

CITY COUNCIL MINUTES
SEPTEMBER 3, 2024
6:00 P.M.

The Marshall City Council met in Regular Session at 6:00 p.m. on Tuesday, September 3, 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, John Allen, Nathan Swisher, Dan Brandt and Steve Cook; City Administrator JD Kehrman, City Counselor Josh Taylor and City Clerk Julie Lewis. Council Member Craig Thompson excused absent.

Council Member Brandt made a motion, seconded by Guthrey, to adopt the agenda as written. A voice vote was taken with all in attendance in favor; Thompson excused absent. Motion carried.

Council Member Green made a motion, seconded by Allen, to approve the Regular Session minutes of August 20, 2024. A voice vote was taken with all in attendance in favor; Thompson excused absent. Motion carried.

MARSHALL ANIMAL SHELTER PET PRESENTATION

Marshall Animal Shelter staff members presented Mackenzie and Rusty, two thirteen-week-old puppies for adoption. If any one is interested in adopting the puppies, please contact the Marshall Animal Shelter.

COMMITTEE REPORTS

MUNICIPAL SERVICES AND PERSONNEL COMMITTEE:

Council Member Green gave the following Storm Water tip:

One quart of oil in a storm drain can contaminate up to two million gallons of water. Check with your municipality or stormwater manager to find an oil recycling center near you. Where stormwater flows, everything goes!

Council Member Green said he has been working with MMU regarding RTS trash service on MMU customer billing. He would like to place the Rate Schedule on the City's website as well as MMU's website.

Council Member Brandt reported the pedestrian crosswalk installation at College and Odell will begin on September 16th.

There has not been any update on the arm mower.

PROPERTY, FINANCE, BUDGET AND AUDIT COMMITTEE:

Council Member Papreck reported the budget is ready. He thanked Finance Director Aimee Klinge for all of her work on the budget.

COMMUNITY DEVELOPMENT AND CODE COMMITTEE:

Council Member Cook reported there will not be a Board of Building Code Enforcement hearing this month due to staff training.

Mayor Lutterbie noted there have been a lot of complaints about nuisances and he wants citizens to know the City is working on them.

Council Member Cook said there is a process that must be worked through and it takes time. Please take responsibility for your property.

PUBLIC SAFETY AND PUBLIC RELATIONS:

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

Fire - 4	Rescue & EMS – 22
Hazardous Conditions – 3	Service Calls – 10
Good Intent – 5	Total – 44

The Public Safety and Public Relations Committee will meet tomorrow at 3:30 p.m. to discuss a proposed animal control ordinance.

Mayor Lutterbie reminded everyone the Council will have a Work Session at 5 p.m. prior to the next Council meeting on September 17th. The purpose of the meeting will be to review the proposed animal control ordinance.

CITY ADMINISTRATOR’S REPORT:

City Administrator JD Kehrman reported work will be done in the Library parking lot to fix a collapsed drain tube. The work will create some parking issues for library patrons so the “No Parking” designation along Jefferson has been temporarily removed.

The smokestack/boiler room abatement is ahead of schedule. A walk through will take place next week and the demolition bid process will begin soon.

MAYOR’S REPORT:

Mayor Lutterbie said, in addition to the Fitzgibbon property green space, he is looking at other properties to serve as small parks or neighborhood green areas.

Mayor Lutterbie said he would like to rename the area known as the hab center; there will be a walking trail next year and a rainbow bridge for dogs at the beginning of the walking trail.

A grant application has been submitted for funding for the dairy barn to be converted into a community use area.

BUSINESS FROM THE AUDIENCE

There was no business from the audience.

DISCUSSION AND APPROPRIATE FOLLOW UP

LAGERS EMPLOYER REPRESENTATIVE ELECTION:

Mayor Lutterbie asked Council Members to elect an Employer Representative to attend the LAGERS Annual Meeting.

Council Member Green made a motion, seconded by Papreck, to elect Council Member Charles Guthrey as the Employer Representative and City Clerk Julie Lewis as alternate. A voice vote was taken with all in attendance in favor; Thompson excused absent. Motion carried.

EVENT REQUEST – MARSHALL CHAMBER OF COMMERCE TRICK OR TREAT ON THE SQUARE – OCTOBER 24, 2024:

The Marshall Chamber of Commerce is requesting to use and close all four streets of the Marshall Square on Thursday, October 24th from 5 p.m. until 8 p.m. for Trick-Or-Treat on the Square.

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

EVENT REQUEST – BUD’S CAFÉ – SEPTEMBER 20, 2024:

Bud’s Café is requesting the use and closure of Lafayette Avenue from West Arrow to Morgan for a street party on Friday, September 20, 2024 beginning at 7 p.m. They are also requesting the suspension of Section 600.070 (G) Drinking in Public during the event.

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

ORDINANCES

An ordinance entitled “AN ORDINANCE ACCEPTING THE BUDGET FOR 2024-2025 OF THE CITY OF MARSHALL, MISSOURI, AS SUBMITTED BY THE COUNCIL COMMITTEE ON THE FINANCES FOR SAID CITY OF MARSHALL, MISSOURI, AND ESTABLISHING ALL SALARIES AS SET OUT IN SAID BUDGET” was given its first reading by title only.

Mayor Lutterbie said the proposed Budget will be available for review for the next two weeks, prior to final approval.

Council Member Green spoke about the proposed budget and the approximate \$600,000 shortfall that is because Airport construction funding will not be received by the City until all work is done.

Council Member Green spoke about the need to pass some sort of tax to free up the general fund. He said it should be something specific so that citizens know where their money is going. Council Member Papreck made a motion, seconded by Green, to approve the first reading. A roll call vote was taken with Allen, Swisher, Brandt, Cook, Green, Papreck and Guthrey voting aye; Thompson excused absent. Motion carried.

An ordinance entitled “AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI, APPROVING THE ANNUAL OPERATING BUDGET FOR THE CITY’S BOARD OF PUBLIC WORKS” was given its first reading by title only.

Council Members discussed the Board of Public Works Budget with MMU Controller Tony Bersano.

MMU General Manager Jeff Bergstrom said the budget includes 5 year projections.

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

An ordinance entitled “AN ORDINANCE APPROVING AND ADOPTING CERTAIN ADJUSTMENTS TO THE ELECTRIC RATE SCHEDULE APPROVED BY THE CITY OF MARSHALL’S BOARD OF PUBLIC WORKS” was given its first reading by title only.

Council Members discussed the proposed rate adjustment and the optional time-of-use rate for residential customers.

General Manager Bergstrom said residents can contact MMU for more information about the optional time-of-use rates.

Council Member Green made a motion, seconded by Papreck, to approve the first reading. A roll call vote was taken with Brandt, Cook, Green, Papreck, Guthrey, Allen and Swisher voting aye; 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, MISSOURI, AND THE OVERLAND GROUP, LLC, FOR THE SALE OF CERTAIN REAL PROPERTY IN THE CITY OF MARSHALL” was given its first reading by title only.

Council Members discussed the proposed contract for sale of real property located at 5 East Eastwood.

City Administrator Kehrman said he anticipates the potential buyer using the property for a market model store with a grocery component. If approved this evening, the 180 day inspection period will begin tomorrow.

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

Council Member Green said he voted no because Council has a rule that ordinances will be read over two meetings.

Ordinance No. 8846 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 THE OVERLAND GROUP, LLC, FOR THE SALE OF CERTAIN REAL PROPERTY IN THE CITY OF MARSHALL” was given its second reading by title only and put to its final passage and approval upon motion of Guthrey, seconded by Brandt. A roll call vote was taken with Papreck, Guthrey, Allen, Brandt and Cook voting aye; Green and Swisher voting nay; 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 MAKING THE APPROPRIATION FOR THE PAYMENT OF ACCOUNTS OUT OF THE DIFFERENT CITY FUNDS” was given its first reading by title only.

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

Ordinance No. 8847 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 Green, seconded by

Brandt. A roll call vote was taken with Guthrey, Allen, Swisher, Brandt, Cook, Green and Papreck voting aye; 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 said the MORR Pride Fest will be taking place this Saturday, please tamp down the rhetoric and be peaceful.

There being no other Council Business, Council Member Swisher made a motion, seconded by Papreck, to enter into Executive Session concerning legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys; leasing, purchase or sale of real estate by a public governmental body. RSMo. 610.021(1,2). A roll call vote was taken with Allen, Swisher, Brandt, Cook, Green, Papreck and Guthrey voting aye; Thompson excused absent. Motion carried and the meeting went into Executive Session at 7:07 p.m.

At 8:07 p.m., The Marshall City Council returned to Regular Session with the following members present: Mayor Vincent Lutterbie; Council Members Drew Green, Jim Papreck, Charles Guthrey, John Allen, Nathan Swisher, Dan Brandt and Steve Cook. Council Member Craig Thompson excused absent.

Council Member Guthrey made a motion, seconded by Allen, to adjourn the meeting. A voice vote was taken with all in attendance in favor; Thompson excused absent. Motion carried and the meeting adjourned at 8:08 p.m.

Julie A. Lewis
City Clerk