

**CITY COUNCIL AGENDA  
JULY 5, 2022  
6:00 P.M.**

**CITY OFFICE BUILDING  
214 N. LAFAYETTE, MARSHALL, MO 65340**

1. Roll Call
2. Adoption of Agenda
3. Approve or Correct Special Session Minutes of May 23, 2022 and June 20, 2022 and Regular Session Minutes of June 20, 2022
4. Public Hearing to Hear Comments Regarding a Request by Tobey and Donna Weaver Representing Church of Jesus Christ of Latter-Day Saints to Re-Zone a Tract of Land From A-1 Agricultural to C-2 Highway Business
5. 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.
6. Committee Reports
  1. Municipal Services and Personnel Committee
  2. Property, Finance, Budget and Audit Committee
  3. Community Development and Code Committee
  4. Public Relations and Public Safety Committee
  5. City Administrator’s Report
  6. Mayor’s Report
7. Ordinances
  1. Amend the Zoning Ordinance by Changing Zoning Classification of Certain Property From A-1 Agricultural District to C-2 Highway Business District
  2. Execute Agreement with Cunningham, Vogel & Rost, P.C. for the Provision of Legal Services
  3. Vacate a Certain Tract of Land Previously Conveyed and Dedicated to the City for Right of Way Purposes and Reserving Utility Easements over Portions of Tract
  4. Establish Procedure to Disclose Potential Conflicts of Interest and Substantial Interests for Certain Officials
  5. Appropriation
8. Other Council Business
9. Adjourn

POSTED 6/30/2022  
3:00 P.M.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF MARSHALL, MISSOURI, BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY FROM "A-1" AGRICULTURAL DISTRICT TO "C-2" HIGHWAY BUSINESS DISTRICT.**

**BE IT ORDAINED BY THE** Council of the City of Marshall, Missouri as follows:

**Section 1.** That the zoning classification of the following described property be amended from "A-1" Agricultural District to "C-2" Highway Business District:

A 4.00 ACRE TRACT OF LAND LOCATED IN THE EAST HALF (E 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 21, TOWNSHIP 50 NORTH OF THE BASE LINE, RANGE 21 WEST OF THE 5TH PRINCIPAL MERIDIAN, IN THE CITY OF MARSHALL SALINE COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS: BEGINNING AT AN EXISTING 1/2" IRON ROD ON THE WESTERLY LINE OF ATCHISON AVENUE; SAID 1/2" IRON ROD BEING THE NORTHEAST CORNER OF A 4.00 ACRE TRACT SURVEYED BY ROBERT ROBINSON, SALINE COUNTY SURVEYOR, ON JULY 21, 2005; SAID 1/2" IRON ROD ALSO BEING N01°27'47"E 1702.94 FEET, THENCE N89°09'44"W 562.53 FEET, THENCE N05°26'19"W 200.31 FEET, THENCE N10°28'52"W 43.07 FEET FROM A BRASS MONUMENT AT THE SOUTHEAST CORNER OF SAID SECTION 21;

THENCE N89°09'44"W ALONG THE NORTH LINE OF AFORESAID 4.00 ACRE TRACT A DISTANCE OF 702.52 FEET TO THE EAST LINE OF ROADWAY CONVEYED IN DEED BOOK 118, PAGE 202 IN THE SALINE COUNTY RECORDER OF DEEDS OFFICE, THE NORTHWEST CORNER OF SAID 4.00 ACRE TRACT SURVEYED ON JULY 21, 2005;

THENCE N01°59'06"E ALONG THE EAST LINE OF SAID ROADWAY A DISTANCE OF 131.97 FEET TO A 1/2" IRON ROD SET AT THE INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE "YY" ON A CURVE HAVING A CENTERLINE RADIUS OF 440.70 FEET;

THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE ON SAID CURVE A DISTANCE OF 126.52 FEET TO THE P.C. STA. 67+47.1; SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF N10°19'48"E 126.15 FEET;

THENCE N05°20'04"E CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF STATE ROUTE "YY" A DISTANCE OF 19.09 FEET TO A 1/2" IRON ROD SET;

THENCE S89°09'44"E A DISTANCE OF 584.87 FEET TO A 1/2" IRON ROD SET ON THE WEST LINE OF ATCHISON AVENUE;

THENCE S00°56'31"W A DISTANCE OF 23.99 FEET TO A POINT OF TANGENCY OF A CURVE HAVING A RADIUS OF 305.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE A DISTANCE OF 189.82 FEET TO POINT OF TANGENCY; SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF S16°54'38"E 186.77 FEET;

THENCE SOUTHERLY ALONG A CURVE HAVING A RADIUS OF 245.00 FEET A DISTANCE OF 82.17 FEET TO POINT OF BEGINNING; SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF S25°07'55"E 81.78 FEET.

**Section 2.** That in all other respects, the Zoning Ordinance of the City of Marshall, Missouri shall remain unchanged.

**Section 3.** That 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

**FILED** this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
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 CUNNINGHAM, VOGEL & ROST, P.C., FOR THE PROVISION OF LEGAL SERVICES.**

**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 Cunningham, Vogel & Rost, P.C., for the provision of legal services and consultation as requested by the City from time to time, and in consideration of the work completed under said agreement by Cunningham, Vogel & Rost, P.C., the City shall pay Cunningham, Vogel & Rost, P.C. such rates and sums as are specified in the agreement, 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 A CERTAIN TRACT OF LAND IN THE CITY OF MARSHALL, MISSOURI, HEREINAFTER DESCRIBED, WHICH WAS PREVIOUSLY CONVEYED AND DEDICATED TO THE CITY FOR RIGHT OF WAY PURPOSES AND RESERVING UTILITY EASEMENTS OVER PORTIONS OF SAID TRACT.**

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

**Section 1.** It is in the best interests of the City of Marshall, Missouri, that the portions of the right of way, hereinafter described, be vacated, reserving utility easements over the described portions of said right of way.

**Section 2.** The following right of way located south of Darling Street in the City of Marshall, Saline County, Missouri, is hereby vacated:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION TEN, TOWNSHIP FIFTY NORTH OF THE BASELINE, RANGE TWENTY-ONE WEST OF THE FIFTH PRINCIPAL MERIDIAN, SALINE COUNTY, MISSOURI DESCRIBED AS BEGINNING ON THE INTERSECTION OF THE NORTH LINE OF DARLING STREET AND THE EAST LINE OF SAID SOUTHWEST QUARTER OF NORTHWEST QUARTER, SAID POINT OF BEGINNING BEING SOUTH 0°39'00" WEST 1,312.51 FEET FROM AN IRON ROD ON THE NORTHEAST CORNER OF THE WEST HALF OF SAID NORTHWEST QUARTER OF SECTION TEN; THENCE FROM THE POINT OF BEGINNING SOUTH 0039'00" WEST 290.73 FEET ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF NORTHWEST QUARTER TO A POINT ON THE EASTERLY RIGHT OF WAY OF MISSOURI STATE ROUTE 41; THENCE NORTH WESTERLY ALONG SAID RIGHT OF WAY 30.65 FEET ALONG THE ARC OF A CURVE HAVING A CENTRAL ANGLE OF 1°11'33" AND A RADIUS OF 1,472.7 FEET TO THE P.C. OF SAID CURVE AT HIGHWAY STATION 710/68.9; THENCE NORTH 14°02'03" WEST 268.93 FEET ALONG SAID RIGHT OF WAY: THENCE ALONG THE EXTENSION WEST OF THE NORTH LINE OF DARLING STREET EAST 0°00' 75.64 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.251 ACRES.

**Section 3.** As set forth above, the above vacated property shall remain subject to a reservation in the City of presently existing easements, if any, in that portion vacated for the maintenance, repair, location and relocation of all sanitary sewer, water or public utility facilities now existing or hereafter to be constructed within said easements.

**Section 4.** The statutory right of reversion in the owners of the abutting property is hereby confirmed as provided by the laws of the State of Missouri. The Mayor and the Clerk of the City are hereby authorized to execute all necessary instruments required to confirm the reversionary rights of the owners of property abutting on the area vacated as described in this Ordinance in the right-of-way vacated.

**Section 5.** That the City Clerk shall record a certified copy of this Ordinance in the Office of the Recorder of Deeds, Saline County, Missouri.

**Section 6.** That 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

**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	\$ 147,167.36
SANITATION FUND	27,271.84
LIBRARY FUND	11,117.23
BAND FUND	3,759.43
PARK FUND	59,924.75
CITY OFFICE/REVITALIZATION	-
STREET FUND	26,813.72
AIRPORT OPERATING FUND	2,033.99
TOURISM	444.68
MARTIN COMMUNITY CENTER	2,123.59
HAB CENTER FUND	-
PARK CAPITAL IMPROVEMENT	-
SOUTH ODELL SEWER	-
	-
	-
WATER OPERATING FUND	\$ 292,962.35
ELECTRIC OPERATING FUND	1,200,223.11
SEWER REVENUE FUND	93,452.68
INTERNET OPERATING FUND	131,474.93
NATURAL GAS OPERATING FUND	2,271.40
ELECTRIC CONSUMER DEPOSIT FUND	1,200.00
SEWER EQUIPMENT FUND	74,240.00
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 5th day of JULY, 2022.

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President of the City Council

**APPROVED** by the Mayor of the City of Marshall, Missouri, this 5th day of JULY, 2022.

\_\_\_\_\_  
Mayor

**FILED** this 5th day of JULY, 2022.

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City Clerk