

CITY COUNCIL MINUTES
FEBRUARY 21, 2023
6:00 P.M.

The Marshall City Council met in Regular Session at 6:00 p.m., on Tuesday, February 21, 2023 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, Robert Ashford, Charles Guthrey, Dan Brandt and Steve Cook; City Counselor Josh Taylor and City Clerk Julie Lewis. Council Members Phil Perkins, Drew Green and Craig Thompson excused absent. City Administrator JD Kehrman excused absent.

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

Council Member Ashford made a motion, seconded by Brandt, to approve Regular Session minutes of February 6, 2023, Work Session Minutes of February 13, 2023 and Special Session Minutes of February 13, 2023.

BUSINESS FROM THE AUDIENCE

Michelle Pointer, Executive Director of the Central MO Board of Realtors, spoke to the Council regarding the Transforming Neighborhoods grant funding the City received to help with vacant and abandoned properties. She invited Council Members to “Smart Growth for the 21st Century” on March 14, 2023 at the Malcom Center at Missouri Valley College.

Michelle Pointer, Co-Chair of the Vote Yes Committee for Marshall Public Schools, showed the Council a video regarding the proposed tax levy issue that will be on the April 4, 2023 ballot.

Wick Jacobi, Treasurer of the Vote Yes Campaign, spoke about the proposed tax levy for Marshall Public Schools and asked people to please support the levy at the ballot in April.

COMMITTEE REPORTS

PROPERTY, FINANCE, BUDGET AND AUDIT COMMITTEE:

No report.

COMMUNITY DEVELOPMENT AND CODE COMMITTEE:

Council Member Ashford said the Code Enforcement hearings scheduled for February 23rd have been cancelled.

PUBLIC RELATIONS AND PUBLIC SAFETY COMMITTEE:

No report.

MUNICIPAL SERVICES AND PERSONNEL COMMITTEE:

Council Member Brandt said the committee met in January and will be planning another meeting soon to discuss ordinances related to the Airport.

The Compost area is open Monday, Wednesday and Friday from 7 a.m. until 4 p.m. and on Saturdays from 7 a.m. until noon for citizens to take their compost.

CITY ADMINISTRATOR’S REPORT:

No report.

MAYOR’S REPORT:

No report.

LIQUOR LICENSE

The following liquor license was presented to Council for consideration and approval:

My 3 C’s, LLC dba Bud’s Café, Matt Smith, Managing Officer – Beer and Light Wine By Drink

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

EVENT REQUEST

The Marshall Chamber of Commerce presented a request for their annual Sips and Grins Wine Walk on Saturday, May 6, 2023. They are requesting the closure and use of all four streets of the Marshall square and the suspension of Code of Ordinances Section 600.070 (G) Drinking in Public.

Council Member Ashford made a motion, seconded by Leon Thompson, to approve the event request. A roll call vote was taken with Ashford, Guthrey, Brandt, Cook and Leon Thompson voting aye; Craig Thompson, Perkins and Green excused absent.

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 VANCE BROTHERS, INC., FOR THE PURCHASE OF PAVING FABRIC” was given its second reading by title only and put to its final passage and approval upon motion of Leon Thompson, seconded by Guthrey. A roll call vote was taken with Ashford, Guthrey, Brandt, Cook and Leon Thompson voting aye; Green, Craig Thompson and Perkins 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. 8730.

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 VANCE BROTHERS, INC. FOR THE SLURRY SEAL OF CERTAIN CITY STREETS” 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 Guthrey, Brandt, Cook, Leon Thompson and Ashford voting aye; Craig Thompson, Perkins and Green 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. 8731.

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 CAPITAL PAVING & CONSTRUCTION, LLC, FOR THE ASPHALT CONCRETE OVERLAY OF CERTAIN CITY STREETS” 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 Brandt, Cook, Leon Thompson, Ashford and Guthrey voting aye; Perkins, Green 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. 8732.

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 CAPITAL PAVING & CONSTRUCTION, LLC, FOR THE COLD MILLING OF CERTAIN CITY STREETS” was given its second reading by title only and put to its final passage and approval upon motion of Brandt, seconded by Leon Thompson. A roll call vote was taken with Leon Thompson, Ashford, Guthrey, Brandt and Cook voting aye; Perkins, Green 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. 8733.

Mayor Hendrix asked Planning and Code Enforcement Manager Sheerie Norman to explain the next eleven ordinances.

Ms. Norman explained the City generally updates the various international and national codes every five years. The City is currently using 2015 codes, the ordinances will provide for updating to the 2021 codes.

An ordinance entitled “AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI, ADOPTING THE 2021 EDITION OF THE INTERNATIONAL BUILDING CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS, AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATIONS OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES

THEREFOR; REPEALING ORDINANCE NO. 8233 AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH” was given its first reading by title only. Council Member Ashford made a motion, seconded by Brandt, to approve the first reading. A roll call vote was taken with Guthrey, Brandt, Cook, Leon Thompson and Ashford voting aye; Craig Thompson, Perkins and Green excused absent. Motion carried.

An ordinance entitled “AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI ADOPTING THE 2021 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE; REGULATING AND GOVERNING ENERGY-EFFICIENT BUILDING ENVELOPES AND INSTALLATION OF ENERGY-EFFICIENT MECHANICAL, LIGHTING AND POWER SYSTEMS IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 8234 AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH” was given its first reading by title only.

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

An ordinance entitled “AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI ADOPTING THE 2021 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE, REGULATING AND GOVERNING THE REPAIR, ALTERATION, CHANGE OF OCCUPANCY, ADDITION AND RELOCATION OF EXISTING BUILDINGS, INCLUDING HISTORIC BUILDINGS, IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH” was given its first reading by title only.

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

An ordinance entitled “AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI ADOPTING THE 2021 EDITION OF THE INTERNATIONAL FIRE CODE, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES; AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 8236 AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH” was given its first reading by title only.

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

An ordinance entitled “AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI, ADOPTING THE 2021 EDITION OF THE INTERNATIONAL FUEL GAS CODE, REGULATING AND GOVERNING FUEL GAS SYSTEMS AND GAS-FIRED APPLIANCES IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 8237 AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH” was given its first reading by title only.

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

An ordinance entitled “AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI ADOPTING THE 2021 EDITION OF THE INTERNATIONAL MECHANICAL CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF MECHANICAL SYSTEMS IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 8238 AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH” was given its first reading by title only.

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

An ordinance entitled “AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI ADOPTING THE 2021 EDITION OF THE INTERNATIONAL PLUMBING CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF PLUMBING SYSTEMS IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 8239 AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH” was given its first reading by title only.

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

An ordinance entitled “AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI ADOPTING THE 2021 EDITION OF THE INTERNATIONAL PRIVATE SEWAGE DISPOSAL CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE

OF INDIVIDUAL SEWAGE DISPOSAL SYSTEMS IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 8240 AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH” was given its first reading by title only.

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

An ordinance entitled “AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI ADOPTING THE 2021 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 8241 AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH” was given its first reading by title only.

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

An ordinance entitled “AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI, ADOPTING THE 2021 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, REGULATING AND GOVERNING THE CONSTRUCTION, ALTERATION, MOVEMENT, ENLARGEMENT, REPLACEMENT, REPAIR, EQUIPMENT, LOCATION, REMOVAL AND DEMOLITION OF DETACHED ONE AND TWO FAMILY DWELLINGS AND MULTIPLE SINGLE FAMILY DWELLINGS (TOWNHOUSES) NOT MORE THAN THREE STORIES IN HEIGHT WITH SEPARATE MEANS OF EGRESS IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 8242 AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH” was given its first reading by title only.

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

An ordinance entitled “AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI ADOPTING THE 2020 EDITION OF THE NATIONAL ELECTRICAL CODE,

REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF ELECTRICAL SYSTEMS IN THE CITY OF MARSHALL, MISSOURI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 8243 AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH” was given its first reading by title only.

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

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 JD KEHRMAN EXTENDING HIS EMPLOYMENT AS THE CITY ADMINISTRATOR OF THE CITY OF MARSHALL” was given its first reading by title only.

Council Member Cook asked why this is being done now instead of September.

Council Member Leon Thompson said it is not uncommon to start talking about an employment contract in advance. This helps with continuity in government.

Council Member Brandt said it puts the City and Mr. Kehrman in an uncomfortable position; he is happy with his work.

Council Members discussed the proposed contract renewal.

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

An ordinance entitled “AN ORDINANCE AUTHORIZING AND DIRECTING THE INTERNAL TRANSFER OF BALANCES BETWEEN CERTAIN CITY FUNDS” was given its first reading by title only.

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

Ordinance No. 8734 entitled “AN ORDINANCE AUTHORIZING AND DIRECTING THE INTERNAL TRANSFER OF BALANCES BETWEEN CERTAIN CITY FUNDS” was given its second reading by title only and put to its final passage and approval upon motion of Brandt, seconded by Leon Thompson. A roll call vote was taken with Brandt, Cook, Leon Thompson, Ashford and Guthrey voting aye; Craig Thompson, Perkins and Green 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 MAKING THE APPROPRIATION FOR THE PAYMENT OF ACCOUNTS OUT OF THE DIFFERENT CITY FUNDS” was given its first reading by title only.

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

Ordinance No. 8735 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 Guthrey, seconded by Leon Thompson. A roll call vote was taken with Cook, Leon Thompson, Ashford, Guthrey and Brandt voting aye; Perkins, Green 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

Council Member Ashford said he wanted to clarify that the Sanitation Department will never get to a zero fund balance because the City still has the compost area, street sweepers and mowers.

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 Leon Thompson, Ashford, Guthrey, Brandt and Cook voting aye; Perkins, Green and Craig Thompson excused absent. Motion carried and the meeting adjourned at 6:40 p.m.

Julie A. Lewis
City Clerk