

CITY COUNCIL MINUTES
MARCH 19, 2024
6:00 P.M.

The Marshall City Council met in Regular Session at 6:00 p.m. on Tuesday, March 19, 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, Phil Perkins, Drew Green, Nathan Swisher, Charles Guthrey, Dan Brandt and Steve Cook; City Administrator JD Kehrman and City Clerk Julie Lewis. Council Member Craig Thompson excused absent.

City Counselor Josh Taylor present at 6:01 p.m.

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

Council Member Green made a motion, seconded by Guthrey, to approve Regular Session Minutes of March 5, 2024. A voice vote was taken with all in attendance in favor; Thompson excused absent. Motion carried.

BUSINESS FROM THE AUDIENCE

Disa Farris, Ward 1, asked if speakers could be installed in the lobby outside of the Council Chambers so that all audience members can hear the meeting.

Tom Ward, Ward 2, questioned the delivery and assembly of trash carts. He also questioned why the Sanitation Department is still a department of the City.

Jill Mitchell, Ward 3, asked the Council not to forget the \$7,100 owed to the Saline Animal League for roof repairs made at the Marshall Animal Shelter.

Sherry, Ward 4, asked that potholes be looked at and fixed. She also asked that a policy be rewritten so that injured and ill animals will not be euthanized.

Mayor Lutterbie said he is working on rewriting the entire animal ordinance. He also said the City's new interactive platform allows for residents to notify the City of issues by dropping a pin on a map.

Disa Farris spoke about the money owed to the Saline Animal Shelter and attorney correspondence.

Greg Swift spoke in favor of the proposed UTV ordinance and said there will be a related business opening if the ordinance is approved.

COMMITTEE REPORTS

PUBLIC RELATIONS AND PUBLIC SAFETY COMMITTEE:

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

<u>Traffic Stops:</u>	124	<u>Warrants:</u>	
Citations	41	Municipal Court	17
Arrests	9		
DWI and Other Traffic	5		

Officers Calls for Service: 1,725

Officers answered an average of 58 calls per day for February

Police Reports Taken:	159	Average 5.4 police reports per day
Arrests:	15	

Animal Shelter:

Citations	4	Dogs and puppies picked up	15
Cats picked up	1	Dogs returned to owners	10
Dogs adopted	4	Cats picked up	0
Number of cats adopted	1		

Public Relations:

Identity Theft

How can a thief steal my identity?

1. They steal your mail or garbage to get your account numbers or your Social Security number
2. Trick you into sending personal information in an email
3. Steal your account numbers from a business or medical office
4. Steal your wallet or purse to get your personal information

What are the warning signs of identity theft?

1. Bills for items you did not buy
2. Debt collection calls for accounts you did not open
3. Information on your credit report for accounts you did not open
4. Denials of loan applications
5. Mail stops coming to or is missing, from your mailbox

MUNICIPAL SERVICES AND PERSONNEL COMMITTEE:

Council Member Brandt reported the Compost Area is now open Monday through Friday from 7 a.m. until 4 p.m. and Saturdays from 7 a.m. until noon.

Municipal Services staff is working on 2024 street program bids, they will be out soon.

RTS will begin curbside pick up of yard waste and tree limbs on April 1st. Tree limbs must be less than 4 inches in diameter.

Mayor Lutterbie asked about a City-wide refuse pick up.

Council Member Brandt said the Committee will meet soon to talk about options. The County is conducting a drop-off on April 13th at the Saline County Fairgrounds.

PROPERTY, FINANCE, BUDGET AND AUDIT COMMITTEE:

Council Member Green reported the City is halfway through the fiscal year. Revenues are at \$6,855,520 or 51% of budgeted amounts and expenditures are at \$5,788,207 or 39% of budgeted amounts.

This month's RTS billing went well, will follow up with the City's Finance Director and MMU.

COMMUNITY DEVELOPMENT AND CODE COMMITTEE:

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

Building Permits – 12	Demolition Permits – 2
Electrical Permits – 7	Plumbing Permits – 6
Total Permits – 27	

Construction value totaled \$533,295.00 and permit fees collected totaled \$729.00

Code violations for the month of February:

Accumulations/Junk/Debris – 4	Building Code – 1
Property Maintenance – 1	Total – 6

The Board of Building Code Enforcement will conduct hearings on Wednesday, March 27th at 8:30 a.m.

CITY ADMINISTRATOR'S REPORT:

City Administrator JD Kehrman reported the survey for the MPS property exchange has been completed and reviewed by the City and MPS Superintendent.

MAYOR'S REPORT:

Mayor Lutterbie reported the City is requesting proposals for the trees at the old Fitzgibbon hospital site. A representative from the Missouri Department of Conservation has helped develop a plan for tree maintenance. The site will be developed with 12 lots for homes.

Council Members have been invited to tour the Prairie State Mine in Illinois on April 4th.

DISCUSSION AND APPROPRIATE FOLLOW UP

EVENT REQUEST – SHOPPING UNDER THE SUN:

The Marshall Cultural Council presented an event request for Shopping Under the Sun on August 3, 2024. They requested the closure of the entire downtown square, North Street from the square west to Salt Pond Avenue, Arrow Street from the square east to Odell Avenue, Arrow Street from the square west to Salt Pond Avenue, Court Street from the square west to the Alley behind Courthouse Salon and Lafayette Avenue from the square north to Marion Street.

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

The Marshall Cultural Council also requested the open container ordinance be waived on August 3, 2024 for the above mentioned streets.

Council Member Perkins made a motion, seconded by Guthrey, to approve waiving the open container ordinance on August 3, 2024. A voice vote was taken with all in attendance in favor; Thompson excused absent. Motion carried.

BID – THREE YEAR FARM GROUND – STEDEM ROAD:

Bids were received for Three Year Cash Rental of approximately 30 acres of City farm ground located at Stedem Road. It is the recommendation to accept the bid of Weber Seed Farms, LLC in the amount of \$24,765.00 for three year cash rent of Stedem Road farm ground.

Council Members discussed the bid process and the possibility of a bid award that does not go to the highest bidder but to a bidder that is young and just starting out.

Council Member Allen made a motion, seconded by Brandt, to accept the bid of Weber Seed Farms, LLC in the amount of \$24,765.00 for three year cash rental of Stedem Road farm ground.

A roll call vote was taken with Allen, Perkins, Green, Swisher, Guthrey and Brandt voting aye; Cook nay; Thompson excused absent. Motion carried.

BID – THREE YEAR FARM GROUND – AIRPORT:

Bids were received for Three Year Cash Rental of approximately 61 acres of City farm ground located at the Marshall Municipal Airport. It is the recommendation to accept the bid of Weber Seed Farms, LLC in the amount of \$51,015.00 for three year cash rent of airport farm ground.

Council Member Green made a motion, seconded by Allen, to accept the bid of Weber Seed Farms, LLC in the amount of \$51,015 for three year cash rental of airport farm ground.

A voice vote was taken with all in attendance in favor; Thompson excused absent. Motion carried.

ORDINANCES

An ordinance entitled “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” 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 Green, Swisher, Guthrey, Brandt, Cook, Allen and Perkins voting aye; Thompson excused absent. The ordinance is thereupon declared passed and so endorsed by the President of the Council, approved by the Mayor and numbered Ordinance No. 8809.

An ordinance entitled “AN ORDINANCE AUTHORIZING AND DIRECTING THE BOARD OF PUBLIC WORKS OF MARSHALL, MISSOURI, TO EXECUTE A CONTRACT WITH BURNS & MCDONNELL ENGINEERING CO., INC.” was given its second reading by title only and put to its final passage and approval upon motion of Guthrey, seconded by Green. A roll call vote was taken with Swisher, Guthrey, Brandt, Cook, Allen, Perkins and Green voting aye; Thompson excused absent. The ordinance is thereupon declared passed and so endorsed by the President of the Council, approved by the Mayor and numbered Ordinance No. 8810.

An ordinance entitled “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” was given its second reading by title only and put to its final passage and approval upon motion of Perkins, seconded by Brandt. A roll call vote was taken with Guthrey, Brandt, Cook, Allen, Perkins, Green and Swisher voting aye; Thompson excused absent. The ordinance is thereupon declared passed and so endorsed by the President of the Council, approved by the Mayor and numbered Ordinance No. 8811.

There was no motion to un-table a proposed ordinance entitled “AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI, ESTABLISHING RULES AND REGULATIONS PERMITTING THE USE OF UTILITY VEHICLES IN THE CITY OF MARSHALL”.

An ordinance entitled “AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI, ESTABLISHING RULES AND REGULATIONS PERMITTING THE USE OF THE UTILITY VEHICLES IN THE CITY OF MARSHALL” was given its first reading by title only.

Council Member Perkins explained the proposed ordinance is different from the previous version that was not un-tabled. Operators must be over the age of 18 and usage is within the corporate limits of the city.

Council Members discussed the proposed ordinance. Audience members participated in the discussion.

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

An ordinance entitled “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.” was given its first reading by title only.

City Administrator JD Kehrman said the proposed ordinance is the final requirement to close out an industrial revenue bond agreement with ConAgra that was entered into in 2008. All scheduled payments and requirement have been met by ConAgra.

Council Member Green made a motion, seconded by Guthrey, to approve the first reading. A roll call vote was taken with Allen, Perkins, Green, Swisher, Guthrey, Brandt and Cook 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 TRANSPORTATION ENHANCEMENTS FUNDS AGREEMENT BETWEEN THE CITY OF MARSHALL AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION” was given its first reading by title only.

The ordinance will provide for sidewalks on the east side of Miami Avenue from College to Vers utilizing federal funding. The City ‘s match portion is approximately \$90,975 and the amount is budgeted.

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

An ordinance entitled “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” was given its first reading by title only.

Council Member Guthrey gave a brief description of the proposed ordinance.

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

An ordinance entitled “AN ORDINANCE ESTABLISHING CERTAIN OPERATING STANDARDS, RULES, AND REGULATIONS FOR THE USE AND OPERATION OF THE MARSHALL MUNICIPAL AIRPORT” was given its first reading only.

Council Member Brandt said the proposed ordinance will create operating standards at the Airport.

Council Member Green said this will keep it fair for all users.

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

An ordinance entitled “AN ORDINANCE APPROVING AN AGREEMENT FOR THE STORAGE OF AIRCRAFT AND SUPPLIES BY AERIAL APPLICATORS AT THE MARSHALL MUNICIPAL AIRPORT” was given its first reading by title only.

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

Ordinance No. 8812 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 upon motion of Green, seconded by Allen. A roll call vote was taken with Brandt, Cook, Allen, Perkins, Green, Swisher and Guthrey 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

There being no other Council Business, Council Member Allen made a motion, seconded by Green, 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 7:20 p.m.

Julie A. Lewis
City Clerk