

**CITY COUNCIL MINUTES
NOVEMBER 21, 2022
6:00 P.M.**

The Marshall City Council met in Regular Session at 6:00 p.m. on Monday, November 21, 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, Dan Brandt and Steve Cook; City Administrator JD Kehrman, City Counselor Josh Taylor and City Clerk Julie Lewis. Council Members Charles Guthrey and Craig Thompson excused absent.

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

Council Member Reeder made a motion, seconded by Leon Thompson, to approve the Regular Session Minutes of November 7, 2022. A roll call vote was taken with Reeder, Green, Ashford, Brandt, Cook and Leon Thompson voting aye; Guthrey and Craig Thompson excused absent. Motion carried.

BUSINESS FROM THE AUDIENCE

There was no business from the audience.

COMMITTEE REPORTS

PROPERTY, FINANCE, BUDGET AND AUDIT COMMITTEE:

No report.

COMMUNITY DEVELOPMENT AND CODE COMMITTEE:

Council Member Ashford reported there will be Board of Building Code Enforcement hearings on December 15, 2022 at 8:30 a.m. in the Council Chambers of City Hall.

PUBLIC RELATIONS AND PUBLIC SAFETY COMMITTEE:

Council Member Reeder gave the Police Department report for the month of October:

<u>Traffic Stops:</u>	255	<u>Warrants:</u>	
Citations	18	Municipal Court:	9
Arrests	14		
Officers Calls for Service:	1,937	(up 722 from September)	
Police Reports Taken:	197	(up 49 from September)	
Arrests:	54	(up 20 from September)	

Public Relations:

This is the time of year we are traveling and shopping. Remember to lock the doors to your vehicles. Don't leave items in plain view in your vehicles, like purses or packages.

Don't put empty boxes by the curb for pickup. Cut the boxes up and place them in trash bags. People do not need to know what you got for the holidays.

The Marshall Chamber of Commerce Christmas Parade will be Friday, December 2nd at 6 p.m. on the Square, please come out and enjoy the event.

MUNICIPAL SERVICES AND PERSONNEL COMMITTEE:

Council Member Brandt reported a total of 672 tons of solid waste collected during October, this amount includes both commercial and residential. October's total is very similar to September's total of 676 tons.

Airport Activity has not been reported due to not having attendants.

Council Member Reeder said he thought that the equipment at the airport should be able to provide information and he will look into that.

Thursday's curbside trash collection will be picked up on Friday of this week due to the Thanksgiving Holiday.

The last week for curbside leaf collection will be during the week of December 12th.

The Marshall Compost Area has transitioned to winter hours. They are open Monday through Saturday, 7 a.m. until 4 p.m.

Council Member Brandt gave an update for the 2023 Mill and Overlay program. Odell Avenue will be done from College to Highlander. The remainder of Odell Avenue to the By-pass will be looked at for the following year.

CITY ADMINISTRATOR:

City Administrator JD Kehrman reported he has spoken with a representative of Remco Demolition and they are waiting on a letter from the Department of Natural Resources before the demolition can be completed. They plan to resume work on November 28th.

Some of the concrete from the demolition was going to be used as fill for an area on South Lake Drive, however, that will need to be disposed of alternately. We do have clean fill to utilize for South Lake Drive.

The inner loop of the Habilitation Center will be transferred soon. There has been a delay due to an inconsistent legal description. Municipal Services will work with the school regarding alternate points of egress.

Mr. Kehrman said he is working on the nuisance code relating to persistent and criminal nuisances. He plans to bring in another law firm to deal with the issues and will present a draft ordinance to Council in December or January.

Council Member Cook asked for clarification of criminal nuisance.

Mr. Kehrman explained that criminal nuisance can include drug houses and persistent noise offenders.

MAYOR’S REPORT:

Mayor Hendrix congratulated the Marshall High School Soccer Team for winning the State Championship. The team will be in the Christmas Parade.

APPOINTMENT

MARSHALL PUBLIC LIBRARY BOARD:

Mayor Hendrix presented the following appointment for Council approval:

Marshall Public Library Board

Brooke Lindsenbardt – New Appointment – Fill Remainder of Unexpired Term – Term Expires June, 2023

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

ORDINANCES

An ordinance entitled “AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE A CONTRACT BETWEEN THE CITY OF MARSHALL, MISSOURI, AND WEBER SEED FARMS, LLC, FOR THE EXCHANGE OF CERTAIN REAL PROPERTY IN THE CITY OF MARSHALL” was given its second reading by title only.

Council Member Cook asked where the property is located.

City Administrator Kerhman said this came about through Marshall Saline Development Corporation as a development opportunity. The approximate 34 acre tract is located near Stedem Road and Vest Street and has full utilities at the doorstep. The City will be exchanging properties located at the landfill (old dump farm), some of the state school land and the lease of property located at the airport. Currently, there is not a development proposal for the 34 acre tract.

Marshall Municipal Utilities General Manager Jeff Bergstrom explained the process of development through the Missouri Partnership in relation to companies looking for potential land with infrastructure in place. Saline County is very limited in properties that meet the specific

criteria and this will give MSDC a solid property to submit for companies looking to develop here.

The ordinance was put to final passage and approval upon motion of Ashford, seconded by Brandt. A roll call vote was taken with Green, Ashford, Brandt, Cook, Leon Thompson and Reeder voting aye; Guthrey and Craig Thompson excused absent. The ordinance is thereupon declared passed and so endorsed by the President of the Council, approved by the Mayor and numbered Ordinance No. 8712.

Marshall Municipal Utilities General Manager Jeff Bergstrom explained the following ordinance provides for the annual rehabilitation of sewer pipe.

Ordinance No. 8713 entitled “AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE A CONTRACT WITH MUNICIPAL PIPE TOOL COMPANY, LLC” was given its second reading by title only and put to its final passage upon motion of Reeder, seconded by Leon Thompson. A roll call vote was taken with Brandt, Cook, Leon Thompson, Reeder, Green and Ashford voting aye; Guthrey and Craig Thompson excused absent. The ordinance is thereupon declared passed and so endorsed by the President of the Council and approved by the Mayor.

An ordinance entitled “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 COMMUNITY CHORUS FOR THE PROVISION OF CONCERTS IN THE CITY OF MARSHALL” was given its first reading by title only.

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

Ordinance No. 8714 entitled “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 COMMUNITY CHORUS FOR THE PROVISION OF CONCERTS IN THE CITY OF MARSHALL” was given its second reading by title only and put to its final passage and approval upon motion of Brandt, seconded by Reeder. A roll call vote was taken with Brandt, Cook, Leon Thompson, Reeder, Green and Ashford voting aye; Guthrey and Craig Thompson excused absent. The ordinance is thereupon declared passed and so endorsed by the President of the Council and approved by the Mayor.

An ordinance entitled “AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MARSHALL, MISSOURI, AND THE MARSHALL MUNICIPAL BAND” was given its first reading by title only.

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

Ordinance No. 8715 entitled “AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MARSHALL, MISSOURI, AND THE MARSHALL MUNICIPAL BAND” was given its second reading by title only and put to its final passage upon motion of Brandt, seconded by Reeder. A roll call vote was taken with Brandt, Cook, Leon Thompson, Reeder, Green and Ashford voting aye; Guthrey and Craig Thompson excused absent. The ordinance is thereupon declared passed and so endorsed by the President of the Council and approved by the Mayor.

An ordinance entitled “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 PHILHARMONIC ORCHESTRA FOR THE PROVISION OF CONCERTS IN THE CITY OF MARSHALL” was given its first reading by title only.

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

Ordinance No. 8716 entitled “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 PHILHARMONIC ORCHESTRA FOR THE PROVISION OF CONCERTS IN THE CITY OF MARSHALL” was given its second reading by title only and put to its final passage and approval upon motion of Brandt, seconded by Reeder. A roll call vote was taken with Leon Thompson, Reeder, Green, Ashford, Brandt, and Cook voting aye; Guthrey and Craig Thompson excused absent. The ordinance is thereupon declared passed and so endorsed by the President of the Council and approved by the Mayor.

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 PAUL PORTER FOR THE PROVISION OF PROFESSIONAL SERVICES” was given its first reading by title only.

Council Member Cook asked what type of professional services will be provided.

City Administrator Kehrman said that Mr. Porter will provide plan review services while the new building inspector is in training. The agreement is for on-call services and will be ongoing.

Council Member Brandt said he has worked with Mr. Porter and highly recommends his services. Council Member Reeder agreed with the recommendation.

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

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

Ordinance No. 8717 entitled “AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MARSHALL AND PAUL PORTER FOR THE PROVISION OF PROFESSIONAL SERVICES” was given its second reading and put to its final passage and approval upon motion of Reeder, seconded by Brandt. A roll call vote was taken with Green, Ashford, Brandt, Cook, Leon Thompson and Reeder voting aye; Guthrey and Craig Thompson excused absent. The ordinance is thereupon declared passed and so endorsed by the President of the Council and approved by the Mayor.

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 MCLINEY AND COMPANY FOR THE PROVISION OF PROFESSIONAL SERVICES” was given its first reading by title only.

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

Ordinance No. 8718 entitled “AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MARSHALL AND MCLINEY AND COMPANY FOR THE PROVISION OF PROFESSIONAL SERVICES” was given its second reading and put to its final passage and approval upon motion of Brandt, seconded by Reeder. A roll call vote was taken with Brandt, Cook, Leon Thompson, Reeder, Green and Ashford voting aye; Guthrey and Craig Thompson excused absent. The ordinance is thereupon declared passed and so endorsed by the President of the Council and approved by the Mayor.

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 PAUL MARTIN LAW LLC, FOR THE PROVISION OF LEGAL SERVICES” was given its first reading by title only.

Council Member Cook asked if ordinance is regarding the proposed nuisance ordinance.

Mr. Kehrman said no, this is a specialty firm and the contract is for an on-call basis.

Council Member Green asked why this is needed.

Mr. Kehrman said the City has been using Cunningham, Vogel and Rost quite a bit and this is if a third party is needed. They will provide review of records requests and other services that are out of the scope of the City Attorney.

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

Ordinance No. 8719 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 Reeder, seconded by Brandt. A roll call vote was taken with Leon Thompson, Reeder, Green, Ashford, Brandt and Cook voting aye; Guthrey and Craig Thompson excused absent. The ordinance is thereupon declared passed and so endorsed by the President of the Council and approved by the Mayor.

OTHER COUNCIL BUSINESS

There being no other Council Business, Council Member Reeder made a motion, seconded by Leon Thompson, to adjourn the meeting. A roll call vote was taken with Reeder, Green, Ashford, Brandt, Cook and Leon Thompson voting aye; Guthrey and Craig Thompson excused absent. Motion carried and the meeting adjourned at 6:42 p.m.

Julie A. Lewis
City Clerk