City's ability to procure proven, quality services in a more efficient and cost-effective manner.

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. The Mayor of the City of Marshall, Missouri, is hereby authorized to execute on behalf of said City an agreement with RTS Waste Services LLC, for the provision by RTS of solid waste collection services within the City, and in consideration of the work completed under the agreement by RTS Waste Services LLC, the City shall pay RTS Waste Services LLC, such sums as are specified in the agreement, with the said payments being made at such time or times as required by the agreement.

Section 2. This Ordinance shall be in full force and effect upon final passage and approval.

PASSED by the Council of the City of Marshall, Missouri, this ____ day of _____, 2022.

President

APPROVED by the Mayor this ____ day of _____, 2022.

Mayor

FILED this ____ day of _____, 2022.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE VACATING GIERINGER ADDITION SUBDIVISION PLAT I IN THE CITY OF MARSHALL

WHEREAS, on or about April 20, 1998, the final plat of the Gieringer Addition Subdivision Plat I was accepted and approved by the City Council of the City of Marshall, and said final plat was recorded in Book D-1 at Page 119 of the Saline County Recorder's Office;

WHEREAS, on or about February 18, 2022, the City of Marshall, Missouri, the current owner of the real property comprising Gieringer Addition Subdivision Plat I, petitioned the Subdivision and Development Advisory Board of the City of Marshall requesting that the plat for Gieringer Addition Subdivision Plat I be vacated, together with all rights of way and all utility easements dedicated by said plat, all in Section 23, Township 50 North, Range 21 West; and

WHEREAS, on or about April 1, 2022, the City's Subdivision and Development Advisory Board approved the Petition to Vacate filed with said Board on or about February 18, 2022.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

SECTION 1. The City Council of the City of Marshall, pursuant to the approval of the City's Subdivision and Development Advisory Board, concludes that no private rights will be unreasonably injured or endangered by this vacation and that the public will suffer no unreasonable loss or inconvenience thereby, and finds that the plat of Gieringer Addition Subdivision Plat I, and all rights of way and all utility easements dedicated by said plat, all in Section 23, Township 50 North, Range 21 West, Marshall, Saline County, Missouri shall be and the same is hereby vacated.

SECTION 2. The City Clerk is hereby authorized and directed to acknowledge this ordinance as deeds are acknowledged, and to cause this ordinance to be filed for record in the Recorder's Office of Saline County, Missouri.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the Council of the City of Marshall, Missouri, this ____ day of _____ 2022.

President

APPROVED by the Mayor this ____ day of _____ 2022.

Mayor

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AMENDMENT TO AN AGREEMENT WITH BURNS & MCDONNELL ENGINEERING CO., INC.

WHEREAS, the City of Marshall (“City”), by and through its Board of Public Works, and Burns & McDonnell Engineering Co. Inc., entered into an Agreement dated June 21, 2021, pertaining to the North Street Pump Station Improvements Project (the “Project”); and

WHEREAS, the parties wish to amend the Agreement for the purpose entering into Phase 2 of the Project.

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. The Mayor of the City of Marshall, Missouri, is hereby authorized to execute on behalf of said City an Amendment to an Agreement with Burns & McDonnell Engineering Co., Inc., for the purpose of entering Phase 2 of the North Street Pump Station Improvements Project and other work as specified in said Amendment. The contract price for the said Contract shall be Two Hundred Ten Thousand Dollars (\$210,000), and such other sums as may be set forth in said Amendment.

Section 2. This Ordinance shall be in full force and effect upon final passage and approval.

ADOPTED by the Council of the City of Marshall, Missouri, this ____ day of _____, 2022.

President

APPROVED by the Mayor this ____ day of _____, 2022.

Mayor

FILED this ____ day of _____, 2022.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE MAKING THE APPROPRIATION FOR THE PAYMENT OF ACCOUNTS OUT OF THE DIFFERENT CITY FUNDS.

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

SECTION I. There is hereby appropriated out of the different funds as follows:

GENERAL FUND	\$ 414,273.88
SANITATION FUND	66,283.34
LIBRARY FUND	5,816.34
BAND FUND	331.50
PARK FUND	49,658.32
CITY OFFICE/REVITALIZATION	-
STREET FUND	24,791.24
AIRPORT OPERATING FUND	33,788.46
TOURISM	7,287.34
MARTIN COMMUNITY CENTER	2,102.89
HAB CENTER FUND	-
PARK CAPITAL IMPROVEMENT	-
SOUTH ODELL SEWER	-
	-
	-
WATER OPERATING FUND	\$ 230,994.41
ELECTRIC OPERATING FUND	1,389,566.20
SEWER REVENUE FUND	177,986.35
INTERNET OPERATING FUND	95,626.01
NATURAL GAS OPERATING FUND	370.86
ELECTRIC CONSUMER DEPOSIT FUND	-
SEWER EQUIPMENT FUND	-
WATER SEGREGATED	-

SECTION II. The City Clerk is hereby instructed to make out warrants in favor of the respective parties set out in the hereto attached lists and when said warrants are properly signed to deliver them to the proper parties.

PASSED by the City Council of the City of Marshall, Missouri, this 18th day of APRIL, 2022.

President of the City Council

APPROVED by the Mayor of the City of Marshall, Missouri, this 18th day of APRIL, 2022.

Mayor

FILED this 18th day of APRIL, 2022.

City Clerk