

**TENTATIVE  
CITY COUNCIL AGENDA  
MAY 7, 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 April 16, 2024
4. Committee Reports
  1. Community Development and Code Committee
  2. Public Safety and Public Relations Committee
  3. Municipal Services and Personnel Committee
  4. Property, Finance, Budget and Audit Committee
  5. City Administrator's Report
  6. Mayor's Report
5. 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.
6. Marshall Fire Department Annual Report
7. Discussion and Appropriate Follow Up
  1. Appointment – Library Board
  2. Appointment – Board of Public Works
  3. Appointment - Planning and Zoning Commission
  4. Bid – Heavy Duty Truck, Snow Plow and Sand/Salt Rig
8. Ordinances
  1. Execute Agreement Between the City of Marshall and Higgins Asphalt Paving Co., Inc. for the Cold Milling of Certain City Streets
  2. Execute Agreement Between the City of Marshall and Pavement Management LLC for the Slurry Seal of Certain City Streets
  3. Execute Agreement Between the City of Marshall and Higgins Asphalt Paving Co., Inc. for the Asphalt Overlay of Certain City Streets
  4. An Ordinance of the City of Marshall Regarding the Damage to or Removal of Trees on City Property
  5. Amend Section 500.140 of the Municipal Code of the City of Marshall Establishing the Qualifications of Applicants for Class 1 Electrician's License
  6. Amend Section 500.150 of the Municipal Code of the City of Marshall Establishing the Procedure for Obtaining a Class 1 Electrician's License
  7. 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
  8. Appropriation
9. Other Council Business
10. Adjourn

POSTED 5/6/2024  
10:45 a.m.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MARSHALL AND HIGGINS ASPHALT PAVING CO., INC., FOR THE COLD MILLING OF CERTAIN CITY STREETS**

**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 Contract with Higgins Asphalt Paving Co., Inc., for the cold milling of certain City streets as specified in the Contract. The Mayor is hereby further authorized to execute such other documents as may be necessary in connection with the agreement.

**Section 2.** If said Contract is executed in accordance with Section 1 above, the City shall, in consideration of the cold milling provided by Higgins Asphalt Paving Co., Inc., pay Higgins Asphalt Paving Co., Inc., \$2.14 per square yard for said cold milling, and such other sums as set forth in said Agreement.

**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 AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MARSHALL AND PAVEMENT MANAGEMENT LLC FOR THE SLURRY SEAL OF CERTAIN CITY STREETS**

**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 Contract with Pavement Management LLC, for the slurry seal of certain City streets as specified by City. The Mayor is hereby further authorized to execute such other documents as may be necessary in connection with the agreement.

**Section 2.** If said Contract is executed in accordance with Section 1 above, the City shall, in consideration for the provision of slurry seal by Pavement Management LLC, pay Pavement Management LLC, \$4.40 per square yard for said slurry seal and for such other sums as specified in such agreement.

**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 AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MARSHALL AND HIGGINS ASPHALT PAVING CO., INC., FOR THE ASPHALT OVERLAY OF CERTAIN CITY STREETS**

**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 Contract with Higgins Asphalt Paving Co., Inc., for the asphalt overlay of certain City streets as specified in the Contract. The Mayor is hereby further authorized to execute such other documents as may be necessary in connection with the agreement.

**Section 2.** If said Contract is executed in accordance with Section 1 above, the City shall, in consideration of the asphalt overlay provided by Higgins Asphalt Paving Co., Inc., pay Higgins Asphalt Paving Co., Inc., \$130.45 per ton for BP-2 Asphalt Mix asphalt overlay, and such other sums as set forth in said Agreement.

**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 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 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	\$ 286,244.21
SANITATION FUND	8,069.72
LIBRARY FUND	8,383.14
BAND FUND	67.11
PARK FUND	60,725.49
ARPA	39,201.47
STREET FUND	53,700.53
AIRPORT OPERATING FUND	26,031.97
TOURISM	4,220.75
MARTIN COMMUNITY CENTER	3,712.14
HAB CENTER FUND	23,144.75
PARK CAPITAL IMPROVEMENT	21,233.98
SOUTH ODELL SEWER	-
ECONOMIC DEVELOPMENT	-
WATER OPERATING FUND	\$ 293,328.38
ELECTRIC OPERATING FUND	705,913.44
SEWER REVENUE FUND	360,960.60
INTERNET OPERATING FUND	152,330.14
NATURAL GAS OPERATING FUND	14,541.39
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 7TH day of MAY, 2024.

\_\_\_\_\_  
President of the City Council

APPROVED by the Mayor of the City of Marshall, Missouri, this 7TH day of MAY, 2024.

\_\_\_\_\_  
Mayor

FILED this 7TH day of MAY, 2024.

\_\_\_\_\_  
City Clerk