

**TENTATIVE
CITY COUNCIL AGENDA
MARCH 19, 2024
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 March 5, 2024
4. 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 and comments.
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. Discussion and Appropriate Follow Up
 1. Event Request – Shopping Under the Sun – August 3, 2024
 2. Bid – Three Year Farm Ground – Stedem Road
 3. Bid – Three Year Farm Ground – Airport
7. Ordinances
 1. Authorize Board of Public Works to Execute a Mutual Aid Agreement with the Missouri Public Utility Alliance – Second Reading
 2. Authorize Board of Public Works to Execute a Contract with Burns & McDonnell Engineering Co., Inc. – Second Reading
 3. Execute an Agreement Between the City of Marshall and the Marshall School District for the Exchange of Certain Real Property in the City of Marshall – Second Reading
 4. Establish Rules and Regulations Permitting the Use of Utility Vehicles in the City of Marshall - Tabled
 5. Establish Rules and Regulations Permitting the Use of Utility Vehicles in the City of Marshall
 6. Execute a Termination Agreement and Bill of Sale with ConAgra Foods Packaged Foods, LLC and UMB Bank, N.A.
 7. Execute a Transportation Enhancements Funds Agreement Between the City of Marshall and the Missouri Highways and Transportation Commission
 8. Amend Section 203.190 of Article II of Chapter 203 of Title II of the Municipal Code of Ordinances
 9. Establish Certain Operating Standards, Rules, and Regulations for the Use and Operation of the Marshall Municipal Airport

10. Approve an Agreement for the Storage of Aircraft and Supplies by Aerial
Applicators at the Marshall Municipal Airport

11. Appropriation

8. Other Council Business

9. Adjourn

Posted 3/15/2024
11:30 a.m.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR AND THE BOARD OF PUBLIC WORKS OF MARSHALL, MISSOURI, TO EXECUTE A MUTUAL AID AGREEMENT WITH THE MISSOURI PUBLIC UTILITY ALLIANCE

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

Section 1. The City Council of the City of Marshall, Missouri, hereby authorizes the execution by the Mayor and the General Manager of the Board of Public Works of the City of Marshall, Missouri, d/b/a Marshall Municipal Utilities of an MPUA Mutual Aid Program Agreement by and between the City of Marshall, Missouri and the Missouri Public Utility Alliance, a copy of which is attached hereto as Exhibit A.

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

ADOPTED by the Council of the City of Marshall, Missouri, this ___ day of _____, 2024.

President

APPROVED by the Mayor this ___ day of _____, 2024.

Mayor

FILED this ___ day of _____, 2024.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE BOARD OF PUBLIC WORKS OF MARSHALL, MISSOURI, TO EXECUTE A CONTRACT WITH BURNS & MCDONNELL ENGINEERING CO., INC.

WHEREAS, the City of Marshall (“City”), by and through its Board of Public Works, d/b/a Marshall Municipal Utilities (“MMU”) and Burns & McDonnell Engineering Co. Inc., desire to enter a contract known as Task Order No. 5 for the provision of engineering services for MMU’s Wastewater Treatment Plant, with said Task Order No. 5 being attached hereto as Exhibit A.

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

Section 1. The City Council of the City of Marshall, Missouri, hereby approves the execution by MMU and its General Manager, or his designee, of Task Order No. 5 with Burns & McDonnell Engineering Co., Inc. for the provision of engineering services for MMU’s Wastewater Treatment Plant, and other work as specified in said contract. The contract price for the said contract shall be an amount not to exceed One Hundred Forty-nine Thousand and 00/100ths Dollars (\$149,000.00), and such other sums as may be set forth in said contract.

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

ADOPTED by the Council of the City of Marshall, Missouri, this ___ day of _____, 2024.

President

APPROVED by the Mayor this ___ day of _____, 2024.

Mayor

FILED this ___ day of _____, 2024.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MARSHALL, MISSOURI, AND MARSHALL SCHOOL DISTRICT, FOR THE EXCHANGE OF CERTAIN REAL PROPERTY IN THE CITY OF MARSHALL

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 a Real Estate Exchange Agreement with District for the purpose of exchanging certain portions of the City-owned real estate formerly known as the Marshall Habilitation Center for the Eastwood Elementary School site owned by the Marshall School District, with such additional requirements as described in said contract, which is attached hereto as Exhibit A. The Mayor is hereby further authorized to execute such other documents as may be necessary in connection with completing the exchange of said property.

Section 2. That 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 _____, 2024.

President

APPROVED by the Mayor ___ this day of _____, 2024.

Mayor

FILED this _____ day of _____, 2024.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI, ESTABLISHING RULES AND REGULATIONS PERMITTING THE USE OF UTILITY VEHICLES IN THE CITY OF MARSHALL.

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

Section 1. Utility Vehicles. A utility vehicle may be operated upon the streets, highways, and public rights-of-way of the City if it meets the requirements of this section:

a. Definition.

- i. Utility Vehicle ("UV") means any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches (50") but no more than eighty inches (80") in width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of three thousand five hundred pounds (3,500 lbs.) or less, traveling on four (4) or six (6) wheels, to be used primarily for landscaping, lawn care, or maintenance purposes.

b. Equipment Requirements. To be operated upon the streets, highways, and public rights-of-way of the City, each UV shall be equipped with:

- i. Headlamps;
- ii. Front and rear turn signal lamps;
- iii. Taillamps;
- iv. Stop lamps;
- v. Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear;
- vi. An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror;
- vii. A parking brake or park;
- viii. A windshield;
- ix. A Vehicle Identification Number ("VIN");

- x. A Type 1 or Type 2 seat belt assembly conforming to applicable federal seat belt regulations installed at each designated seating position;
 - xi. Rear visibility conforming to the requirements of applicable federal regulations;
 - xii. A horn or alert sound as required by applicable federal regulations; and
 - xiii. A roll bar or roll cage designed to reduce the risk of injury to an occupant in case of a rollover.
- c. **Operation.** The operator of a UV shall observe all traffic laws and local ordinances regarding the rules of the road. A UV shall not be operated at speeds in excess of forty-five (45) miles per hour.
- d. **Financial Responsibility.** Every operator of a UV shall maintain financial responsibility on such UV as required by Chapter 303 of Missouri's Revised Statutes if the UV is to be operated upon the streets, highways, or public rights-of-way of the City.
- e. **Titling and Registration.** A UV shall be exempt from the requirements of Sections 307.350 to 307.402, RSMo., for purposes of titling and registration. Proof of registration by the City of Marshall and proof of financial responsibility shall be carried with any registered UV. A registration sticker provided by the City of Marshall shall be affixed to the UV on the left rear fender.
- f. **Driver's License Required.** Each person operating a UV shall possess a valid driver's license.
- g. **Passengers.** The number of passengers permitted while the UV is being operated shall be equal to, or less than, the number of Type 1 or Type 2 seat belt assemblies installed on such UV. Seat belts shall be worn by the operator and each passenger of the UV.

Section 2. ATVs Prohibited. The operation of an all-terrain vehicle ("ATV") upon the streets, highways, and public rights-of-way of the City of Marshall, Missouri, is prohibited. As used herein, "all-terrain vehicle" or "ATV" means any motorized vehicle manufactured and used exclusively for off-highway use, with an unladen dry weight of one thousand five hundred pounds (1,500 lbs. or less), traveling on three (3), four (4) or more nonhighway tires, with either a seat designed to be straddled by the operator, and handlebars for steering control, but excluding an electric bicycle; or a width of fifty inches (50") or less, measured from outside of tire rim to outside of tire rim, regardless of seating or steering arrangement.

Section 3. Permits and Registration.

- a.** No UV shall be operated within the City of Marshall unless it is registered with, and a permit for operation is issued by, the City of Marshall.
- b.** The Chief of Police, or his or her designee, is designated as the city official with the authority to issue permits for UVs within the City of Marshall and collect a fee upon issuance of a permit in the amount of \$ 20.00. No permit shall be issued until the fee is paid.
- c.** To register a UV and obtain a permit for operation, the owner of the UV must present the UV for visual inspection by the Chief of Police and provide the following documentation:
 - i.** A completed UV registration application supplied by the Marshall Police Department, which shall require the following information:
 - 1. Owner's full name;
 - 2. Owner's address and location where vehicle is stored or kept;
 - 3. Owner's driver's license number, state of issuance, and copy of driver's license;
 - 4. Vehicle make, model, year, and color and Vehicle Identification Number;
 - ii.** Proof of ownership with the year, make, and model of the vehicle identified;
 - iii.** Proof of current financial responsibility, which references the UV by Vehicle Identification Number, model year, and includes the policy number, name of insurance company, and contact information for said insurance company;
 - iv.** Paid property tax receipt listing the UV if the vehicle was purchased in the prior calendar year;
- d. Renewals.** Registrations shall be renewed every year on or before April 1. Fees shall not be prorated.

Section 4. Penalty for Violation. Any person, firm, corporation, or individual violating any of the provisions of this Ordinance, shall be subject to fine and imprisonment as set forth in Section 100.220 of the Code of Ordinances of the City of Marshall.

Section 5. This ordinance shall be effective April 1, 2024.

PASSED by the Council of the City of Marshall, Missouri, this ___ day of _____, 2024.

President

APPROVED by the Mayor this ___ day of _____, 2024.

Mayor

FILED this _____ day of _____, 2024.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI, ESTABLISHING RULES AND REGULATIONS PERMITTING THE USE OF UTILITY VEHICLES IN THE CITY OF MARSHALL.

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

Section 1. Utility Vehicles. A utility vehicle may be operated upon the streets, highways, and public rights-of-way within the corporate limits of the City of Marshall if it meets the requirements of this section:

a. Definition.

i. Utility Vehicle ("UV") means any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches (50") but no more than eighty inches (80") in width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of three thousand five hundred pounds (3,500 lbs.) or less, traveling on four (4) or six (6) wheels, to be used primarily for landscaping, lawn care, or maintenance purposes.

b. Equipment Requirements. To be operated upon the streets, highways, and public rights-of-way within the corporate limits of the City of Marshall, each UV shall be equipped with:

- i.** Headlamps;
- ii.** Front and rear turn signal lamps;
- iii.** Taillamps;
- iv.** Stop lamps;
- v.** Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear;
- vi.** An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror;
- vii.** A parking brake or park;
- viii.** A windshield;
- ix.** A Vehicle Identification Number ("VIN");

- x. A Type 1 or Type 2 seat belt assembly conforming to applicable federal seat belt regulations installed at each designated seating position;
 - xi. Rear visibility conforming to the requirements of applicable federal regulations;
 - xii. A horn or alert sound as required by applicable federal regulations; and
 - xiii. A roll bar or roll cage designed to reduce the risk of injury to an occupant in case of a rollover.
- c. **Operation.** The operator of a UV shall observe all traffic laws and local ordinances regarding the rules of the road. A UV shall not be operated at speeds in excess of forty-five (45) miles per hour.
- d. **Financial Responsibility.** Every operator of a UV shall maintain financial responsibility on such UV as required by Chapter 303 of Missouri's Revised Statutes if the UV is to be operated upon the streets, highways, or public rights-of-way within the corporate limits of the City of Marshall.
- e. **Titling and Registration.** A UV shall be exempt from the requirements of Sections 307.350 to 307.402, RSMo., for purposes of titling and registration. Proof of registration by the City of Marshall and proof of financial responsibility shall be carried with any registered UV. A registration sticker provided by the City of Marshall shall be affixed to the UV on the left rear fender.
- f. **Driver's License Required.** Each person operating a UV must be at least 18 years of age and possess a valid driver's license.
- g. **Passengers.** The number of passengers permitted while the UV is being operated shall be equal to, or less than, the number of Type 1 or Type 2 seat belt assemblies installed on such UV. Seat belts shall be worn by the operator and each passenger of the UV.

Section 2. ATVs Prohibited. The operation of an all-terrain vehicle ("ATV") upon the streets, highways, and public rights-of-way of the City of Marshall, Missouri, is prohibited. As used herein, "all-terrain vehicle" or "ATV" means any motorized vehicle manufactured and used exclusively for off-highway use, with an unladen dry weight of one thousand five hundred pounds (1,500 lbs. or less), traveling on three (3), four (4) or more nonhighway tires, with either a seat designed to be straddled by the operator, and handlebars for steering control, but excluding an electric bicycle; or a width of fifty inches (50") or less, measured from outside of tire rim to outside of tire rim, regardless of seating or steering arrangement.

Section 3. Permits and Registration.

- a.** No UV shall be operated within the City of Marshall unless it is registered with, and a permit for operation is issued by, the City of Marshall.
- b.** The Chief of Police, or his or her designee, is designated as the city official with the authority to issue permits for UVs within the City of Marshall and collect a fee upon issuance of a permit in the amount of \$ 20.00. No permit shall be issued until the fee is paid.
- c.** To register a UV and obtain a permit for operation, the owner of the UV must present the UV for visual inspection by the Chief of Police and provide the following documentation:
 - i.** A completed UV registration application supplied by the Marshall Police Department, which shall require the following information:
 - 1. Owner's full name;
 - 2. Owner's address and location where vehicle is stored or kept;
 - 3. Owner's driver's license number, state of issuance, and copy of driver's license;
 - 4. Vehicle make, model, year, and color and Vehicle Identification Number;
 - ii.** Proof of ownership with the year, make, and model of the vehicle identified;
 - iii.** Proof of current financial responsibility, which references the UV by Vehicle Identification Number, model year, and includes the policy number, name of insurance company, and contact information for said insurance company;
 - iv.** Paid property tax receipt listing the UV if the vehicle was purchased in the prior calendar year;
- d. Renewals.** Registrations shall be renewed every year on or before April 1. Fees shall not be prorated.

Section 4. Penalty for Violation. Any person, firm, corporation, or individual violating any of the provisions of this Ordinance, shall be subject to fine and imprisonment as set forth in Section 100.220 of the Code of Ordinances of the City of Marshall.

Section 5. This ordinance shall be effective May 1, 2024.

PASSED by the Council of the City of Marshall, Missouri, this ___ day of _____, 2024.

President

APPROVED by the Mayor this ___ day of _____, 2024.

Mayor

FILED this _____ day of _____, 2024.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE A TERMINATION AGREEMENT AND BILL OF SALE WITH CONAGRA FOODS PACKAGED FOODS, LLC, AND UMB BANK, N.A.

WHEREAS, the City of Marshall (“City”) previously issued certain Taxable Industrial Development Revenue Bonds (ConAgra Foods Packaged Foods, LLC Project), Series 2008, in the aggregate principal amount of \$21,275,000 (the “Bonds”), under a Trust Indenture dated December 1, 2008 (the “Indenture”), between the City and UMB Bank, N.A. (the “Trustee”), for the purpose of providing funds to pay the costs of acquiring and installing certain personal property (the “Project”); and

WHEREAS, in connection with the issuance of the Bonds, the City, as lessor, and ConAgra Foods Packaged Foods, LLC (the “Company”), as lessee, entered into a Lease Agreement dated December 1, 2008 (the “Lease”); and

WHEREAS, in connection with the issuance of the Bonds, the City and the Company also entered into a Bond Purchase Agreement dated December 1, 2008 (the “Bond Purchase Agreement”) and a Performance Agreement dated December 1, 2008 (the “Performance Agreement,” with the Indenture, the Lease, the Bond Purchase Agreement and the Performance Agreement collectively being the “Bond Documents”); and

WHEREAS, the Bonds have been paid in full and all scheduled payments due under the Lease and the Performance Agreement have been paid; and

WHEREAS, the City, the Company and the Trustee hereby acknowledge that all conditions precedent to the satisfaction and discharge of the Indenture and satisfaction and termination of the Lease have been complied with in accordance with the provisions thereof and desire to evidence said satisfaction, discharge and termination.

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 a Termination and Bill of Sale, attached hereto as Exhibit A, pertaining to the Project as described above.

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 _____ 2024.

President

APPROVED by the Mayor this _____ day of _____ 2024.

Mayor

FILED this ____ day of _____ 2024.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE A TRANSPORTATION ENHANCEMENTS FUNDS AGREEMENT BETWEEN THE CITY OF MARSHALL AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

WHEREAS, the City of Marshall (“City”), desires to enter into a Transportation Enhancements Funds Agreement with the Missouri Highways and Transportation Commission for the purpose of constructing, among other improvements, a sidewalk on the east side of Miami Avenue running south from College Street to a point near its intersection with Vers Street.

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

The Mayor of the City of Marshall, Missouri, is hereby authorized to execute on behalf of said City a Transportation Enhancements Funds Agreement with the Missouri Highways and Transportation Commission, attached hereto as Exhibit A, for the purpose of constructing, among other improvements, a sidewalk on the east side of Miami Avenue running south from College Street to a point near its intersection with Vers Street, with the federal share of said project being eight percent (80%) or an amount not to exceed \$272,925.00.

Section 1. 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 _____, 2024.

President

APPROVED by the Mayor this ____ day of _____, 2024.

Mayor

FILED this ____ day of _____, 2024.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 203.190 OF ARTICLE II OF CHAPTER 203 OF TITLE II OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF MARSHALL, MISSOURI.

WHEREAS, Section 203.190 of Article II of Chapter 203 of Title II of the Municipal Code of Ordinances of the City of Marshall, Missouri, contains provisions relating to the residence of employees of the Marshall Fire Department; and

WHEREAS, the Council of the City of Marshall desires to modify the provisions of Section 203.190.

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

SECTION 1. Section 203.190 of Article II of Chapter 203 of Title II 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:

All persons presently employed by or hereafter appointed to a position in the Marshall Fire Department must be a resident of the City of Marshall, Missouri, or must reside within ten (10) miles of the city limits of Marshall, Missouri. Newly hired or appointed persons shall have eighteen (18) months from their date of hire or appointment to meet the residency requirements herein, provided that the Fire Chief may, at his or her discretion, extend the time for an employee or appointee to meet the residency requirements herein, or in the case of the Fire Chief's residency, the City Administrator may, at his or her discretion, extend the time for the Fire Chief to meet the residency requirements herein.

SECTION 2. This newly adopted provision shall be effective upon passage and shall apply to all persons presently employed in the Marshall Fire Department.

SECTION 3. 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 4. This Ordinance shall be in full force and effect from and after its passage and approval.

SECTION 5. 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 _____, 2024.

President

APPROVED by the Mayor this ____ day of _____, 2024.

Mayor

FILED this ____ day of _____, 2024.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING CERTAIN OPERATING STANDARDS, RULES, AND REGULATIONS FOR THE USE AND OPERATION OF THE MARSHALL MUNICIPAL AIRPORT

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

Section 1. That Chapter 145 of the City's Code of Ordinances shall be amended by adding a new Section 145.090, as follows:

Section 145.090. Airport Operating Standards, Rules, and Regulations.

- A. **Operator Defined.** As used herein, an operator is a person or entity who has entered into a lease or has a permit to operate a certain activity at the municipal airport and includes both commercial and non-commercial operators.
- B. **Business License Required.** No business may operate any commercial operation at the municipal airport unless it has first obtained a business license and meets all other qualifications required by ordinance to operate a business within the municipal limits of Marshall, Missouri.
- C. **Terminal Use.** The airport municipal terminal shall be open daily for use by operators between the hours of 8:00 a.m. and 5:00 p.m. Operators shall, after use, leave the terminal in the same condition as when they arrived, ordinary wear and tear of the terminal facility being excepted. Operators shall remove and dispose of all solid waste, trash, or other refuse generated by the use of the terminal by said operator.
- D. **Commercial Aviation Operators.**
 - i. A commercial aviation operator may be classified as either a fixed base operator or a specialized service operator. A fixed base operator is a person or entity that is authorized to provide the sale of aviation fuel and oil along with at least one (1) of the following: aircraft maintenance, flight instruction, flight rental, or aircraft charter. A specialized service operator is an aeronautical business that offers a single or limited service.
 - ii. Each commercial aviation operator shall pay to the City of Marshall, Missouri, a such sums as may be determined by the City of Marshall, as located by the City Administrator or the City's Director of Municipal Services, used by the commercial aviation operator for storing, loading, mixing, or fueling equipment and/or products. If a commercial aviation operator requires additional square footage for operations, an additional fee may be imposed by the City Administrator or the City's Director of Municipal Services.
 - iii. Commercial aviation operators shall pay a fee of ten cents (\$0.10) per gallon to the City of Marshall, Missouri for each gallon of fuel the commercial aviation operator uses that is not purchased from the City of Marshall, Missouri.

iv. City reserves the right to be the only provider of fuel sales at the municipal airport.

E. **Penalty for Violations.** Any person, firm, or corporation violating any of the terms of this Section shall be deemed guilty of an ordinance violation and, upon conviction, shall be punished as set forth in Section 100.220 of the City's Code of Ordinances. Each calendar day that this Section is violated shall be deemed a separate offense, punishable under the terms of this Section.

F. **Operator Acknowledgment.** All operators are required to read these ordinances and sign an acknowledgment form stating that they have read and fully understand this ordinance and agree to abide by its terms.

Section 2. That Chapter 145 of the City's Code of Ordinances shall be amended by deleting the current language of Section 145.020, and replacing it with the following:

Commercial aviation operators shall procure, maintain and pay premiums, during the term of the agreement, for insurance of the types and in the minimum limits set forth in this ordinance. The insurance company or companies writing the required policy or policies, shall be licensed to do business in the State of Missouri. All insurance for which the commercial aviation operator is required by the City to carry and keep in force shall include the City of Marshall and all officers, agents and employees as additional-named insureds. The commercial aviation operator shall furnish evidence of his/her compliance with this requirement to the City Administrator or designated representative with proper certification that such insurance is in force and will furnish additional certification as evidence of changes in insurance not less than ten (10) days prior to any such change, if the change results in a reduction, increase or cancellation. In the event of cancellation of coverages, thirty (30) days' prior notice of cancellation shall be conveyed to the City by the underwriter. Current proof of insurance shall be continually provided to the City throughout the lease term. Each such commercial aviation operator must provide proof of general liability insurance with a combined single limit of not less than one million dollars (\$1,000,000.00).

Section 3. 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 _____ 2024.

President

APPROVED by the Mayor this ____ day of _____ 2024.

Mayor

FILED this ____ day of _____ 2024.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE APPROVING AN AGREEMENT FOR THE STORAGE OF AIRCRAFT AND SUPPLIES BY AERIAL APPLICATORS AT THE MARSHALL MUNICIPAL AIRPORT

WHEREAS, the City of Marshall is responsible for the management and control of the Marshall Municipal Airport; and

WHEREAS, the Airport is used by aerial applicators for the storage of aircraft and supplies; and

WHEREAS, the City desires to approve a form agreement for the rental by said aerial applicators of storage space at the Marshall Municipal Airport.

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

Section 1. The Municipal Services Director is hereby authorized to execute on behalf of the City the form Aircraft and Supply Storage Agreement for Aerial Applicators attached hereto and incorporated herein as Exhibit A, with all such Agreements being substantially the same in form and content as set forth herein. Compliance with and enforcement of all the terms of such Agreements shall be the responsibility of the Municipal Services Director, or his or her designee.

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 _____, 2024.

President

APPROVED by the Mayor this ___ day of _____, 2024.

Mayor

FILED this ___ day of _____, 2024.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE MAKING THE APPROPRIATION FOR THE PAYMENT OF ACCOUNTS OUT OF THE DIFFERENT CITY FUNDS.

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

SECTION I. There is hereby appropriated out of the different funds as follows:

GENERAL FUND	\$ 154,430.79
SANITATION FUND	79,918.33
LIBRARY FUND	10,750.77
BAND FUND	96.07
PARK FUND	35,385.25
ARPA	787.29
STREET FUND	32,208.72
AIRPORT OPERATING FUND	40,073.27
TOURISM	4,643.26
MARTIN COMMUNITY CENTER	-
HAB CENTER FUND	-
PARK CAPITAL IMPROVEMENT	179,461.63
SOUTH ODELL SEWER	-
ECONOMIC DEVELOPMENT	-
WATER OPERATING FUND	\$ 123,728.76
ELECTRIC OPERATING FUND	1,066,072.88
SEWER REVENUE FUND	197,002.20
INTERNET OPERATING FUND	341,892.26
NATURAL GAS OPERATING FUND	360.56
ELECTRIC CONSUMER DEPOSIT FUND	-
SEWER EQUIPMENT FUND	-
WATER SEGREGATED	198,755.96

SECTION II. The City Clerk is hereby instructed to make out warrants in favor of the respective parties set out in the hereto attached lists and when said warrants are properly signed to deliver them to the proper parties.

PASSED by the City Council of the City of Marshall, Missouri, this 19TH day of MARCH, 2024.

President of the City Council

APPROVED by the Mayor of the City of Marshall, Missouri, this 19TH day of MARCH, 2024.

Mayor

FILED this 19TH day of MARCH, 2024.

City Clerk