

CITY COUNCIL MINUTES
FEBRUARY 20, 2024
6:00 P.M.

The Marshall City Council met in Regular Session at 6:00 p.m. on Tuesday, February 20, 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 John Allen, Drew Green, Nathan Swisher, Charles Guthrey, Dan Brandt and Steve Cook; City Administrator JD Kehrman and City Clerk Julie Lewis. Council Members Phil Perkins and Craig Thompson excused absent.

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

Council Member Swisher made a motion, seconded by Guthrey, to approve Special Session Minutes of February 1, 2024 and Regular Session Minutes of February 6, 2024. A voice vote was taken with all in attendance in favor; Perkins and Thompson excused absent. Motion carried.

BUSINESS FROM THE AUDIENCE

Jill Mitchell asked Mayor Lutterbie about the requested reimbursement for awnings at the Animal Shelter.

Mayor Lutterbie said this is a legal issue with attorneys involved.

MARSHALL MUNICIPAL UTILITIES
ANNUAL REPORT

Marshall Municipal Utilities General Manager Jeff Bergstrom presented the Marshall Municipal Utilities annual report.

The wastewater treatment plant was one of the biggest projects and has been completed. Images of the project were provided for viewing. Council Members are welcome to set up tours of the plant.

The staff at MMU have done a good job and a lot of projects were completed. There was one recordable injury in the last 2 years.

Council Member Thompson present at 6:13 p.m.

Mr. Bergstrom provided information regarding last year's sanitary sewer flow study and smoke testing project related to inflow and infiltration.

Mr. Bergstrom thanked the staff at MMU and said they are proud to serve their friends and family in the community.

COMMITTEE REPORTS

PROPERTY, FINANCE, BUDGET AND AUDIT COMMITTEE:

Council Member Green reported the City is one third of the way into the fiscal year. Revenues are at approximately \$6 million and expenditures are at approximately \$5 million which is on target.

Council Member Green said the Fire Chief has requested the monies budgeted for helmets and foam be moved to capital outlay for Air Pacs. The Rural Fire District has purchased the helmets and foam.

Council Member Green made a motion, seconded by Brandt, to move \$15,500 of budgeted funds into the capital outlay fund for the purchase of Air Pacs. A voice vote was taken with all in attendance in favor; Perkins excused absent. Motion carried.

Council Member Green said he has been working with RTS regarding some billing issues. He will also be working with RTS on how to handle personally owned dumpsters. He thanked RTS for working with the City.

Council Member Swisher reported bids were received on the old Fitzgibbon property. The committee is reviewing those bids.

COMMUNITY DEVELOPMENT AND CODE COMMITTEE:

Council Member Cook gave the Inspection Department report for the month of January:

Building Permits – 10	Electrical Permits – 3
Mechanical Permits – 1	Plumbing Permits – 3
Total Permits Issued – 17	
Construction Value - \$521,225	Permit Fees Collected - \$959.50

Council Member Cook gave the Code Enforcement Summary report for January:

Accumulation/Junk/Debris – 2	Building Code – 1
Property Maintenance – 3	Unregistered/Junk/Inoperable Vehicles – 3

The Board of Building Code Enforcement will conduct a hearing on February 28th at 8:30 a.m.

Council Member Allen reported the Community Development and Code committee met to discuss code language in relation to on-street and off-street parking. They are currently researching the subject and will meet again soon.

PUBLIC RELATIONS AND PUBLIC SAFETY COMMITTEE:

Council Member Guthrey gave the Police Department report for the month of January:

<u>Traffic Stops:</u>	85
Citations	4
Arrests	4

<u>Warrants:</u>	
Municipal Court	20

Officers Calls for Services 1579
Officers answered an average of 51 calls a day for January

Police Reports Taken 143
Averaged 4.5 police reports per day

Arrests: 28

Public Relations:

Please make sure you are locking your vehicles when you park them. This means if you are on a parking lot or sitting in your driveway. Thieves like to walk the streets and parking lots looking for unlocked vehicles.

If your vehicle is locked they will generally move on to the next vehicle.

If you are going to leave your vehicle unlocked please remove items of value, such as guns, purses and electronics. This will assist you in not becoming a victim of a crime.

Council Member Guthrey said an ordinance has been drafted to amend the code that relates to firefighter residency requirements. The proposed amendment would allow employees to live within 10 statute miles from the city limits instead of 5 road miles.

Council Member Green said he would like to know the national average of traffic stops that are ticketed. He discussed the enforcement of traffic laws.

MUNICIPAL SERVICES AND PERSONNEL COMMITTEE:

Council Member Brandt reported that locates have been done for No Parking signs that will be placed on the north side of Watermill Road between Redwing and Sunrise due to a traffic hazard.

Council Member Brandt said the Municipal Services and Personnel committee has been working a proposed ordinance for airport users; the proposed ordinance has been distributed to Council for review and will come before Council at the next meeting.

Staff is currently working on bid specifications for the 2024 Street program.

Council Member Green explained fee structures at the airport are inconsistent and the proposed ordinance will address all airport users.

CITY ADMINISTRATOR'S REPORT:

City Administrator JD Kehrman reported the attorneys are nearing completion on the contract language with the Marshall Public School real estate transfer contract. The abatement of the smokestack at the Habilitation site will be a complex process; work is currently being done on a request for proposal and that should be out next month.

Mayor Lutterbie asked Mr. Kehrman to comment on the \$30,000 contract for the assembly of trash bins.

Mr. Kehrman explained the City paid for the bins and they are to be purchased, at our cost, by RTS. The assembly of the bins was a \$30,000 contract, however, that contract was terminated without penalty and no payment was issued to the vendor.

MAYOR'S REPORT:

Mayor Lutterbie said there are some intersections in town that are currently being looked at because of safety concerns. The intersection at Miami and College will be fixed and a different type of stoplight and crosswalk will be installed. The intersection at College and Odell is being looked at in order to install a pedestrian crosswalk button. We would like to have this completed quickly, bids will be requested. We are also looking at potential solutions to make the intersection at Morrow and Odell safer.

The proposed utility vehicle ordinance is not on tonight's agenda as Council Member Perkins is out of town and requested it wait until the next meeting.

Mayor Lutterbie said he has been reviewing the animal control ordinance and has made some edits to include his ideas and some from the Saline Animal League. It is currently being reviewed by the Police Chief, City Administrator and Attorney.

Mayor Lutterbie said he plans to bring back an option for the people of Marshall to vote on the positions of Municipal Judge and City Treasurer. There will be a question on the ballot in August.

Mayor Lutterbie said he also plans to place a question on the August ballot giving the voters an opportunity to decide if we shall continue the impact fee on trash billing.

DISCUSSION AND APPROPRIATE FOLLOW UP

BID – RADIO CONSOLE FOR MARSHALL POLICE DEPARTMENT DISPATCH:

A recommendation from Chief Donnell was presented to the Council for the purchase of an NRoute/Motorola radio console. The console will give our dispatch the same frequencies as the car radios and portable radios that were obtained through grants.

Council Member Green asked why radio grants were received without realizing the console was needed.

Mr. Kehrman indicated it was thought the console was included in the grant but it wasn't.

Council Members discussed the function of the console and funding of the expenditure.

The situation will be looked into before Council votes on it.

ANIMAL CONTROL COMMISSION APPOINTMENTS:

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

Animal Control Commission:

Dr. Jeremy Blumhorst – New Appointment – Term Expires May 2025

John Allen – New Appointment – Indefinite Term

Steve Cook – New Appointment – Indefinite Term

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

TREE BOARD APPOINTMENTS:

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

Tree Board:

Doug Root – New Appointment – Term Expires March, 2027

Travis Moritz – New Appointment – Term Expires March, 2026

Leyton Oswald – New Appointment – Term Expires March, 2025

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

ORDINANCES

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

Ordinance No. 8807 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 Thompson. A roll call vote was taken with Swisher, Guthrey, Thompson, Brandt, Cook, Allen and Green voting aye; Perkins 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 spoke about the proposed utility vehicle ordinance and feels they are much safer than golf carts.

Council Member Green said he has heard complaints regarding the Inspection Department and would like to look into the situation.

Council Member Green said Chief Donnell and Josh Taylor are working on a proposed ordinance prohibiting marijuana usage in public places that will be presented for Council consideration soon.

Council Member Green spoke about the PILOT (payment in lieu of taxes) program with MMU and said a plan will be presented that includes removing the PILOT and a proposed sales tax increase. The plan could save money for MMU users.

Council Member Swisher asked if a poll will be taken on the Granicus platform regarding the proposed UV ordinance.

Mayor Lutterbie said there will not be a poll on Granicus.

Council Members discussed polling residents to get feedback.

There being no other Council Business, Council Member Cook made a motion, seconded by Green to adjourn the meeting. A voice vote was taken with all in attendance in favor; Perkins excused absent. Motion carried and the meeting adjourned at 7:08 p.m.

Julie A. Lewis
City Clerk