

**CITY COUNCIL MINUTES
SEPTEMBER 5, 2023
6:00 P.M.**

The Marshall City Council met in Regular Session at 6:00 p.m. on Tuesday, September 5, 2023, 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, Phil Perkins, Nathan Swisher, Charles Guthrey, Craig Thompson, Dan Brandt and Steve Cook; City Administrator JD Kehrman; and City Counselor Josh Taylor. Council Member John Allen Jr. was excused absent.

Council Member Brandt made a motion, seconded by Guthrey, to designate Josh Taylor as the Secretary and Clerk of the Regular Session. A voice vote was taken with all in favor. Motion carried.

Council Member Swisher made a motion, seconded by Thompson, to adopt the agenda. A voice vote was taken with all in favor. Motion carried.

Council Member Brandt made a motion, seconded by Perkins, to approve the minutes of Regular Session of August 15, 2023. A voice vote was taken with all in favor. Motion carried.

COMMITTEE REPORTS

PROPERTY, FINANCE, BUDGET AND AUDIT COMMITTEE:

Council Member Green reported the City is in the final month of its fiscal year. The Committee hopes to have a proposed 2023-2024 budget completed to present to the Council at its September 19, 2023, meeting.

Council Member Green updated the Council as to the options available to it for the replacement of the City's flag poles at City Hall. Council discussion followed. Council Member Guthrey moved to approve the purchase of 2 aluminum flag poles with external halyards. The motion was not seconded. Council Member Thompson recommended waiting for more information from the Committee before approving the purchase.

Council Member Green advised the Council that the Marshall Police Department has received 2 new police cruisers, the purchases of which were previously approved by the Council.

COMMUNITY DEVELOPMENT AND CODE COMMITTEE:

Council Member Cook notified the Council that the City's next Board of Building Code Enforcement hearing was scheduled for September 28, 2023, at 8:30 a.m.

PUBLIC RELATIONS AND PUBLIC SAFETY COMMITTEE:

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

Council Member further discussed the 2 new police cruises purchased by the City. Council Member Thompson made a motion, seconded by Brandt, to approve the transfer of City funds to the City's Equipment Replacement Fund. A roll call vote was taken with Cook, Perkins, Green, Swisher, Guthrey, Thompson and Brandt voting aye. Council Member Allen was absent. Motion carried.

MUNICIPAL SERVICES AND PERSONNEL COMMITTEE:

Council Member Brandt gave the Storm Water Tip of the Month.

Council Member Brandt advised the Council that the mill and overlay work would likely begin at the end of September or in early October.

Last, Council Member Brandt reminded the public that trash pickup would be delayed this week due to the Labor Day Holiday.

CITY ADMINISTRATOR'S REPORT:

No report given.

MAYOR'S REPORT:

Mayor Lutterbie noted that the minutes for the Council's most recent Work Session were not yet available for approval, but that the Work Session was informative.

BUSINESS FROM THE AUDIENCE:

None.

DISCUSSION AND APPROPRIATE FOLLOW UP

LAGERS ELECTION:

Council Member Brandt discussed the general purpose of the LAGERS Program and his previous participation in LAGERS Program seminars. Council Member Perkins made a motion, seconded by Guthrey, to appoint Council Member Brandt as the City's representative at the upcoming LAGERS Program. A roll call vote was taken with Cook, Perkins, Green, Swisher, Guthrey, Thompson and Brandt voting aye. Council Member Allen was absent. Motion carried.

LIBRARY BOARD APPOINTMENT:

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

Library Board
Brett Clause – New Appointment

Council Member Guthrey made a motion, seconded by Thompson, to approve the appointment as presented. A roll call vote was taken with Cook, Perkins, Green, Swisher, Guthrey, Thompson and Brandt voting aye. Council Member Allen was absent. Motion carried.

EVENT REQUEST: TRICK OR TREAT ON THE SQUARE:

Mayor Lutterbie advised the Council that the Marshall Chamber of Commerce requested Council approval of its annual Trick or Treat on the Square Event. Council Member Green made a motion, seconded by Perkins, to approve the event request. A roll call vote was taken with Cook, Perkins, Green, Swisher, Guthrey, Thompson and Brandt voting aye. Council Member Allen was absent. Motion carried.

RESOLUTIONS

Administrator Kehrman described the purpose of the Resolution, and in particular noted that the Resolution had been revised to increase the City’s match requirement from 20% to 25%. Mayor Lutterbie request Council approval of this increases given that the change occurred after the Agenda for the Meeting had been provided to Council. Council Member Green made a motion, seconded by Brandt, to approve the increase. A roll call vote was taken with Cook, Perkins, Green, Swisher, Guthrey, Thompson and Brandt voting aye. Council Member Allen was absent. Motion carried.

A resolution entitled “A RESOLUTION OF THE CITY OF MARSHALL, MISSOURI, AUTHORIZING AN APPLICATION FOR ASSISTANCE FROM THE STATE OF MISSOURI’S TRANSPORTATION ALTERNATIVE PROGRAM” was given its first reading by title only.

Council Member Guthrey made a motion, seconded by Thompson, to approve the resolution. A roll call vote was taken with Cook, Perkins, Green, Swisher, Guthrey, Thompson and Brandt voting aye. Council Member Allen was absent. The resolution is thereupon declared passed and so endorsed by the President of the Council, approved by the Mayor and numbered Resolution No. 2023-5.

ORDINANCES

An ordinance entitled “AN ORDINANCE AMENDING ARTICLE IX OF CHAPTER 115 OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF MARSHALL, MISSOURI.” was given its second reading by title only.

Council Member Brandt made a motion, seconded by Perkins, to approve the ordinance. A roll call vote was taken with Cook, Perkins, Green, Swisher, Guthrey, Thompson and Brandt voting aye. Council Member Allen was absent. The ordinance is thereupon declared passed and so endorsed by the President of the Council, approved by the Mayor and numbered Ordinance No. 8774.

An ordinance entitled “AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE A SUPPLEMENT TO AN AGREEMENT BETWEEN THE CITY OF MARSHALL AND TERRACON CONSULTANTS, INC.” was given its second reading by title only.

Council Member Cook made a motion, seconded by Perkins, to approve the ordinance. A roll call vote was taken with Cook, Perkins, Green, Swisher, Guthrey, Thompson and Brandt voting aye. Council Member Allen was absent. The ordinance is thereupon declared passed and so endorsed by the President of the Council, approved by the Mayor and numbered Ordinance No. 8775.

An ordinance entitled “AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF MARSHALL, MISSOURI, BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY FROM “P-D” PLANNED DEVELOPMENT TO “R-1” SINGLE-FAMILY RESIDENTIAL DISTRICT” was given its second reading by title only.

Council Member Green made a motion, seconded by Swisher, to approve the ordinance. A roll call vote was taken with Cook, Perkins, Green, Swisher, Guthrey, Thompson and Brandt voting aye. Council Member Allen was absent. The ordinance is thereupon declared passed and so endorsed by the President of the Council, approved by the Mayor and numbered Ordinance No. 8776.

An ordinance entitled “AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF MARSHALL, MISSOURI, BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY FROM “R-2” RESIDENTIAL DISTRICT TO “R-1” SINGLE-FAMILY RESIDENTIAL DISTRICT.” was given its second reading by title only.

Council Member Brandt made a motion, seconded by Perkins, to approve the ordinance. A roll call vote was taken with Cook, Perkins, Green, Swisher, Guthrey, Thompson and Brandt voting aye. Council Member Allen was absent. The ordinance is thereupon declared passed and so endorsed by the President of the Council, approved by the Mayor and numbered Ordinance No. 8777.

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.

MMU General Manager Jeff Bergstrom invited Council Members to contact him with any questions or concerns regarding the MMU budget as drafted.

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

An ordinance entitled “AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI, ESTABLISHING RULES AND REGULATIONS PERMITTING THE USE OF GOLF CARTS ON CERTAIN CITY STREETS AND ALLEYS” was given its first reading by title only.

Council Member Perkins advised the Council that the Public Safety Committee worked on this ordinance and described its overall purpose. Marshall Police Chief Mike Donnell discussed his department’s likely approach to enforcement going forward if the ordinance is approved by the Council.

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

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 Green made a motion, seconded by Swisher, to approve the first reading of the ordinance and conduct a second reading. A roll call vote was taken with Cook, Allen, Perkins, Green, Swisher, Guthrey, Thompson and Brandt voting aye. Motion carried.

Ordinance No. 8778 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 Swisher, seconded by Guthrey. A roll call vote was taken with Perkins, Green, Swisher, Guthrey, Thompson, Brandt and Cook voting aye. Council Member Allen was 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 Swisher made a motion, seconded by Brandt, to conduct a closed session of the Council with the meeting being adjourned at the conclusion of the closed session. A roll call vote was taken with Perkins, Green, Swisher, Guthrey, Thompson, Brandt and Cook voting aye. Council Member Allen was absent. Motion carried and the meeting moved to closed session 6:44 p.m., with adjournment of the regular session occurring at 7:15 p.m.

Joshua Taylor, Acting Secretary and Clerk