

**CITY COUNCIL AGENDA  
DECEMBER 19, 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 Regular Session Minutes of December 5, 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. Presentation – Foster Grandparent Program – Martin Tichenor
6. Committee Reports
  1. Property, Finance, Budget and Audit Committee
  2. Community Development and Code Committee
  3. Public Relations and Public Safety Committee
  4. Municipal Services and Personnel Committee
  5. City Administrator’s Report
  6. Mayor’s Report
7. Discussion – Impose 3% Sales Tax on Tangible Personal Property Retail Sales of Adult Use Marijuana Subject to Approval by the Voters of the City
8. Resolutions
  1. Approve the Building Plan for a Project Known as the Wild Blue Car Wash Located at 816 West College Street
  2. Accepting Conveyance for a Public Utility Easement
  3. Approve a Rate Change of the Board of Public Works
9. Ordinances
  1. Execute Contract Between the City of Marshall and Marshall Saline Development Corporation – Second Reading
  2. Establish Guidelines for Officials Involved in the Activities of the City of Marshall, Missouri – Second Reading
  3. Execute Certain Contracts with Coleman Plumbing Related to the Expansion of Fiber Optic Internet Service in or Near the City of Marshall
  4. Appropriation
10. Other Council Business
11. Adjourn

POSTED 12/16/2022  
1:30 P.M.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF MARSHALL, MISSOURI, APPROVING THE BUILDING PLAN FOR A PROJECT KNOWN AS THE WILD BLUE CAR WASH LOCATED AT 816 WEST COLLEGE STREET**

WHEREAS, Section 405.780.H of the Code of Ordinances of the City of Marshall provides, in part, that plans for the erection or structural alteration of any business use dependent on vehicles entering onto the business site or parking lot shall be approved by the City Council;

WHEREAS, the plans submitted for the Wild Blue Car Wash Project, to be located at 816 West College Street in the City of Marshall, Missouri, calls for the erection or structural alteration of a business dependent on vehicles entering onto the business site or parking lot; and

WHEREAS, in approving any such plan the City Council may require such changes therein in relation to yards, location of curb cuts, width of driveways, location of signs and accessory uses and buildings and construction of buildings as it may deem best suited to ensure safety to minimize traffic difficulties and to safeguard adjacent properties.

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

**Section 1. Approval of Building Plan.** The Building Plan for the Wild Blue Car Wash, to be located at 816 West College Street is hereby approved for a car wash to be built upon said property subject to the stipulations and requirements set forth below.

**Section 2. Stipulations and Requirements**

- a. Expansion Joint.** An expansion joint, described more fully as a one-half inch (1/2") full depth expansion joint, shall be added to the College Street entrance to the parking lot to accommodate anticipated grade changes and to allow for the future removal of the pavement in the area.
  
- b. Utility Easement.** The property owners shall grant to the City of Marshall, Missouri, a general utility easement described generally as a triangular tract of land beginning at the southwest corner of the intersection of College Street and Miami Avenue, and extending twenty-five (25') south along the right-of-way of Miami Avenue, thence extending from said point in a northwesterly direction a distance of thirty-seven and 19/100ths feet (37.19') to a point on the south edge of the College Street right-of-way, thence extending twenty-five (25') east along the right-of-way of College Street to the point of beginning. A survey of said easement shall be made by a licensed surveyor, and the exact size and boundaries of said easement shall be determined from said survey.

c. **Submission of Electrical Plan.** The property owner shall submit an electrical plan to the Inspection Department for review and approval by said Department, with said electrical plan being designed, engineered, and permitted consistent with the City’s currently enacted Code of Ordinances and Electrical Code.

**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

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ACCEPTING A CONVEYANCE FOR A PUBLIC UTILITY EASEMENT**

WHEREAS, Section 405.780.H of the Code of Ordinances of the City of Marshall provides, in part, that plans for the erection or structural alteration of any business use dependent on vehicles entering onto the business site or parking lot shall be approved by the City Council;

WHEREAS, the plans submitted for the Wild Blue Car Wash Project, to be located at 816 West College Street in the City of Marshall, Missouri, calls for the erection or structural alteration of a business dependent on vehicles entering onto the business site or parking lot; and

WHEREAS, in approving any such plan the City Council may require such changes therein in relation to yards, location of curb cuts, width of driveways, location of signs and accessory uses and buildings and construction of buildings as it may deem best suited to ensure safety to minimize traffic difficulties and to safeguard adjacent properties; and

WHEREAS, a public utility easement is a necessary component of the project approved by the City Council for the construction of car wash located at 816 West College Street in the City.

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

**Section 1.** The City of Marshall accepts the following conveyance: a grant of permanent easement for public utility purposes from Wild Blue Properties - Marshall, LLC, a Colorado limited liability company, in substantially the same form as set forth in the attached Exhibit A.

**Section 2.** In the event said conveyances are executed by the above-named landowner, the City Clerk, or one of her designees, is authorized and directed to have the above conveyance recorded, as needed, in the office of the Saline County Recorder of Deeds.

**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

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF MARSHALL, MISSOURI, APPROVING A RATE CHANGE OF THE BOARD OF PUBLIC WORKS**

**WHEREAS**, the City’s Board of Public Works has approved the adjustment of the Biochemical Oxygen Demand Rate (“BOD Rate”) modifying the BOD Rate from \$0.22 per pound to \$0.24 per pound for its industrial customers; and

**WHEREAS**, the City’s Board of Public Works has approved the adjustment of the Total Suspended Solids Rate (“TSS Rate”) modifying the BOD Rate from \$0.21 per pound to \$0.24 per pound for its industrial customers; and

**WHEREAS**, pursuant to Section 700.250 of the City’s Code of Ordinances, rate changes shall be approved by the City Council.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Marshall, Missouri, as follows: THAT it hereby approves the City’s Board of Public Works’ adjustment of the Biochemical Oxygen Demand Rate (“BOD Rate”) from \$0.22 per pound to \$0.24 per pound for its industrial customers and the Total Suspended Solids Rate (“TSS Rate”) from \$0.21 per pound to \$0.24 per pound.

**ADOPTED** by the Council of the City of Marshall, Missouri, this \_\_\_\_ day of December 2022.

\_\_\_\_\_  
President

**APPROVED** by the Mayor this \_\_\_\_ day of December 2022.

\_\_\_\_\_  
Mayor

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

\_\_\_\_\_  
City Clerk

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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI TO EXECUTE A CONTRACT BETWEEN THE CITY OF MARSHALL AND THE MARSHALL-SALINE DEVELOPMENT CORPORATION.**

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

**Section 1.** That the Mayor of the City of Marshall, Missouri, is hereby authorized and directed to execute on behalf of said City a certain contract between the City of Marshall and the Marshall-Saline Development Corporation for the provision of economic development services for the contract price of Fifteen Thousand and 00/100ths Dollars (\$15,000.00).

**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 \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
President

**APPROVED** by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Mayor

**FILED** this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
City Clerk

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

**AN ORDINANCE ESTABLISHING GUIDELINES FOR OFFICIALS INVOLVED IN THE ACTIVITIES OF THE CITY OF MARSHALL, MISSOURI.**

**WHEREAS**, the City Council of the City of Marshall, Missouri, desires to establish certain guidelines for conduct for elected officials involved in the activities of the City.

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

**Section 1.** No individual member of the City Council shall directly interfere with the conduct of any department or duties of employees subordinate to the City Administrator except at the express direction of the City Council pursuant to an authorized vote at a Council meeting or with the consent of the City Administrator. The word term “interfere,” as used in this Section, means any act which tends to countermand an order or direction of the City Administrator or any act which directs an employee to take any action not authorized by the City Administrator.

**Section 2.** That all ordinances and parts of ordinances inconsistent with the provisions hereof are hereby repealed.

**Section 3.** 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 AUTHORIZING AND DIRECTING THE BOARD OF PUBLIC WORKS OF MARSHALL, MISSOURI, TO EXECUTE CERTAIN CONTRACTS WITH COLEMAN PLUMBING RELATED TO THE EXPANSION OF FIBER OPTIC INTERNET SERVICE IN AND NEAR THE CITY OF MARSHALL**

**WHEREAS**, the City of Marshall (“City”), by and through its Board of Public Works d/b/a Marshall Municipal Utilities (“MMU”) received an award of funds from the United States Department of Agriculture’s Rural Utility Service for the expansion of fiber optic internet service within underserved areas near the City; and

**WHEREAS**, MMU desires to enter into three (3) contracts with Coleman Plumbing for the installation of conduit, pull boxes, and pedestals that will allow for the expansion of fiber optic internet service as aforesaid.

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

**Section 1.** The City Council of the City of Marshall, Missouri, hereby approves the execution by MMU of Contract No. 2201, Contract No. 2202, and Contract No. 2203 with Coleman Plumbing for the installation of conduit, pull boxes, and pedestals for the expansion of fiber optic internet service within underserved areas near the City of Marshall, Missouri, and other work as specified in said contracts. The contract price for the said contracts shall be as set forth in the bid documents submitted by Coleman Plumbing

**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 \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
President

**APPROVED** by the Mayor this \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Mayor

**FILED** this \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
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	\$ 182,154.51
SANITATION FUND	63,291.09
LIBRARY FUND	10,160.27
BAND FUND	3,726.93
PARK FUND	50,009.27
CITY OFFICE/REVITALIZATION	-
STREET FUND	16,239.94
AIRPORT OPERATING FUND	615.06
TOURISM	-
MARTIN COMMUNITY CENTER	1,766.73
HAB CENTER FUND	21,527.42
PARK CAPITAL IMPROVEMENT	69,605.25
SOUTH ODELL SEWER	-
AMERICAN RESCUE PLAN	-
WATER OPERATING FUND	\$ 161,065.56
ELECTRIC OPERATING FUND	1,253,379.74
SEWER REVENUE FUND	151,789.17
INTERNET OPERATING FUND	192,669.58
NATURAL GAS OPERATING FUND	2,773.02
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 19TH day of DECEMBER, 2022.

\_\_\_\_\_  
President of the City Council

APPROVED by the Mayor of the City of Marshall, Missouri, this 19TH day of DECEMBER, 2022.

\_\_\_\_\_  
Mayor

FILED this 19TH day of DECEMBER, 2022.

\_\_\_\_\_  
City Clerk