

**CITY COUNCIL MEETING**  
**APRIL 4, 2022**  
**6:00 P.M.**

The Marshall City Council met in Regular Session at 6:00 p.m. on Monday, April 4, 2022 in the Council Chambers of the City Office Building, 214 N. Lafayette, Marshall, MO 65340, with the following members present: Mayor Pro Tem Brandt; Council Members Kirk Arends, Leon Thompson, Robert Ashford, Charles Guthrey, Craig Thompson and Phesa Wright; City Administrator JD Kehrman, City Counselor Josh Taylor and City Clerk Julie Lewis. Council Member Dewey Hendrix present via video conference.

Council Member Ashford made a motion, seconded by Craig Thompson, to approve the agenda. A roll call vote was taken with Leon Thompson, Ashford, Guthrey, Craig Thompson, Brandt, Wright, Hendrix and Arends voting aye. Motion carried.

Council Member Arends made a motion, seconded by Craig Thompson, to approve the Regular Session Minutes of March 21, 2022 and Special Session Minutes of March 29, 2022. Ashford, Guthrey, Craig Thompson, Brandt, Wright, Hendrix, Arends and Leon Thompson voting aye. Motion carried.

**BUSINESS FROM THE AUDIENCE**

Charles Stephenson, resident of 829 E. Eastwood and Pastor of Power House Ministries, said he is interested in acquiring a vacant lot in the 200 block of West Arrow for a youth/community center. His organization is a non-profit and will seek funding to help build the facility.

Drew Green, resident of 738 S. Lake Drive, said he would like to request the Council put the brakes on the proposed economic development ordinance. MPUA was here to give their expertise and noted some things with MMU that need to be fixed. Has the Council sat down with the Board of Public Works and had an honest discussion about the MPUA recommendations? The proposed ordinance would put money into the general fund and potentially opens us up to the Hancock Amendment by utilizing fee based dollars for tax based purposes. Please consider tabling this ordinance to give more time to discuss with MMU and legal counsel to make sure we are not getting into something we shouldn't.

**COMMITTEE REPORTS**

**COMMUNITY DEVELOPMENT AND CODE COMMITTEE:**

Council Member Leon Thompson gave the Inspection Department report for the month of March:

Permits Issued:

Abandoned/Vacant Property – 2

Demolition – 2

Mechanical – 5

Total Construction Value - \$646,604.00

Building – 20

Electrical – 12

Plumbing – 6

Permit Fees Collected - \$2,216.50

Code Enforcement:

Building Code – 1

Vacant/Abandoned Property – 20

Property Maintenance – 1

Vehicle Parking/Off Street – 1

### **PUBLIC RELATIONS AND PUBLIC SAFETY COMMITTEE:**

Council Member Ashford gave the Fire Department report for the month of March:

There were a total of 42 incidents with 19.05% being medical assists. Employees completed a total of 5,085 training hours.

Public Relations:

Propane and charcoal BBQ grills should only be used outdoors. The grill should be placed well away from the home, deck railings and out from under eaves and overhanging branches. Keep children and pets at least three feet away from the grill area. Never leave your grill unattended. Always make sure your gas grill lid is open before lighting it.

Charcoal grills – if you use starter fluid, use only charcoal starter fluid. Never add charcoal starter fluid or any other flammable liquids to fire. Keep charcoal fluid out of the reach of children and away from heat sources. When you are finished grilling, let the coals completely cool before disposing in a metal container.

Propane grills – Check the gas tank hose for leaks before using it for the first time each year. Apply a light soap and water solution to the hose. A propane leak will release bubbles. If your grill has a gas leak, by smell or the soapy bubble test and there is no flame, turn off both the gas tank and the grill. If the leak stops, get the grill serviced by a professional before using it again. If the leak does not stop, call the fire department. If you smell gas while cooking, immediately get away from the grill and call the fire department. Do not move the grill.

### **MUNICIPAL SERVICES AND PERSONNEL COMMITTEE:**

Mayor Pro Tem Brandt gave the following Storm Water Tip:

It is against City ordinance to dispose of grass clippings, leaves or brush  
In any City ditch or on any City street. When it rains, it drains!

### **PROPERTY, FINANCE, BUDGET AND AUDIT COMMITTEE:**

No report.

### **CITY ADMINISTRATOR'S REPORT:**

City Administrator JD Kehrman reported Mr. Larry Morgan has been elected as the Airport Representative and will serve in that position until March 31, 2023.

There will be a County Wide Clean Up event at the Saline County Fairgrounds on April 9<sup>th</sup> from 8 a.m. until 4 p.m.

## **MAYOR'S REPORT:**

No report.

## **MARSHALL FIRE DEPARTMENT ANNUAL REPORT 2021**

Fire Chief Sheldon Kerksiek gave the Marshall Fire Department Annual Report:

The fire department put in service a new pumper on April 7<sup>th</sup>. This new truck is designated Engine One. It is an E-one Typhoon model from Ocala Florida. This makes the second truck the city owns that is CAFS capable. CAFS stands for "compressed air foam system". Providing us with quicker lockdown on the fire, less water damage, and is far less taxing on manpower. It takes a tenth of the waste, and a third of the time on scene to accomplish the job compared to the old way of fire attack. This vehicle should provide the city of Marshall with years of valuable service.

The Saline County Rural Fire District purchased a new state of the art brush rig. Designated Brush One. It was put in service December 17<sup>th</sup>. It features an in cab joystick controlled front mount turret, front bumper mounted ground sweeps. A 400 gallon on board tank, with a twelve gallon foam tank. Mounted on a Ford 550 4 x 4 chassis, this vehicle will reach remote areas with speed and ability to extinguish fire at four times our previous capability. In addition, the Rural District purchased an inflatable raft for still water and ice rescue incidents. Our mutual contract with the Rural District benefits both their district and within the city limits of Marshall.

The department took part in a forty hour class in the fall, this class reinforced our reoccurring proficiency in high angle and confined space rope training. This training took place in cooperation with Saline County Ambulance District, Mid Missouri Energy of Malta Bend, Cargill, L.E.P.C, and our own Indian Foothills park, as well as in house. This makes Marshall Fire uniquely qualified for a fifty mile radius to effect rescues for our agricultural community. Specifically elevators, grain bins, underground, and low angle terrain.

The extreme rain event in late June emphasized the need to make renovations to our roof. In addition to warranty patchwork, personnel installed piping to the downspouts to minimize ponding, a feature that wasn't included in the original design. This will prolong the roof's ability to shed water, and not lose sand and breakdown the rubber layer underneath.

Personnel installed new L.E.D. lights in all fixtures in the house. New weight room equipment was installed, treadmill, bike, and rowing machine, all purchased by Saline County Rural Fire. Personnel installed a new gear washer and dryer. This was purchased in cooperation with Saline County Rural Fire District contributing a third, they also secured a grant from Bayer for a third, and the City of Marshall contributed a third. Giving us the much needed ability to launder gear in a third of the time, at 6 times the rate.

Council Member Brandt complimented Chief Kerksiek on a good report.

## **DISCUSSION AND APPROPRIATE FOLLOW UP**

### **LIQUOR LICENSE:**

Mayor Pro Tem Brandt presented the following liquor license for Council approval:

Liquor Studio, LLC, Stisha Burton, Managing Officer, 961 College, Package Liquor with Sunday Sales.

Council Member Ashford made a motion, seconded by Guthrey, to approve the liquor license as presented. A roll call vote was taken with Guthrey, Craig Thompson, Brandt, Wright, Hendrix, Arends, Leon Thompson and Ashford voting aye. Motion carried.

### **BID – FIRE DEPARTMENT BATALLION TRUCK:**

Fire Chief Kerksiek submitted the following bid for Council consideration:

2023 Chevrolet Silverado 2500 HD Crew Cab in the amount of \$39,137.00 from Don Brown Chevrolet of St. Louis, MO, through the Missouri State Purchasing Contract.

Chief Kerksiek explained their truck was totaled in an accident and insurance paid \$44,020 to replace the truck. The remaining funds will be utilized for adding a siren and striping.

Council Member Guthrey made a motion, seconded by Leon Thompson, to approve the bid as presented. A roll call vote was taken with Craig Thompson, Brandt, Wright, Hendrix, Arends, Leon Thompson, Ashford and Guthrey voting aye. Motion carried.

### **BID – CLEANING SERVICES:**

Mayor Pro Tem Brandt presented the following bid for Council consideration:

Cleaning Services at City Offices – Glenda Gibson Cleaning Service - \$325.00 per week.

Council Member Guthrey made a motion, seconded by Arends, to approve the bid as presented. A roll call vote was taken with Brandt, Wright, Hendrix, Arends, Leon Thompson, Ashford, Guthrey and Craig Thompson voting aye. Motion carried.

### **BID – DEMOLITION OF STRUCTURE AT 868 S. BRUNSWICK:**

City Administrator JD Kehrman said bids were submitted by three companies for the demolition of the old hospital located at 868 S. Brunswick and it is his recommendation to accept the bid of Remco Demolition, LLC in the amount of \$600,560.00 for asbestos abatement and demolition.

Council Members discussed the possibility of negotiating a reduced rate with Remco.

The asbestos abatement will occur first with the demolition being completed mid to late summer.

Council Member Arends made a motion, seconded by Ashford, to accept the bid of Remco Demolition, LLC in the amount of \$600,560.00 for asbestos abatement and demolition of a

structure located at 868 S. Brunswick. A roll call vote was taken with Wright, Hendrix, Arends, Leon Thompson, Ashford, Guthrey, Craig Thompson and Brandt voting aye. Motion carried.

#### **APPOINTMENT TO POSITION OF MAYOR:**

Mayor Pro Tem Brandt said the Council has requested letters of interest from members of the public interested in serving in the position of Mayor; two letters were received.

Mayor Pro Tem Brandt stated if there is any sitting member of the Council that is interested in serving in the position of Mayor, they should have the opportunity. The term will be to fill the remaining term vacated by Julie Schwetz which is one year.

Council Member Hendrix indicated he would be interested in serving as Mayor and that he would work hard.

Council Members discussed the potential appointments.

Council Member Leon Thompson made a motion, seconded by Brandt, to appoint Dewey R. Hendrix to the position of Mayor to fulfill the remainder of the vacated term expiring April 17, 2023. A roll call vote was taken with Hendrix, Arends, Leon Thompson, Ashford, Guthrey, Craig Thompson, Brandt and Wright voting aye. Motion carried.

#### **RESOLUTION**

A Resolution entitled “A RESOLUTION OF THE CITY OF MARSHALL ADOPTING A STORMWATER MANAGEMENT COVENANT” was read by title only.

Municipal Services Director Bill Anderson said the proposed resolution will allow for stormwater management of new additions including parking lots, apartments, etc.

Council Member Ashford made a motion, seconded by Guthrey, to approve the resolution. A roll call vote was taken with Arends, Leon Thompson, Ashford, Guthrey, Craig Thompson, Brandt, Wright and Hendrix voting aye. The resolution is thereupon declared passed and so endorsed by the President Pro Tem of the Council, approved by the Mayor Pro Tem and numbered Resolution No. 2022-4.

#### **ORDINANCES**

An Ordinance, tabled on March 21, 2022, entitled “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” was discussed by Council.

City Administrator JD Kehrman spoke about several options that would allow for keeping the sanitation collection in-house; including the potential for rate increases.

Council Members discussed recruitment and retention practices, potential wage increases and the overall impact to the budget. Street repairs have been pushed aside due to needing personnel in Sanitation and it is necessary to begin repairs. Many employees within the City have not had increases other than cost of living in quite a few years.

City Administrator Kehrman explained the contract with RTS will allow the citizen's rates to stay the same as they are now. The contract also contains a clause regarding right of first refusal so that the City would be able to buy back our equipment at a depreciated value, in the event we weren't happy with the service.

Municipal Services Director Bill Anderson discussed yard waste and recycle collections.

Mayor Pro Tem Brandt asked how long Mr. Kruger would honor the proposed contract.

Mr. Kruger indicated a lot of time has been put into the contract and he will honor it but he cannot be pushed up against the start date.

There was no motion made to approve the first reading; therefore, the ordinance died on the floor.

Ordinance No. 8670 entitled "AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN EMERGENCY MANAGEMENT AGREEMENT BETWEEN THE CITY OF MARSHALL, MISSOURI, AND SALINE COUNTY, MISSOURI" was given its second reading by title only and put to its final passage and approval upon motion of Ashford, seconded by Craig Thompson. A roll call vote was taken with Leon Thompson, Ashford, Guthrey, Craig Thompson, Brandt, Wright, Hendrix and Arends voting aye. The ordinance is thereupon declared passed and so endorsed by the President Pro Tem of the Council and approved by the Mayor Pro Tem.

An ordinance entitled "AN ORDINANCE AMENDING THE CITY'S STORMWATER MANAGEMENT ORDINANCE" was given its first reading by title only.

Municipal Services Director Bill Anderson indicated the original ordinance referred to "Cole County Recorder of Deeds" so an amendment is being made to refer to "Saline County Recorder of Deeds".

Council Member Guthrey made a motion, seconded by Brandt, to approve the first reading of the ordinance. A roll call vote was taken with Ashford, Guthrey, Craig Thompson, Brandt, Wright, Hendrix, Arends and Leon Thompson voting aye. Motion carried.

An ordinance entitled "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" was given its first reading by title only.

Mayor Pro Tem Brandt said this was first discussed in October of 2021 and it is the consensus of the Council to move forward with the ordinance.

Council Members discussed the proposed ordinance in relation to potential growth and progress while investing in the community.

Council Member Wright asked about the Hancock Amendment in relation to the proposed ordinance.

City Counselor Josh Taylor said the proposed ordinance is based upon an ordinance from the City of Lebanon, MO.

Council Member Arends made a motion, seconded by Leon Thompson, to approve the first reading. A roll call vote was taken with Arends, Leon Thompson, Ashford, Guthrey, Craig Thompson, Brandt, Wright and Hendrix voting aye. Motion carried.

An ordinance entitled "AN ORDINANCE MAKING THE APPROPRIATION FOR THE PAYMENT OF ACCOUNTS OUT OF THE DIFFERENT CITY FUNDS" was given its first reading by title only.

Council Member Ashford made a motion, seconded by Arends, to take the ordinance to a second reading. A roll call vote was taken with Wright, Hendrix, Arends, Leon Thompson, Ashford, Guthrey, Craig Thompson and Brandt voting aye. Motion carried.

Ordinance No. 8671 entitled "AN ORDINANCE MAKING THE APPROPRIATION FOR THE PAYMENT OF ACCOUNTS OUT OF THE DIFFERENT CITY FUNDS" was given its second reading by title only and put to its final passage and approval upon motion of Brandt, seconded by Guthrey. A roll call vote was taken with Hendrix, Arends, Leon Thompson, Ashford, Guthrey, Craig Thompson, Brandt and Wright voting aye. The ordinance is thereupon declared passed and so endorsed by the President Pro Tem of the Council and approved by the Mayor Pro Tem.

### **OTHER COUNCIL BUSINESS**

Council Member Leon Thompson explained the Council meetings will be live on YouTube soon so Council is learning a new procedure with their microphones. He thanked City Administrator JD Kehrman and Tourism Coordinator Shelby Dawson for their work on the project.

Council Member Arends reminded everyone to get out and vote tomorrow.

Council Member Wright stated she recently had a major emergency and is very proud of our Police and Fire personnel for how they do their jobs. Thank you to the Police and Fire personnel.

There being no other Council Business, Council Member Ashford made a motion, seconded by Guthrey, to adjourn the meeting. A roll call vote was taken with Arends, Leon Thompson,

Ashford, Guthrey, Craig Thompson, Brandt, Wright and Hendrix voting aye. Motion carried and the meeting adjourned at 7:25 p.m.

Julie A. Lewis, City Clerk

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