

**TENTATIVE
CITY COUNCIL AGENDA
MAY 21, 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 May 7, 2024
4. Public Hearing to Hear Comments or Concerns Regarding a Request by David M. Diehm to Re-Zone a Tract of Land from C-1 Central Business to I-H Heavy Industrial Located at 1180 North 65 Highway, Marshall, Missouri and to Hear Comments or Concerns Regarding a Request by Brian McCorkle to Re-Zone a Tract of Land From C-1 Central Business to I-H Heavy Industrial Located at 891 North 65 Highway, Marshall, Missouri.
5. Committee Reports
 1. Public Safety and Public Relations 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. 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.
7. Liquor License Annual Renewals – Due July 1, 2024
8. Discussion and Appropriate Follow Up
 1. Appointments – Park Board
 2. Appointments – Planning and Zoning Commission
 3. Bid – Sale of Used Police Vehicles
 4. Event Request – Saline County BBQ – June 1, 2024
 5. Event Request – Chamber of Commerce – Marshall Summer Nights – June 29, 2024
9. Ordinances
 1. An Ordinance of the City of Marshall Regarding the Damage to or Removal of Trees on City Property – Second Reading
 2. Amend Section 500.140 of the Municipal Code of the City of Marshall Establishing the Qualifications of Applicants for Class 1 Electrician's License – Second Reading
 3. Amend Section 500.150 of the Municipal Code of the City of Marshall Establishing the Procedure for Obtaining a Class 1 Electrician's License – Second Reading
 4. Enact a New Section 500.205 of Title V, Chapter 500, Article II, Division 4 of the Municipal Code of the City of Marshall to Establish Procedures for the Suspension or Discipline of Electrician's Licenses
 5. Execute an Amendment to a Solid Waste Collection Agreement with RTS Waste Services LLC

6. Amend Zoning Ordinance by Changing Zoning Classification of Certain Property from C-1 Central Business District to I-H Heavy Industrial District
7. Amend Zoning Ordinance by Changing Zoning Classification of Certain Property from C-1 Central Business District to I-H Heavy Industrial District
8. Appropriation
10. Other Council Business
11. Executive Session Concerning Hiring, Firing, Discipline or Promotion of Particular Employees by a Public Governmental Body. RSMo. 610.021 (3)
12. Adjourn

POSTED 5/16/2024
11:30 A.M.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARSHALL REGARDING THE DAMAGE TO OR REMOVAL OF TREES ON CITY PROPERTY

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

SECTION 1. A new Section 250.120 is hereby added to Article II of Chapter 250 of the Municipal Code of Ordinances of the City of Marshall, Missouri, and said new Section shall read as follows:

Damage To or Removal of Trees on Public Property.

It shall be unlawful for any person, firm, or corporation to damage, remove, or cause the damage or removal of a tree on public property without written permission from the City Administrator or his or her designee. It shall further be unlawful for any person, firm, or corporation to "top" any public tree. Trees severely damaged by storms or other causes, where best pruning practices are impractical, may be exempted from this provision at the determination of the City Administrator or his or her designee. 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.

SECTION 2. 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 3. This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the Council of the City of Marshall, Missouri, this ____ day of _____ 2023.

President

APPROVED by the Mayor this _____ day of _____ 2024.

Mayor

FILED this _____ day of _____ 2024.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 500.140 OF THE MUNICIPAL CODE OF THE CITY OF MARSHALL ESTABLISHING THE QUALIFICATIONS OF APPLICANTS FOR A CLASS I ELECTRICIAN'S LICENSE

WHEREAS, Board of Examiners of Electricians for the City is charged with determining the competency of, and issuing licenses to electricians conducting business within the City of Marshall and said Board has recommended the amendments found below; and

WHEREAS, the City seeks to update the qualifications for applicants seeking a Class I Electrician's License in the City of Marshall.

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

Section 1. That Title V, Chapter 500, Article II, Division 4 of the Code of Ordinances of the City of Marshall, Missouri, be, and hereby is, amended by replacing existing Section 500.140 with a new Section 500.140, titled "Qualifications of Applicant for Class I Electrician's License. " and to read as follows:

Section 500.140. Qualifications of Applicant for Class I Electrician's License.

An applicant for a Class I electrician's license shall have completed at least four (4) years and seven thousand two hundred hours (7,200) hours of verifiable practical experience as a journeyman electrician Class II and show competency in the form of a satisfactory score on a written examination and an interview with the Electrical Board.

Section 2. This provision shall not affect individuals who currently hold a valid Class I Electrician's License in the City of Marshall.

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. That this ordinance shall be in full force and effect from and after its 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.

Clerk

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 500.150 OF THE MUNICIPAL CODE OF THE CITY OF MARSHALL ESTABLISHING THE PROCEDURE FOR OBTAINING A CLASS I ELECTRICIAN'S LICENSE

WHEREAS, Board of Examiners of Electricians for the City is charged with determining the competency of, and issuing licenses to electricians conducting business within the City of Marshall; and

WHEREAS, the City seeks to update the qualifications for applicants seeking a Class I Electrician's License in the City of Marshall.

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

Section 1. That Title V, Chapter 500, Article II, Division 4 of the Code of Ordinances of the City of Marshall, Missouri, be, and hereby is, amended by amending existing Section 500.150.C. through 500.150.G. to read as follows:

- C. Except as specified in this Division, no license required by this Division shall be issued to any person who does not hold a certificate of competency issued pursuant to this Division.
- D. To obtain a Class I electrician's license, a person must apply to the Electrical Inspector and present proof of trade competency to be presented to the Board of Examiners of Electricians for evaluation and approval.
- E. All Class I electrician's license applicants, except as otherwise specified in this Division, shall be examined for competency in the grade or grades, specified in the application, as to their knowledge of and ability to perform the duties and services of the grade or grades for which application is made. Class I electrician's license applicants shall appear at such time and place as the Board of Examiners of Electricians may designate and shall undergo such examinations as the Board may direct to establish the competence and qualifications of the applicant.
- F. Any Class I electrician's license applicant who fails to pass the examinations prescribed by the Board of Examiners of Electricians may re-take the examination at any time in accordance with the testing requirements adopted by the Board and any requirements of the testing facility.
- G. A Class I electrician's license applicant who passes the examination shall then also pay the license fee as set forth in Section 605.140 of the City's Code of Ordinances to obtain a license, or such sum as specified in the City's fee schedule, as may be amended from time to time.

Section 2. These provisions shall not affect individuals who currently hold a valid Class I Electrician's License in the City of Marshall.

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. That this ordinance shall be in full force and effect from and after its 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.

Clerk

ORDINANCE NO. _____

AN ORDINANCE ENACTING A NEW SECTION 500.205 OF TITLE V, CHAPTER 500, ARTICLE II, DIVISION 4 OF THE MUNICIPAL CODE OF THE CITY OF MARSHALL TO ESTABLISH PROCEDURES FOR THE SUSPENSION OR DISCIPLINE OF ELECTRICIAN'S LICENSES IN THE CITY OF MARSHALL.

WHEREAS, Board of Examiners of Electricians for the City is charged with determining the competency of, and issuing licenses to electricians conducting business within the City of Marshall; and

WHEREAS, the City seeks to establish procedures for the Board concerning the suspension or discipline of licensed electricians within the City of Marshall.

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

Section 1. That Title V, Chapter 500, Article II, Division 4 of the Code of Ordinances of the City of Marshall, Missouri, be, and hereby is, amended by enacting new Section 500.205, titled "Refusal to issue or renew license, suspension of license, when" and to read as follows:

Section 500.205. **Refusal to issue or renew license, suspension of license, when.**

- A. The Board of Examiners for Electricians may refuse to issue or renew or may suspend any license required by Title V, Chapter 500, Article II, Division 3 of the Code of Ordinances of the City of Marshall for one or any combination of causes stated in subsection B of this section. The Board of Examiners for Electricians shall notify the applicant in writing of the reasons for the refusal.
- B. The Electrical Inspector may cause a complaint to be filed with the Board of Examiners for Electricians against any holder of any license required by Title V, Chapter 500, Article II, Division 3 of the Code of Ordinances of the City of Marshall or any person who has failed to renew or has surrendered his or her license for any one or any combination of the following causes:
 1. The final adjudication and finding of guilty, or the entering of a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state, of the United States, or of any country, for any offense directly related to the duties and responsibilities of the occupation, regardless of whether or not sentence is imposed;
 2. Use of fraud, deception, misrepresentation, or bribery in securing any license issued under Title V, Chapter 500, Article II, Division 3 of the Code of Ordinances of the City of Marshall or in obtaining permission to take any examination given or required under Title V, Chapter 500, Article II, Divisions 3 or 4 of the Code of Ordinances of the City of Marshall;

3. Obtaining or attempting to obtain any fee, charge, tuition, or other compensation by fraud, deception, or misrepresentation;
 4. Incompetence, misconduct, gross negligence, fraud, misrepresentation, or dishonesty in the performance of the functions and duties of any profession licensed or regulated by Title V, Chapter 500, Article II of the Code of Ordinances of the City of Marshall;
 5. Violation of, or assisting or enabling any person to violate, any provision of Title V, Chapter 500, Article II of the Code of Ordinances of the City of Marshall or any lawful rule adopted under Title V, Chapter 500, Article II of the Code of Ordinances of the City of Marshall;
 6. Impersonation of any person holding a license or allowing any person to use his or her license;
 7. Final adjudication of a person as insane or incompetent by a court of competent jurisdiction;
 8. Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by Title V, Chapter 500, Article II of the Code of Ordinances of the City of Marshall who is not registered and currently eligible to practice under Title V, Chapter 500, Article II of the Code of Ordinances of the City of Marshall;
 9. Issuance of a certificate of registration or authority, permit, or license based upon a material mistake of fact;
 10. An individual holding a statewide license, recognized by the City of Marshall, has their statewide license suspended or revoked.
- C. After the filing of such a complaint, the Board of Examiners for Electricians shall hold a hearing. Upon a finding by the Board of Examiners for Electricians that the grounds provided in subsection B of this section for disciplinary action are met, the Board of Examiners for Electricians may, singly or in combination, censure or place the person named in the complaint on probation with such terms and conditions as the Board deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate, or permit. The Board of Examiners for Electricians shall notify the license holder in writing of its disciplinary action.
- D. An individual whose license has been revoked shall wait at least one year from the date of revocation to apply for relicensure. Relicensure shall be at the discretion of the Board of Examiners for Electricians after compliance with all requirements of Title V, Chapter 500, Article II of the Code of Ordinances of the City of Marshall, relative to the previous licensing of the applicant.

Section 2. That in all other respects, the Ordinances of the City of Marshall, Missouri shall remain unchanged.

Section 3. That this ordinance shall be in full force and effect from and after its 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.

Clerk

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AMENDMENT TO A SOLID WASTE COLLECTION AGREEMENT WITH RTS WASTE SERVICES, LLC

WHEREAS, RTS Waste Services, LLC (“RTS”) and the City of Marshall (“City”) previously entered into a Solid Waste Collection Agreement; and

WHEREAS, RTS and City desire and intend to amend the Agreement.

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 an Amendment to its Solid Waste Collection Agreement with RTS Waste Services, LLC, 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.

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 THE ZONING ORDINANCE OF THE CITY OF MARSHALL, MISSOURI, BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY FROM “C-1” CENTRAL BUSINESS DISTRICT TO “I-H” HEAVY INDUSTRIAL DISTRICT.

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

Section 1. That the zoning classification of the following described property be amended from “C-1” Central Business District to “I-H” Heavy Industrial District:

A TRACT OF LAND LOCATED IN THE NORTH HALF OF SECTION 9, TOWNSHIP 50 NORTH, RANGE 21 WEST OF THE 5TH PRINCIPAL MERIDIAN, SALINE COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH PROPERTY LINE OF HIGHWAY #65, SAID POINT IS LOCATED ON THE HALF SECTION LINE 1013.1 FEET NORTH OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE NORTH 36°45’ WEST 192.3 FEET FOLLOWING THE NORTH PROPERTY LINE OF HIGHWAY #65 TO AN IRON ROD; THENCE SOUTH 84°08’ EAST, 177.2 FEET TO AN IRON ROD IN WEST LINE OF A PRIVATE ROAD; THENCE SOUTH 21°45’ WEST, 152.5 FEET TO AN IRON ROD ON THE NORTH PROPERTY LINE OF HIGHWAY #65; THENCE NORTH 36°45’ WEST, 7.0 FEET TO THE POINT OF BEGINNING.

AND A TRACT OF LAND LOCATED IN THE EAST HALF OF THE NORTHWEST QUARTER AND THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 50 NORTH, RANGE 21 WEST OF THE 5TH PRINCIPAL MERIDIAN, SALINE COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE HALF SECTION LINE OF SAID SECTION 9, SAID POINT BEING LOCATED 1155.1 FEET NORTH OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE SOUTH 84°08’ EAST, 59.5 FEET TO A POINT IN THE WEST FENCE LINE ON A PRIVATE ROAD; THENCE NORTH 21°45’ EAST, 316.2 FEET FOLLOWING THE WEST LINE OF PRIVATE ROAD; THENCE NORTH 36°45’ WEST, 17.1 FEET TO A POINT WHICH IS ALSO THE NORTHEAST CORNER OF THE KMMO RADIO STATION PROPERTY DESCRIBED IN DEED RECORDED IN BOOK 300 AT PAGE 297, RECORDS OF THE SALINE COUNTY RECORDER’S OFFICE; THENCE SOUTH 53°15’ WEST, 400.0 FEET TO THE NORTH RIGHT OF WAY OF U.S. HIGHWAY #65 TO A POINT WHICH IS ALSO THE SOUTHEAST CORNER OF THE ABOVE REFERENCED KMMO RADIO STATION PROPERTY; THENCE SOUTH 36°45’ EAST, 62.0 FEET ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID HIGHWAY #65 TO A POINT THAT IS THE NORTHWEST CORNER OF A FILLING STATION TRACT DESCRIBED IN BOOK 285 AT PAGE 636, RECORDS OF SAID SALINE COUNTY RECORDER; THENCE 84°08’ EAST, 117.7 FEET TO THE POINT OF BEGINNING.

Commonly known as: 1180 North 65 Highway, Marshall, Saline County, Missouri.

Parcel ID No.: 03-17-20-09-00-000-009.000

Section 2. That in all other respects, the Zoning Ordinance of the City of Marshall, Missouri shall remain unchanged.

Section 3. That this ordinance shall be in full force and effect from and after its 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.

Clerk

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF MARSHALL, MISSOURI, BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY FROM “C-1” CENTRAL BUSINESS DISTRICT TO “I-H” HEAVY INDUSTRIAL DISTRICT.

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

Section 1. That the zoning classification of the following described property be amended from “C-1” Central Business District to “I-H” Heavy Industrial District:

A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 9, TOWNSHIP 50 NORTH, RANGE 21 WEST, SALINE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 9, TOWNSHIP 50 NORTH, RANGE 21 WEST, AS SHOWN BY SURVEY IN PLAT BOOK U, PAGE 329 OF THE SALINE COUNTY RECORDS; THENCE N00°22'25"E, A DISTANCE OF 25.00' TO THE NORTH LINE OF A 25' WIDE ROAD AS SHOWN BY SAID SURVEY; THENCE S89°37'40"E ALONG SAID NORTH LINE, A DISTANCE OF 165.91 FEET TO A 1/2" IRON ROD FOUND AT THE POINT OF BEGINNING;

THENCE S89°37'40"E ALONG SAID NORTH LINE, A DISTANCE OF 238.24 FEET TO 5/8" IRON ROD FOUND AT THE SOUTHWEST CORNER OF SURVEY RECORDED IN PLAT BOOK U, PAGE 329 OF THE SALINE COUNTY RECORDS; THENCE N35°47'40"W ALONG THE WEST LINE OF SAID SURVEY, A DISTANCE OF 388.68 FEET TO 1/2" IRON ROD FOUND; THENCE S01°59'30"W ALONG SAID SECTION LINE, A DISTANCE OF 313.90 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 0.88 ACRES MORE OR LESS AND IS THE SAME LAND DESCRIBED BY DOCUMENT #2017-2643 OF THE SALINE COUNTY RECORDS, SUBJECT TO EASEMENTS OF RECORD OR NOT OF RECORD, IF ANY.

Commonly known as: 891 North 65 Highway, Marshall, Saline County, Missouri.

Parcel ID No.: 03-17-20-09-00-000-018.000

Section 2. That in all other respects, the Zoning Ordinance of the City of Marshall, Missouri shall remain unchanged.

Section 3. That this ordinance shall be in full force and effect from and after its 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.

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	\$ 481,441.70
SANITATION FUND	101,410.15
LIBRARY FUND	22,664.93
BAND FUND	7,200.69
PARK FUND	167,232.66
ARPA	261,365.60
STREET FUND	135,929.97
AIRPORT OPERATING FUND	24,247.24
TOURISM	4,354.95
MARTIN COMMUNITY CENTER HAB CENTER FUND	2,899.29
PARK CAPITAL IMPROVEMENT	-
SOUTH ODELL SEWER	89,215.07
ECONOMIC DEVELOPMENT	-
	8,800.00
WATER OPERATING FUND	\$ 147,775.09
ELECTRIC OPERATING FUND	1,039,773.97
SEWER REVENUE FUND	152,924.06
INTERNET OPERATING FUND	236,615.36
NATURAL GAS OPERATING FUND	255.60
ELECTRIC CONSUMER DEPOSIT FUND	
SEWER EQUIPMENT FUND	
WATER SEGREGATED	

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 21st day of MAY, 2024.

President of the City Council

APPROVED by the Mayor of the City of Marshall, Missouri, this 21st day of MAY, 2024.

Mayor

FILED this 21st day of MAY, 2024.

City Clerk