

**CITY COUNCIL MINUTES  
DECEMBER 19, 2022  
6:00 P.M.**

The Marshall City Council met in Regular Session at 6:00 p.m. on Monday, December 19, 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 Drew Green, Robert Ashford, Charles Guthrey, Dan Brandt and Steve Cook present; City Administrator JD Kehrman, City Counselor Josh Taylor and City Clerk Julie Lewis. Council Members Leon Thompson and Craig Thompson excused absent.

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

Council Member Brandt made a motion, seconded by Guthrey, to approve the Regular Session Minutes of December 5, 2022. A roll call vote was taken with Ashford, Guthrey, Brandt, Cook and Green voting aye; Craig Thompson and Leon Thompson excused absent. Motion carried.

**BUSINESS FROM THE AUDIENCE**

Keith Zinn, resident, expressed his displeasure about the habilitation center property in relation to the building demolition and transfer of land to Marshall Public Schools. He indicated Marshall needs better schools and things for kids to do.

Michael Vollmer, resident, said he would like to reiterate what Mr. Zinn said regarding things for kids to do.

**PRESENTATION BY MARTIN TICHENOR, PROGRAM DIRECTOR  
FOSTER GRANDPARENT PROGRAM**

Mr. Martin Tichenor, Program Director of the Foster Grandparent Program, was introduced by Mayor Hendrix.

Mr. Tichenor gave a brief history of the Foster Grandparent Program in Missouri. Volunteers work with children with exceptional and special needs and serve in most all schools in Saline County.

Mr. Tichenor said the current program office is located in Higginsville, MO but they are planning to re-locate in Marshall and asked if Council would contact him if they knew of any office space.

**COMMITTEE REPORTS**

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

No report.

**COMMUNITY DEVELOPMENT AND CODE COMMITTEE:**

No report.

**PUBLIC RELATIONS AND PUBLIC SAFETY COMMITTEE:**

Council Member Green gave the Police Department report for the month of November:

|                       |     |                  |    |
|-----------------------|-----|------------------|----|
| <u>Traffic Stops:</u> | 141 | <u>Warrants:</u> |    |
| Citations             | 12  | Municipal Court: | 15 |
| Arrests               | 13  |                  |    |

|                             |       |
|-----------------------------|-------|
| Officers Calls for Service: | 1,552 |
| Police Reports Taken:       | 122   |
| Arrests:                    | 39    |

Public Relations:

On December 13<sup>th</sup>, the Marshall Police Department got to participate in its annual Shop-With-A-Cop. Ten officers from the Police Department got to take 21 children shopping for the holidays. The children got items from hats and coats, to all kinds of different toys.

Seven families also were able to shop for a Christmas dinner and household supplies.

The Marshall Police Department would like to thank all the businesses and individuals who donated and assisted to make this event happen.

Council Member Green said this committee will be looking into the use of ATVs on city streets.

Council Member Green thanked the Street Department for the installation of No Parking signs.

**MUNICIPAL SERVICES AND PERSONNEL COMMITTEE:**

Council Member Brandt reported curb side yard waste pick up is done for the year. Yard waste can be taken to the compost area Monday through Friday from 7a.m. until 4 p.m. and Saturdays from 7 a.m. until noon.

Curbside trash pick up schedule will remain the same this week. There may be a delay in next week’s schedule, please listen to the radio for updates.

Thank you to Municipal Services crews for making sure the No Parking signs were installed.

The Solid Waste Summary and Airport Activity report were in Council packets.

**CITY ADMINISTRATOR’S REPORT:**

City Administrator JD Kehrman reported the Miami and College sidewalk project will be moving forward in 2023; plans have been made to meet with an engineer in January.

Mr. Kehrman spoke about the possibility of re-doing sidewalks on Eastwood. Preliminary information has been gathered regarding possible submission for a Transportation Alternative

Funding Grant through MoDOT. MoDOT has indicated this would be an excellent project. Mr. Kehrman said he anticipates engaging an engineer and putting in a grant application to keep the project moving forward.

Council Member Guthrey said the City used to have a program that if property owners purchased the concrete, City crews would install the sidewalk per specifications.

Mr. Kehrman said the Municipal Services committee would need to discuss and meet with Municipal Services Director in order to see if this is something that is possible.

### **MAYOR'S REPORT:**

Mayor Hendrix stated Mr. Tim Reeder has resigned from his position as Ward 2 Council Member. If anyone is interested in serving as Ward 2 Council Member, please contact the Mayor.

Mayor Hendrix told everyone to have a Happy Holiday, take care and be safe.

### **DISCUSSION – IMPOSE 3% SALES TAX ON TANGIBLE PERSONAL PROPERTY RETAIL SALES OF ADULT USE MARIJUANA SUBJECT TO APPROVAL BY THE VOTERS OF THE CITY**

A proposed ordinance entitled “AN ORDINANCE IMPOSING A SALES TAX AT A RATE OF THREE PERCENT ON ALL TANGIBLE PERSONAL PROPERTY RETAIL SALES OF ADULT USE MARIJUANA SOLD WITHIN THE CITY OF MARSHALL, MISSOURI, PURSUANT TO ARTICLE XIV, SECTION 2.6(5) OF THE MISSOURI CONSTITUTION SUBJECT TO APPROVAL BY THE VOTERS OF THE CITY AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON APRIL 4, 2023; DESIGNATING THE FORM OF BALLOT; AND DIRECTING THE CITY CLERK TO PROVIDE NOTICE OF SAID ELECTION” was read by title only.

City Counselor Josh Taylor explained Council is required to pass an ordinance in order to bring the question to voters.

Council Member Ashford said the tax will only be paid by individuals purchasing adult use marijuana at retail.

Council Members discussed the proposed ordinance.

The ordinance will be given its first reading at the January 3, 2023 Council meeting.

### **RESOLUTIONS**

A resolution entitled “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” was read by title only.

Council Member Ashford asked for clarification as to why Council needs to approve the plan.

City Counselor Josh Taylor said the City's zoning ordinance requires Council approval if the nature of a business is changed or the structural use is changed in a C-1 district. The next resolution provides for a utility easement related to the project.

Council Members discussed the project.

Council Member Brandt made a motion, seconded by Guthrey, to approve the resolution. A roll call vote was taken with Guthrey, Brandt, Cook and Ashford voting aye; Green abstain; Craig Thompson and Leon Thompson excused absent. The resolution is thereupon declared passed and so endorsed by the President of the Council, approved by the Mayor and numbered Resolution No. 2022-12.

A resolution entitled "A RESOLUTION ACCEPTING A CONVEYANCE FOR A PUBLIC UTILITY EASEMENT" was read by title only.

Council Member Guthrey made a motion, seconded by Brandt, to approve the resolution. A roll call vote was taken with Brandt, Cook, Ashford and Guthrey voting aye; Green abstain; Craig Thompson and Leon Thompson excused absent. The resolution is thereupon declared passed and so endorsed by the President of the Council, approved by the Mayor and numbered Resolution No. 2022-13.

A resolution entitled "A RESOLUTION OF THE CITY OF MARSHALL, MISSOURI, APPROVING A RATE CHANGE OF THE BOARD OF PUBLIC WORKS" was read by title only.

Marshall Municipal Utilities General Manager Jeff Bergstrom explained this will be for industrial customers only and there are only 3 industrial customers. The resolution will allow for a small rate adjustment of the biochemical oxygen demand rate and the total suspended solids rate. The rate is adjusted annually based on a 3-year average.

Council Member Brandt made a motion, seconded by Green, to approve the resolution. A roll call vote was taken with Brandt, Cook, Green, Ashford and Guthrey voting aye; Leon Thompson and Craig Thompson excused absent. The resolution is thereupon declared passed and so endorsed by the President of the Council, approved by the Mayor and numbered Resolution No. 2022-14.

## **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 AND THE MARSHALL-SALINE DEVELOPMENT CORPORATION" was given its second reading by title only.

Marshall Municipal Utilities General Manager Jeff Bergstrom gave the Council an overview of current MSDC projects.

The ordinance was put to its final passage and approval upon motion of Ashford, seconded by Brandt. A roll call vote was taken with Guthrey, Brandt, Green and Ashford voting aye; Cook nay; Craig Thompson and Leon 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. 8722.

An ordinance entitled “AN ORDINANCE ESTABLISHING GUIDELINES FOR OFFICIALS INVOLVED IN THE ACTIVITIES OF THE CITY OF MARSHALL, MISSOURI” was given its second reading by title only and put to its final passage and approval upon motion of Ashford, seconded by Guthrey. A roll call vote was taken with Brandt, Cook, Green, Ashford and Guthrey voting aye; Leon Thompson 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. 8723.

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

Marshall Municipal Utilities General Manager Jeff Bergstrom requested two readings this evening because they are ready to begin the second round of the project.

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

Ordinance No. 8724 entitled “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” was given its second reading by title only and put to its final passage and approval upon motion of Brandt, seconded by Green. A roll call vote was taken with Green, Ashford, Guthrey, Brandt and Cook voting aye; Leon Thompson and Craig Thompson excused absent.

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

Ordinance No. 8725 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 Green, Ashford, Guthrey, Brandt and Cook voting aye; Craig Thompson and Leon 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**

Council Member Green inquired about the sale of the 96 gallon trash totes. Citizens have expressed interest in having the totes; it would make the city look better.

City Administrator JD Kehrman said that is a decision for Council. He explained, per contract, that RTS has purchased a number of the totes and the rest have been put on a government auction website for sale.

Council Member Cook said he agrees that citizens should be able to have a tote but they will need to be smaller than the 96 gallon totes.

Council Members discussed the possibility of providing totes to citizens.

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 Ashford, Guthrey, Brandt, Cook and Green voting aye; Craig Thompson and Leon Thompson excused absent. Motion carried and the meeting adjourned at 7:03 p.m.

Julie A. Lewis  
City Clerk