

**TENTATIVE
CITY COUNCIL AGENDA
OCTOBER 3, 2023
6:00 P.M.**

**CITY OFFICE BUILDING
214 N. LAFAYETTE, MARSHALL, MO 65340**

1. Roll Call
2. Adoption of Agenda
3. Approve or Correct Regular Session Minutes of September 19, 2023 and Special Session Minutes of September 28, 2023.
4. Hispanic Heritage Month Presentation
5. Committee Reports
 1. Public Relations and Public Safety Committee
 2. Municipal Services and Personnel Committee
 3. Property, Finance, Budget and Audit Committee
 4. Community Development and Code Committee
 5. City Administrator's Report
 6. Mayor's Report
6. Business from the Audience – Limited to 3 minutes per speaker. Any person, resident or non-resident, wishing to address the Council may approach the microphone and state their Name, address and comments.
7. Ordinances
 1. Amend Article VII of Chapter 115 of the Municipal Code – Second Reading
 2. Execute Agreement for Professional Services with HDR Engineering, Inc.
 3. Appropriation*
8. Other Council Business
9. 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)
10. Adjourn

*Due to Budget and Year-End preparations, the Appropriation will be completed on Tuesday and will be available at the meeting.

Posted 10/2/2023
11:45 a.m.

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE VII OF CHAPTER 115 OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF MARSHALL, MISSOURI.

WHEREAS, Sections 115.390, 115.400, and 115.430 of Article VII of Chapter 115 of the Municipal Code of Ordinances of the City of Marshall, Missouri, contains provisions relating to the appointment of a City Administrator; and

WHEREAS, the Council of the City of Marshall desires to modify the provisions of said Sections as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

SECTION 1. Section 115.390.B of Article VII of Chapter 115 of the Municipal Code of Ordinances of the City of Marshall, Missouri, is hereby amended by deleting the current language and replacing it with the following:

B. The City Administrator shall serve at the pleasure of the appointing authority. The appointing authority may enter into a contract of employment with the City Administrator. Said contract shall provide that the City Administrator may be removed at any time with or without cause, provided that, when removed without cause, said City Administrator shall be paid the full amount remaining under the contract. For the purposes of this Article, “removal with cause” shall mean:

1. Obtaining materials on fraudulent orders, dishonesty, stealing, and other criminal acts;
2. Malicious destruction of City property;
3. Violation of any City ordinance or state statute relating to conflicts of interest;
4. Falsifying records, including payroll records;
5. Being under the influence of or use of intoxicating liquor, narcotics or other drugs while on the job;
6. Failure to follow written policies and directives adopted by the Mayor and the City Council.

SECTION 2. Section 115.400 of Article VII of Chapter 115 of the Municipal Code of Ordinances of the City of Marshall, Missouri, is hereby amended by deleting the current language and replacing it with the following:

The City Administrator shall be at least twenty-five (25) years of age and a resident of Marshall during his or her tenure. Residency is defined as the domicile of an individual, where he or she normally eats or sleeps and maintains usual personal and household effects. In addition, the City Administrator shall be a graduate of an accredited university or college with

a major in public or municipal administration or shall have equivalent qualifications and experience in financial, administrative, and/or public relations fields.

SECTION 3. Section 115.430 of Article VII of Chapter 115 of the Municipal Code of Ordinances of the City of Marshall, Missouri, is hereby amended by deleting the current language and replacing it with the following:

- A. The City Administrator shall have general superintending control of the administration and management of the government business, officers and employees of the City, subject to the direction and supervision of the Mayor. The City Administrator shall be responsible for the following duties or shall delegate said duties to the appropriate City employee:
1. Administrative. Chief administrative assistant to the Mayor; as such, the administrative officer of the City's government who is directly responsible to the Mayor and City Council;
 2. Purchasing Officer. Responsible for ensuring that all purchases are made in accordance with purchasing rules and procedures approved by the City Council;
 3. Budget Officer. Responsible for assembling estimates of financial needs and resources for each year, for approving all salary increases, expense accounts and travel requests, and for setting a program of activities within the financial capabilities of the City;
 4. Annual Report. Shall present to the Mayor and Council an annual report for the fiscal year including summary reports of the activities of the various departments, etc. by January 1 of each year, and such other reports on the activities of the City as may be required by the Mayor and Council;
 5. Personnel Officer. Responsible for ensuring that the personnel rules and regulations are followed by all departments, shall supervise and discipline all department heads and shall supervise, hire, fire and discipline all other City employees, all to the extent permitted by law;
 6. Policy Formulation. Shall recommend to the City Council adoption of measures which are deemed necessary for the health, safety and welfare of the citizens of Marshall, and shall recommend and institute administrative improvements and services;
 7. Council Agenda And Notice Of Meetings. Shall submit a proposed agenda before each regular Council meeting and shall give notice of regular and special meetings;
 8. Boards And Committees. Shall work with all City boards; and coordinate the work of each board with all City departments;

9. Council Meetings. Shall attend all meetings of the City Council, unless excused with the approval of the Mayor. Shall review all contracts, leases, grants and other matters to be considered by the Council;
10. Bids. Shall supervise the preparation of all bid specifications for services and equipment; shall receive and open all bids in compliance with the City bid ordinance and submit a recapitulation and recommendation for acceptance to the appropriate authority;
11. State And Federal Aid Programs. Shall coordinate and apply for State and Federal aid programs which may have application in the City.
12. Press Releases. Shall be the official responsible for keeping the public informed of the business of the City and shall make releases available to local media as necessary. Department heads will be responsible for their respective departments as far as news releases are concerned, but all releases relating to statements of city policy shall be reviewed by the administrator before release;
13. Recordkeeping. Shall keep full and accurate records of all actions in the course of his or her duties;
14. Miscellaneous. Shall perform all other duties as assigned or prescribed by the Mayor and Council.

SECTION 4. The newly adopted provisions herein shall be effective upon passage and shall apply to the currently serving City Administrator. In addition, the remaining portions of Article VII unchanged by this Ordinance shall remain in full force and effect.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed. In all other respects, the Code of Ordinances of the City of Marshall, Missouri shall remain unchanged.

SECTION 6. This Ordinance shall be in full force and effect from and after its passage and approval.

SECTION 7. Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

PASSED by the Council of the City of Marshall, Missouri, this ____ day of _____, 2023.

President

APPROVED by the Mayor this ____ day of _____, 2023.

Mayor

FILED this ____ day of _____, 2023.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AGREEMENT FOR PROFESSIONAL SERVICES WITH HDR ENGINEERING, INC. FOR ENGINEERING SERVICES RELATED TO THE MARSHALL MUNICIPAL AIRPORT

WHEREAS, the City of Marshall (“City”) and HDR Engineering, Inc., entered into an agreement dated June 21, 2021, for the provision of engineering services related to the City of Marshall’s Municipal Airport; and

WHEREAS, the City and HRD Engineering, Inc., desire to amend said agreement.

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

Section 1. The Mayor of the City of Marshall, Missouri, is hereby authorized to execute on behalf of said City an agreement with HDR Engineering, Inc., entitled Task Order No. 4, for the provision of engineering, consulting, and other services related to the City of Marshall’s Municipal Airport, with the said Task Order No. 4 having an estimated project fee of \$28,831.00.

Section 2. This Ordinance shall be in full force and effect upon final passage and approval.

PASSED by the Council of the City of Marshall, Missouri, this ___ day of _____, 2023.

President

APPROVED by the Mayor this ___ day of _____, 2023.

Mayor

FILED this ___ day of _____, 2023.

City Clerk