

CITY COUNCIL MINUTES
JULY 2, 2024
6:00 P.M.

The Marshall City Council met in Regular Session at 6:00 p.m. on Tuesday, July 2, 2024, in the Council Chambers of the City Office Building, 214 N. Lafayette, Marshall, MO 65340, with the following members present: Mayor Vincent Lutterbie; Council Members Drew Green, Jim Papreck, Charles Guthrey, Craig Thompson, Nathan Swisher, Dan Brandt and Steve Cook; City Administrator JD Kehrman, City Counselor Josh Taylor and City Clerk Julie Lewis. Council Member John Allen excused absent.

Council Member Green made a motion, seconded by Papreck, to approve the agenda. A voice vote was taken with all in attendance in favor; Allen excused absent. Motion carried.

Council Member Brandt made a motion, seconded by Green, to approve the Regular Session minutes of June 18, 2024. A voice vote was taken with all in attendance in favor, Allen excused absent. Motion carried.

ANIMAL SHELTER PET PRESENTATION

The Marshall Animal Shelter presented Scout, a 1 year old male pit mix, that has been at the shelter since May 17th. He is a lovable dog with a playful personality. There will be no charge for the adoption and the City will take care of spaying or neutering and rabies vaccine. Please contact the Marshall Animal Shelter if you would like to adopt Scout or any other animals that they have. The Saline Animal League also has pets for adoption, please consider adopting.

AIRPORT PROJECT PRESENTATION
ERIC HANSON, HDR

Eric Hanson, Senior Aviation Project Manager with HDR Engineering, Inc. provided a project update regarding Marshall Memorial Municipal Airport Parallel Taxiway Reconstruction Project. One bid was received from Emery Sapp & Sons in the amount of \$4,798,770.30 which is above the engineer's estimate and available federal funding. MoDOT and FAA have authorized negotiation of the bid. Taxiway edge lighting and the ag spraying apron have been eliminated from the project. After negotiations with ESS, it is recommended the City of Marshall award the Parallel Taxiway Reconstruction Project to Emery Sapp & Sons in the amount of \$3,074,911.00.

Council Members discussed the project with Mr. Hanson.

STORMWATER PRESENTATION
CHRIS YARNELL, ENGINEERING SURVEYS AND SERVICES

Chris Yarnell, Engineer with Engineering Surveys and Services reported he has been working with the City of Marshall on several stormwater issues. He reported on issues and potential solutions for an area near Cotton Road, an area behind Southside Assembly of God Church, a collapsed stormwater box on Boyd St. and an area behind Colby Ave.

Council Members discussed the proposed solutions.

City Administrator JD Kehrman said we have a master agreement with ESS, the projects will be approved on a task by task basis.

**TRUCK ROUTE PRESENTATION
CHRIS YARNELL, ENGINEERING SURVEYS AND SERVICES**

Chris Yarnell, Engineer with Engineering Surveys and Services presented the following proposed truck route:

Odell Avenue from Highway 240 to Slater Street, Slater Street to Jefferson Avenue, Jefferson Avenue to Haynie Street, Haynie Street to Hamner Avenue, Hamner Avenue to Ohio Street, Ohio Street into River Valley Ag Exchange.

Mr. Yarnell said there were many iterations considered and MoDOT agrees this is the best path and will discomfort the least amount of residents. No land acquisitions will be required.

Council Members discussed the proposed truck route.

COMMITTEE REPORTS

MUNICIPAL SERVICES AND PERSONNEL COMMITTEE:

Council Member Brandt gave the following stormwater tip:

Storm drains are not dumping sites. Anything that is poured into a storm drain flows directly into a stream or river untreated. Where stormwater flows, everything goes!

Council Member Green spoke about the street program and how that is funded. In order to fund future street projects, there may be a need for a street tax. The idea is to broaden our base so that it is not just the citizens that reside here paying for the streets. The Municipal Services Committee is beginning discussions with the Finance Committee.

Council Member Brandt said the City currently pays 51 cents per foot for mill and overlay; the current year's budget is \$370,000. There are over 100 miles of streets in town and it would cost about \$27 million to do all of them. A lot of what has been done the past couple of years has been funded by ARPA money and proceeds from the sale of sanitation trucks.

Mayor Lutterbie said streets are prioritized by how much traffic there is, so some streets get resurfaced more often than others. There will be public forums held regarding a proposed tax.

PROPERTY, FINANCE, BUDGET AND AUDIT COMMITTEE:

No report.

COMMUNITY DEVELOPMENT AND CODE COMMITTEE:

No report.

PUBLIC RELATIONS AND PUBLIC SAFETY COMMITTEE:

Council Member Guthrey gave the Fire Department report for the month of June:

Total Calls – 53

Fires – 4

Hazardous Conditions - 2

Good Intent Calls – 8

Rescue/Medical – 27

Service Calls – 7

False Alarms – 5

Due to recent rains, conditions will be wet for the Fourth of July.

CITY ADMINISTRATOR’S REPORT:

City Administrator JD Kerhman updated Council on the building located at 4 North Jefferson. A full report will be ready within 10 days and the Department of Natural Resources will give feedback. Earthworks Excavation will likely be the demolition contractor.

There are some concerns regarding water getting into the building at 24 East Arrow. There will be a hearing on July 24th before the Board of Building Code Enforcement.

In light of recent concerns about buildings around the square, an inspection program will be developed and implemented.

MAYOR’S REPORT:

Mayor Lutterbie reported the roofing and skylight project at City Hall is complete. Repairs will be made to the interior lobby and an additional speaker will be added.

BUSINESS FROM THE AUDIENCE

Tom Ward, resident of Ward 2, asked if the City has done anything about the rates for privately owned commercial dumpsters.

Council Member Green said that is a question for Mr. Kerhman. There are only a few and they are working with them individually.

Mr. Ward said he believes the old Fitzgibbon site should go back to the neighborhood. There is about \$770,000 of taxpayer money tied up in the site. Give it back to the neighborhood and let them enjoy it.

Mr. Ward said someone was supposed to provide an update about workers compensation and the sanitation department.

Mr. Kerhman said nothing has been prepared for this evening. The Finance Director is gathering some information from Midwest Public Risk and will give that information to the committee.

Mr. Ward asked why the City is keeping the \$4.18 that originated in the contract with RTS for administration of the contract by the City Administrator and wear and tear of city streets by RTS.

Now you have come up with having to keep the sanitation department because the street sweeper is coded as sanitation under worker's compensation and that is not true. When is that going to be separated out on our bills?

Council Member Green said the City will start working with MMU and the billing department to get that separated.

Lance Schmidt, resident of Marshall, said noise from fireworks has been going on for the last several nights and he is sick of it.

DISCUSSION AND APPROPRIATE FOLLOW UP

BOARD OF BUILDING CODE ENFORCEMENT APPOINTMENT:

Mayor Lutterbie presented the following appointments for Council consideration and approval:

Board of Building Code Enforcement

Steve Cook – New Appointment – Term is Indefinite

Sheldon Kerksiek – New Appointment – Alternate – Term is Indefinite

Council Member Thompson made a motion, seconded by Green, to approve the appointments as presented. A voice vote was taken with all in attendance in favor; Allen excused absent. Motion carried.

LIBRARY BOARD APPOINTMENTS:

Mayor Lutterbie presented the following appointments for Council consideration and approval:

Library Board

Steven Washington – Re-Appointment – Term Expires July 2027

Brett Clause – Re-Appointment – Term Expires July 2027

David Riley – New Appointment – Term Expires July 2027

Council Member Guthrey made a motion, seconded by Brandt, to approve the appointments as presented. A voice vote was taken with all in attendance in favor; Allen excused absent. Motion carried.

PARK BOARD APPOINTMENT:

Mayor Lutterbie presented the following appointment for Council consideration and approval:

Park Board

Leslie Lewis – New Appointment – Fill Remainder of Unexpired Term –
Term Expires June 2025

Council Member Guthrey made a motion, seconded by Green, to approve the appointments as presented. A voice vote was taken with all in attendance in favor; Allen excused absent. Motion carried.

EVENT REQUEST – MORR PRIDE FEST – SEPTEMBER 7, 2024:

Mayor Lutterbie presented a request from Quill Jones, founder of Missouri Rainbow Rights, for the use of the streets around the square for MORR Pride Fest on September 7, 2024. The request also includes waiving the open container law during the event in the approved area.

Council Members asked questions about the event, including the type of vendors, music and activities.

Ms. Jones indicated the event would be family friendly and similar to Shopping Under the Sun with the same type of vendors and food trucks. She has not booked a band, she wanted to wait for approval first.

Council Members continued to discuss the proposed event, number of vendors, access to business on the square and event clean-up.

Mayor Lutterbie reminded Council they will be voting whether or not to close the requested streets.

Council Member Papreck made a motion, seconded by Brandt, to approve the use of the streets around the square and Court Street to the alley with the corners of the square remaining open and to waive the open container law during the event. A roll call vote was taken with Papreck, Guthrey, Swisher and Brandt voting aye; Green, Thompson and Cook voting nay; Allen excused absent. Motion carried.

RESOLUTIONS

A resolution entitled “A RESOLUTION OF THE CITY OF MARSHALL, MISSOURI, SUPPORTING THE LOCAL DOWNTOWN REVITALIZATION ORGANIZATION’S MISSOURI MAIN STREET CONNECTION GRANT APPLICATION” was read by title only.

Mayor Lutterbie said this resolution will provide support for the Missouri Main Street Connection grant application being submitted by Tourism Coordinator Rebecca Adams; the resolution does not provide for a funding commitment.

Council Member Brandt made a motion, seconded by Green, to approve the resolution. A roll call vote was taken with Papreck, Guthrey, Thompson, Swisher, Brandt, Cook and Green voting aye; Allen 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. 2024-3.

A resolution entitled “A RESOLUTION OF THE CITY OF MARSHALL, MISSOURI, ACCEPTING AND APPROVING THE BID OF EMERY SAPP & SONS FOR THE CITY’S PARALLEL TAXIWAY RECONSTRUCTION PROJECT” was read by title only.

Council Member Green made a motion, seconded by Thompson, to approve the resolution. A roll call vote was taken with Guthrey, Thompson, Swisher, Brandt, Cook, Green and Papreck

voting aye; Allen 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. 2024-4.

A resolution entitled “A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE A TASK ORDER FOR PROFESSIONAL SERVICES WITH ENGINEERING SURVEYS AND SERVICES LLC FOR STORM DRAINAGE ENGINEERING SERVICES” was read by title only.

Council Members discussed the services to be provided for stormwater engineering.

Council Member Papreck made a motion, seconded by Brandt, to approve the resolution. A roll call vote was taken with Thompson, Swisher, Brandt, Cook, Green, Papreck and Guthrey voting aye; Allen 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. 2024-5.

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 STEINMETZ, INC. FOR THE PURCHASE OF CERTAIN REAL PROPERTY FROM THE CITY OF MARSHALL” was given its second reading by title only.

Council Member Cook said the location should be a park. The Park Board is going to meet tomorrow and will talk about the property.

Council Members and Park staff discussed the possibility of the area becoming a park.

Mayor Lutterbie said this has been worked on for two years, there has been plenty of discussion. The area with the memorial trees will be maintained as green space.

Ron Lawson, resident of the neighborhood, said they do not want a park, they would prefer housing.

Council Member Green said he has received correspondence from residents that would prefer housing in the area. He also said funding for the work done to the site was ARPA money, not local tax money.

Council Member Thompson made a motion, seconded by Brandt, to approve the ordinance. A roll call vote was taken with Swisher, Brandt, Green, Papreck, Guthrey and Thompson voting aye; Cook voting nay; Allen 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. 8837.

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 GEHM ENVIRONMENTAL FOR THE ABATEMENT OF ASBESTOS” was given its first reading by title only.

City Administrator JD Kehrman said the City received many responses to the request for proposals for asbestos abatement. Gehm Environmental provided a highly responsive proposal and is very well respected. Due to timing issues with the Department of Natural Resources notification process, he is requesting final approval of the ordinance. Once the abatement is completed, the demolition process can begin.

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

Ordinance No. 8838 entitled “AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MARSHALL AND GEHM ENVIRONMENTAL FOR THE ABATEMENT OF ASBESTOS” was given its second reading by title only and put to its final passage and approval upon motion of Green, seconded by Brandt. A roll call vote was taken with Brandt, Cook, Green, Papreck, Guthrey, Thompson and Swisher voting aye; Allen 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 Brandt made a motion, seconded by Green, to take the ordinance to a second reading. A roll call vote was taken with Cook, Green, Papreck, Guthrey, Thompson, Swisher and Brandt voting aye; Allen excused absent. Motion carried.

Ordinance No. 8839 entitled “AN ORDINANCE MAKING THE APPROPRIATION FOR THE PAYMENT OF ACCOUNTS OF THE DIFFERENT CITY FUNDS” was given its second reading by title only and put to its final passage and approval upon motion of Green, seconded by Papreck. A roll call vote was taken with Green, Papreck, Guthrey, Thompson, Swisher, Brandt and Cook voting aye; Allen 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

Mayor Lutterbie said several things have been done such as taking care of the Fitzgibbon property, the MPS school property exchange will be finalized tomorrow and the boiler building demolition is upcoming.

Council Member Green said he will follow up with MMU regarding the commercial dumpster rates.

There being no other Council Business, Council Member Green made a motion, seconded by Papreck, to adjourn the meeting. A voice vote was taken with all in attendance in favor; Allen excused absent. Motion carried and the meeting adjourned at 7:38 p.m.

Julie A. Lewis
City Clerk