

**CITY COUNCIL MEETING
MAY 16, 2022
6:00 P.M.**

The Marshall City Council met in Regular Session at 6:00 p.m. on Monday, May 16, 2022 in the Council Chambers of the City Office Building, 214 N. Lafayette, Marshall, MO 65340, with the following members present: Mayor Dewey Hendrix; Council Members Leon Thompson, Tim Reeder, Drew Green, Robert Ashford, Charles Guthrey, Craig Thompson and Dan Brandt; City Administrator JD Kehrman, Acting City Counselor Don Stouffer and City Clerk Julie Lewis.

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

Council Member Ashford made a motion, seconded by Green, to approve Regular Session Minutes of May 2, 2022 and Special Session of May 5, 2022. A roll call vote was taken with Ashford, Guthrey, Craig Thompson, Brandt, Leon Thompson, Reeder and Green voting aye. Motion carried.

BUSINESS FROM THE AUDIENCE

Crystal Noamesi, 601 Gordon, read a statement thanking the Council for listening and not outsourcing trash services. She appreciates the Council's continued efforts at looking into budgeting discrepancies and creating work sessions to look into other concerns. Community members would like for the work sessions to be public. She would like clarification regarding budget fund that houses the sanitation surplus. She would also like to know who has submitted the final budget numbers to the auditor and who was responsible for approving those amounts. She is trying to understand the nearly \$1,000,000 expenditures over revenue that resulted in the violation of Chapter 67 and a transfer from the Salt Fork fund that flagged a separate violation. She asked Council if they believe it is appropriate for a City Council Member to abuse the legal system to attempt to silence a citizen from releasing public information. She asked Council Members to vote Council Member Leon Thompson off of the City Council. If you choose not to bring this to a vote, she would like to hear from each Council Member separately whether or not they are aware of the legal records regarding Council Member Leon Thompson.

COMMITTEE REPORTS

PROPERTY, FINANCE, BUDGET AND AUDIT COMMITTEE:

Council Member Leon Thompson reported revenue for April is at \$1,126,598 and expenses for April are at \$1,120,800. Revenue for the year is at \$8,584,423 or 71.89% of what was budgeted; expenses for the year are at \$6,032,267 or 50.62% of what was budgeted.

The City's auditor will attend the June 6, 2022 Council meeting to answer any questions.

Council Member Leon Thompson said the Sanitation cash reserves are currently at \$2,569,200. The intent of the reserve funds is compactor trucks and moving to the Benton St. facility; \$100,000 has been spent on fuel pods.

Planned reserves for the Sanitation Dept. stand at \$239,000 which included a 3% raise for employees; it does not include the wage increases that were given in October and selective wage increases that were given in March to Sanitation employees.

The majority of these reserves will be eaten up by fuel prices and other inflationary increases.

COMMUNITY DEVELOPMENT AND CODE COMMITTEE:

Council Member Ashford reported the Board of Building Code Enforcement will conduct hearings on May 27, 2022 at 8:30 a.m.

PUBLIC SAFETY AND PUBLIC RELATIONS:

Council Member Reeder reported that he met with City Administrator Kehrman, Airport Representative Larry Morgan, Municipal Services Director Bill Anderson and Representatives from HDR, the airport engineers. The airport master plan and airport business park were discussed.

Council Member Reeder discussed available funding for airport projects from the Federal Aviation Administration and MoDOT's aviation division.

MUNICIPAL SERVICES AND PERSONNEL COMMITTEE:

Council Member Brandt reported 674 tons of solid waste collected in April which was down from the previous month and down from the same time frame last year.

Airport activity totaled 146 for April and 811 for the year; last year was 272 for April.

Milling of city streets has started and should be completed by tomorrow. Paving has also started but could be prolonged due to weather issues. Please be patient with the milling and paving crews.

Yard waste collection has not been getting done on the regular pick up days, please leave your yard waste at the curb as it will be picked up the next day.

CITY ADMINISTRATOR'S REPORT:

City Administrator Kehrman said there were a few slight overages in several NID accounts where more was spent than budgeted and those accounts have been closed out. The Salt Fork NID account has an expenditure in excess of \$200,000 that was not budgeted; staff is researching this and we will speak with the auditor regarding strategies for reimbursing and closing that account.

Mr. Kehrman introduced Interim Finance Director Aimee Klinge and asked her to provide information regarding expenditures over budget.

Interim Finance Director Aimee Klinge read the following statement:

Pertaining to questions about page 110 of the City's 2021 annual audit, stating the City over expended budgeted expenditures by \$963,190. Generally, this would mean the City spent more than it budgeted, however, in this case the difference is due to the interfund loan proceeds from MMU for the Hab Center demolition, as shown in Ordinance #8593, dated May 3, 2021. As of September 30, 2021, the end of the fiscal year, the City had only borrowed \$1,077,830, which must be shown in our audit, as the amount has been taken on by the City as a liability. This does not show in our accounting system, since the bills are paid to Remco directly by MMU, per the agreement. Therefore, if you remove the actual loan amount, the General Fund ends fiscal year 2021 with a surplus of \$114,540 in its fund balance.

MAYOR'S REPORT:

Mayor Hendrix introduced former Ward 4 Council Member Phesa Wright. Ms. Wright said the Council is needing to appoint someone to her vacated Council seat and she would like to recommend Christina Benitez to fill the seat.

Ms. Benitez said she would like to serve as Ward 4 Council Member.

Mayor Hendrix said he would like to make a recommendation to appoint Christina Benitez as Ward 4 Council Member effective June 6, 2022.

Council Member Reeder made a motion, seconded by Craig Thompson, to appoint Christina Benitez as Ward 4 Council Member. A roll call vote was taken with Reeder, Green, Ashford, Guthrey, Craig Thompson, Brandt and Leon Thompson voting aye. Motion carried.

DISCUSSION AND APPROPRIATE FOLLOW UP

MMU NATURAL GAS LINE RATE INCREASE:

Marshall Municipal Utilities General Manager Jeff Bergstrom presented a request to increase rates/charges for the natural gas line.

Council Member Green made a motion, seconded by Leon Thompson, to approve the natural gas line rate increase as presented. A roll call vote was taken with Guthrey, Craig Thompson, Brandt, Leon Thompson, Reeder, Green and Ashford voting aye. Motion carried.

PLANNING AND ZONING RECOMMENDATION:

Code Official Mike Morgan said the Planning and Zoning Commission met and approved the following request:

To consider a request by Tobey and Donna Weaver representing Church of Jesus Christ Of Latter Day Saints to re-zone a certain tract of land as described in exhibit A in Marshall, Missouri, from A-1 Agricultural to C-2 Highway business. Vacant land Located on South Atchison Avenue.

Council will need to conduct a Public Hearing regarding the request.

Council Member Reeder made a motion, seconded by Brandt, to schedule a Public Hearing on Monday, June 6, 2022. A roll call vote was taken with Craig Thompson, Brandt, Leon Thompson, Reeder, Green and Guthrey voting aye; Ashford abstain. Motion carried.

LIBRARY BOARD APPOINTMENTS:

Mayor Hendrix presented the following recommendation for appointments to the Marshall Public Library Board:

Marshall Library Board

Jackie Guthrey – Re-appointment – Term Expires July 1, 2025

Michael Brennan – Re-appointment – Term Expires July 1, 2025

Council Member Ashford made a motion, seconded by Craig Thompson, to approve the appointments as presented. A roll call vote was taken with Brandt, Leon Thompson, Reeder, Green, Ashford and Craig Thompson voting aye; Guthrey abstain. Motion carried.

TOURISM COMMISSION APPOINTMENTS:

Mayor Hendrix presented the following recommendation for appointments to the Marshall Tourism Commission:

Marshall Tourism Commission

Kathy Vasquez – New Appointment – Fill Remainder of Unexpired Term – Term Expires 6/1/23

Kyle Renfrow – New Appointment – Fill Remainder of Unexpired Term – Term Expires 6/1/24

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

CHAMBER OF COMMERCE FIREWORKS FUNDING REQUEST:

Sandy Hisle, President of the Marshall Chamber of Commerce, presented a request to increase the City’s portion of funding for the annual 4th of July fireworks. The Chamber of Commerce is requesting \$3,675.00 in funding.

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

ORDINANCES

An ordinance entitled “AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MARSHALL AND REMCO DEMOLITION LLC FOR THE DEMOLITION OF CERTAIN STRUCTURES ON BRUNSWICK AVENUE IN THE CITY OF MARSHALL”

was given its second reading by title only and put to its final passage and approval upon motion of Reeder, seconded by Ashford. A roll call vote was taken with Ashford, Guthrey, Craig Thompson, Brandt, Leon Thompson, Reeder and Green voting aye. The ordinance is thereupon declared passed and so endorsed by the President of the Council, approved by the Mayor and numbered Ordinance No. 8677.

An ordinance entitled “AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AMENDMENT TO AN AGREEMENT WITH BERLIN & CO., LLC” was given its first reading by title only.

Berlin & Co., LLC oversees all operations of the Martin Community Center including staffing, building maintenance, etc. There have not been any increases in the funding received from the City of Marshall since 2018.

Council Member Green said he is the President of the Nicholas-Beazley Aviation Museum Board and the MCC rental rates have not been increased so they are currently researching other community center rates. He will report back to Council with the results.

Council Member Leon Thompson made a motion, seconded by Reeder, to approve the first reading. A roll call vote was taken with Ashford, Guthrey, Craig Thompson, Brandt, Leon Thompson and Reeder voting aye; Green abstain. 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 Brandt made a motion, seconded by Ashford, to take the ordinance to a second reading. A roll call vote was taken with Guthrey, Craig Thompson, Brandt, Leon Thompson, Reeder, Green and Ashford voting aye. Motion carried.

Ordinance No. 8678 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 Ashford. A roll call vote was taken with Craig Thompson, Brandt, Leon Thompson, Reeder, Green, Ashford and Guthrey voting aye. The ordinance is thereupon declared passed and so endorsed by the President of the Council and approved by the Mayor.

OTHER COUNCIL BUSINESS

Council Member Ashford said since the RTS contract will not be moving forward, the City Administrator has been directed to meet with Municipal Services Director Bill Anderson to discuss and implement proposed changes within the Sanitation Department. The Council looks forward to hearing reports regarding the Sanitation Department operational changes.

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

Reeder, Green, Ashford, Guthrey, Craig Thompson and Brandt voting aye. Motion carried and the meeting adjourned at 6:38 p.m.

Julie A. Lewis, City Clerk

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