

CITY COUNCIL MINUTES
MARCH 5, 2024
6:00 P.M.

The Marshall City Council met in Regular Session at 6:00 p.m. on Tuesday, March 5, 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, Craig Thompson and Steve Cook; City Administrator JD Kehrman, City Counselor Josh Taylor and City Clerk Julie Lewis. Council Members Phil Perkins and Dan Brandt excused absent.

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

Council Member Swisher made a motion, seconded by Green, to approve Regular Session Minutes of February 20, 2024. A voice vote was taken with all in attendance in favor; Perkins and Brandt excused absent. Motion carried.

BUSINESS FROM THE AUDIENCE

Jill Mitchell, Ward 3, spoke about reimbursement for awnings and roof repairs made to the animal shelter. She will continue to remind Council until the requested reimbursement is made.

Willie Ryan, Ward 1, spoke in favor of the proposed Utility Vehicle ordinance. Utility vehicles are safe and better for the environment.

Denise Conner asked if there was supposed to be a community poll regarding utility vehicles.

Mayor Lutterbie said there really isn't a way to do a scientific poll.

Greg Swift, Ward 2, spoke in favor of the proposed Utility Vehicle ordinance. Utility vehicles are safer than golf carts and he is in support of the proposed ordinance.

COMMITTEE REPORTS

COMMUNITY DEVELOPMENT AND CODE COMMITTEE:

Council Member Cook reported the Board of Building Code Enforcement conducted hearings last Wednesday and was able to clear 3 items from the list. With the spring season beginning, please be aware of nuisance situations and if you need help, please ask.

PUBLIC RELATIONS AND PUBLIC SAFETY COMMITTEE:

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

Fires – 7	Excessive Heat/Scorching - 1
Rescue/Medical Assist – 36	Gas Leak – 1
Service Calls – 9	Good Intent Calls – 5

False Alarms – 2
Average – 2 per day

Total Calls – 61

MUNICIPAL SERVICES AND PERSONNEL COMMITTEE:

Council Member Thompson reported the Municipal Services and Personnel Committee met jointly last week with the Property, Finance, Budget and Audit Committee to discuss the proposed crosswalk upgrades at College and Arrow and the Airport usage agreement.

Council Member Thompson gave the following Storm Water Tip:

Stormwater runoff is rain water or snow melt that does not soak into the ground, but flows directly into a storm drain and then a waterway. Do your part to keep pollution out of stormwater, and out of our waterways.

Where Stormwater flows, everything goes!

PROPERTY, FINANCE, BUDGET AND AUDIT COMMITTEE:

Council Member Green said the Committee has been discussing the \$4.18 fee for trash pick up and the contract with RTS. They would like to remove the fee and amend the contract. He explained the City still has a Sanitation Department due to insurance coding of street sweepers and the fee covers the expenses relating to the street sweeper. Your MMU bill will be itemized so that you will be able to see where your money is going.

The Committee also discussed the old Fitzgibbon property. Proposals have been requested regarding the development of the property. The property will remain as an R-1 zoning designation, there will be a green space with memorial trees maintained by the City, and there will be room for 12 residential lots.

Mayor Lutterbie said the City is also looking to make certain crosswalks safer by installing pedestrian crossings. The intersection of Odell and College has been looked at and it is estimated to cost around \$22,000 for the updates. The intersection at Miami and College will be updated in 2026. The group is also looking at ideas for the intersection of Morrow and Odell.

CITY ADMINISTRATOR'S REPORT:

City Administrator JD Kehrman said the intersection of Miami and College will be a MoDOT project which is why it is scheduled for 2026.

MAYOR'S REPORT:

Mayor Lutterbie reminded everyone of the time change this weekend due to Daylight Savings.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PROGRAM UPDATE

Council Member Thompson read the following update:

Under the City's Municipal Separate Storm Sewer System (MS4) permit issued by MDNR, the City is required to take steps for reducing nonpoint source pollution from stormwater runoff. These steps are divided into six areas: public outreach and education, public involvement, illicit discharge detection and elimination, construction site runoff control, post-construction runoff control and good housekeeping in municipal operations. One specific permit requirement is to provide the City Council with an annual update on the status of the program.

For many years, the City has had an active public outreach and education program where we have distributed information about stormwater quality protection through several mediums to several audiences. We continue to encourage our residents to always remember "Only rain down the drain". This year that included: information on the City web site, Facebook posts, Chamber of Commerce newsletter tips, direct mail, assisting citizens with properly disposing of household hazardous waste, letting over 160 citizens "touch a truck" while learning about stormwater quality protection, and maintaining dog waste stations throughout the park system where approximately 2500 bags of pet waste were properly disposed of.

The City continues to investigate, trace and assist with the elimination of illicit discharges. These are when anything ends up in the stormwater collection system that is not from rain or snowmelt. This past year, there were seven reports investigated and resolved. The City did not complete the required dry weather field screening due to staff turnover and shortage. Our consultant will be working to train staff in this area so this can be corrected in the coming reporting year.

The stormwater program also works to reduce pollutants from construction projects both during construction and longer term. The building department completed 52 inspections of 6 smaller construction projects. The City's stormwater consultant trained staff on construction site inspections as it related to erosion and sediment control as well as proper management of other potential pollutants like concrete washout, paint, etc. The City's stormwater consultant also provided training on detention basin inspections and municipal maintenance facility inspection. Further training will be provided in the upcoming year on Good Housekeeping in Municipal Operations.

Municipal Services staff also worked to reduce pollutants by completing over 900 hours of street sweeping, over 1420 hours of stormwater inlet cleaning, and almost 1000 hours of picking up litter from the right-of-way.

ORDINANCES

An ordinance entitled "AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE A MUTUAL AID AGREEMENT WITH THE MISSOURI PUBLIC UTILITY ALLIANCE" was given its first reading by title only.

Marshall Municipal Utilities General Manager Jeff Bergstrom said this is an agreement that has been in place for many years and the current agreement expires in August.

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

An ordinance entitled “AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE A CONTRACT WITH BURNS & MCDONNELL ENGINEERING CO., INC.” was given its first reading by title only.

Mr. Bergstrom explained MMU is required, during recreational season, to disinfect all of the effluent from the wastewater treatment plant through a UV system and the current system is in bad shape so the ordinance will provide for replacing that system.

Council Members discussed the effluent system.

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

Ordinance No. 8808 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 Thompson, seconded by Guthrey. A roll call vote was taken with Cook, Allen, Green, Swisher, Guthrey and Thompson voting aye; Perkins and Brandt 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 said he has been working on the fee schedule for self-owned dumpsters as their increase was much higher than the other tiers.

City Counselor Josh Taylor said it should be placed on the Agenda for Council to vote on.

Council Member Green asked for the amendment to be placed on the next Council agenda.

Council Member Green discussed the PILOT payment MMU pays the City on electric and water. His idea is to pass a sales tax that will create a larger tax base than the fee base and ultimately save citizens money.

Council Member Green said he has been talking with RTS regarding how the City is billed for trash service. Changes will save the citizens money and allow for some recoupment from last year.

Council Member Cook spoke about how much money is spent each year treating stormwater and reminded everyone that the stormwater tips are very important – “Only Rain Down the Drain” and “Where Stormwater Flows, Everything Goes”.

Council Member Thompson discussed inflow and infiltration issues with Mr. Bergstrom and asked that MMU coordinate with Municipal Services when street cuts are made.

There being no other Council Business, Council Member Swisher made a motion, seconded by Green, to go into executive session concerning legal actions, causes of actions 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). A roll call vote was taken with Allen, Green, Swisher, Guthrey, Thompson and Cook voting aye; Perkins and Brandt excused absent. Motion carried and the meeting went into executive session at 6:42 p.m.

At 7:26 p.m. the Marshall City Council returned to Regular Session with the following members present: Mayor Vincent Lutterbie; Council Members John Allen, Drew Green, Nathan Swisher, Charles Guthrey, Craig Thompson and Steve Cook. Council Members Phil Perkins and Dan Brandt excused absent.

Council Member Thompson made a motion, seconded by Guthrey, to adjourn the meeting. A roll call vote was taken with Allen, Green, Swisher, Guthrey, Thompson and Cook voting aye; Perkins and Brandt excused absent. Motion carried and the meeting adjourned at 7:28 p.m.

Julie A. Lewis
City Clerk