

**CITY COUNCIL AGENDA
NOVEMBER 15, 2021
6:00 P.M.**

1. Roll Call
2. Adoption of Agenda
3. Approve or Correct Special Session Minutes of September 21, 2021 and Regular Session of November 1, 2021
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, address and comments. Non-residents are invited to speak first, followed by residents of the city. Although we are readily available outside our formal meetings, this will be your only opportunity to offer your thoughts during this evening's meeting as comments from the floor will not be taken during the regular meeting. Although certainly welcome, you are not required to stay for the remainder of the meeting and may exit the Council Chambers in a quiet and respectful manner.
5. Committee Reports
 1. Property, Finance, Budget and Audit Committee
 2. Community Development and Code Committee
 3. Public Relations and Public Safety Committee
 4. Municipal Services and Personnel Committee
 5. City Administrator's Report
 6. Mayor's Report
6. Discussion and Appropriate Follow Up
 1. Planning and Zoning Recommendation – Set Public Hearing
7. Resolution
 1. Adopt Social Media Guidelines for Use of Social Media for City Business and To Provide Guidance for Employee Conduct on City Social Media Accounts
8. Ordinances
 1. Execute Agreement Between the City of Marshall and Engineering Surveys and Services, LLC for Engineering and Consulting Services – Second Reading
 2. Amend Qualification Requirements for Board Members of the City Of Marshall's Board of Public Works – Second Reading
 3. Amend Ordinances Concerning Sale of Alcoholic Beverages – Second Reading
 4. Appropriation
9. Other Council Business
10. Adjourn

**POSTED: 11/10/2021
3:00 P.M.**

RESOLUTION NO. _____

A RESOLUTION ADOPTING SOCIAL MEDIA GUIDELINES FOR THE USE OF SOCIAL MEDIA FOR CITY BUSINESS AND TO PROVIDE GUIDANCE FOR EMPLOYEE CONDUCT ON CITY SOCIAL MEDIA ACCOUNTS.

WHEREAS, the City of Marshall, Missouri (“City”) recognizes the need for the use of social media to promote public awareness and boost participation in the City’s programs, policies, and services; and

WHEREAS, the City has determined that it is necessary to establish guidelines for the creation of City social media accounts and use by City employees of City social media accounts.

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

Section 1. The Social Media Usage Guidelines of the City of Marshall, Missouri, as attached hereto, are hereby adopted.

Section 2. That this Resolution 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 _____, 2021.

President

APPROVED by the Mayor this _____ day of _____, 2021.

Mayor

FILED this _____ day of _____, 2021.

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 ENGINEERING SURVEYS AND SERVICES, LLC, FOR ENGINEERING AND CONSULTING SERVICES

WHEREAS, the City of Marshall ("City") and Engineering Surveys and Services, LLC, desire to enter into an Agreement for the provision by Engineering Surveys and Services, LLC, of professional engineering and consulting services for the City.

NOW THEREFORE 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 Agreement, and any other necessary documents, with Engineering Surveys and Services, LLC, for the purpose of receiving professional engineering and consulting services under a Master Services Agreement for Professional Engineering and Consulting Services from said Company as set forth in said Agreement

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 _____, 2021.

President

APPROVED by the Mayor this ____ day of _____, 2021.

Mayor

FILED this ____ day of _____, 2021.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE QUALIFICATION REQUIREMENTS FOR BOARD MEMBERS OF THE CITY OF MARSHALL'S BOARD OF PUBLIC WORKS.

WHEREAS, Chapter 700, Article II, Section 700.020 of the Municipal Code of Ordinances of the City of Marshall, Missouri, contains provisions relating to the membership requirements for members of the City of Marshall's Board of Public Works; and

WHEREAS, pursuant to amendments made to the membership requirement for such board members in Section 91.450, RSMo., the Council of the City of Marshall desires to amend its Code of Ordinances to be consistent with the Revised Statutes of Missouri.

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

SECTION 1. Section 700.020 of Article II of Chapter 700 of the Municipal Code of Ordinances of the City of Marshall, Missouri, is hereby amended by adding language to the end of Section 700.020 so that it reads as follows:

There is hereby established within the City an executive department to be known as the Board of Public Works, to consist of four (4) persons, electors of the City, who have resided therein for a period of two (2) years next before their appointment, or any resident of Saline County, Missouri, that receives services from the Board of Public Works.

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 _____ 2021.

President

APPROVED by the Mayor this _____ day of _____ 2021.

Mayor

FILED this _____ day of _____ 2021.

City Clerk

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE ORDINANCES OF THE CITY OF MARSHALL
CONCERNING THE SALE OF ALCOHOLIC BEVERAGES**

WHEREAS, Chapter 600 of the Code of Ordinances of the City of Marshall, Missouri, contains provisions relating to the sale of alcoholic beverages in the City, and the City Council desires to amend the provisions of said ordinance to make said provisions consistent with recent amendments to Missouri laws relating to the sale of alcoholic beverages.

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

SECTION 1. Sections 600.020(B) and 600.020(C) of the Municipal Code of Ordinances of the City of Marshall, Missouri, are hereby amended by deleting the current language and replacing it with the following:

B. General Licenses. Any person possessing the qualifications and meeting the requirements of this Chapter may apply for the following licenses to sell intoxicating liquor:

1. **Package Liquor – Malt Liquor Only.** Sales of malt liquor at retail by grocers and other merchants and dealers for sale in the original package direct to consumers but not for resale and not for consumption on the premises where sold. Any person licensed pursuant to this subsection may also sell malt liquor at retail between the hours of 6:00 a.m. on Sundays and 1:30 a.m. on Mondays.
2. **Package Liquor – All Kinds.** Sales of all kinds of intoxicating liquors in the original package at retail not for consumption on the premises where sold, including sales as set forth in Subsection (B)(1) of this Section.
3. **Liquor by the Drink – Malt Liquor/Light Wine Only.** Sales of malt liquor and light wines at retail by the drink for consumption on the premises where sold, including sales as set forth in Subsections (B)(1) and (4) of this Section.
4. **Malt Liquor By The Drink.** Sales of malt liquor at retail by the drink for consumption on the premises. Any person licensed pursuant to this subsection may also sell malt liquor at retail between the hours of 6:00 a.m. on Sundays and 1:30 a.m. on Mondays.
5. **Liquor by the Drink – All Kinds.** Sales of intoxicating liquor of all kinds at retail by the drink for consumption on the premises where sold, including package sales as set forth in Subsection (B)(2) of this Section.

C. Sunday Sales. Except for any establishment that may apply for a license under section 311.089, RSMo., any person possessing the qualifications and meeting the requirements of this Chapter, who is licensed to sell intoxicating liquor at retail, may apply to the City for a special license to sell intoxicating liquor at retail between the hours of 6:00 a.m. on Sundays and 1:30 a.m. on Mondays.

SECTION 1. Sections 600.030(B)(2) 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:

2. If the event will be held on a Sunday, the permit shall authorize the sale of intoxicating liquor on that day beginning at 6:00 a.m.

SECTION 2. A new Section 600.025 of the Municipal Code of Ordinances of the City of Marshall, Missouri, is hereby enacted as follows:

A. Notwithstanding any provision of this Chapter, any person who is licensed to sell intoxicating liquor at retail by the drink for on-premises consumption may sell retailer-packaged alcoholic beverages to customers in containers, filled on such premises by any employee of the retailer who is twenty-one years of age or older, for off-premises consumption if all the following requirements are met:

1. The container of the alcoholic beverage is rigid, durable, leak-proof, sealable, and designed to prevent consumption without removal of the tamperproof cap or seal. A “sealable” container does not include a container with a lid with sipping holes or openings for straws;
2. The contents of each container do not exceed one hundred twenty-eight (128) ounces;
3. The patron orders and purchases a meal from the licensee simultaneous with the alcoholic beverage purchase. For purposes of this subdivision, a “meal” is defined as food that has been prepared on-premises;
4. The number of alcoholic beverages sold under this section by a licensee for off-premises consumption is limited to twice the number of meal servings sold by the licensee for off-premises consumption;
5. The licensee provides the patron with a dated receipt or an electronic record for the meal and alcohol beverages; and
6. The container is either:
 - a. Placed in a one-time-use, tamperproof, transparent bag that is securely sealed; or
 - b. The container opening is sealed with tamperproof tape.

For purposes of this subdivision, “tamperproof” means that a lid, cap, or seal visibly demonstrates when a bag or container has been opened.

B. Containers that are filled under subsection A of this section shall be affixed with a label or a tag that contains the name and address of the business that filled the container, in type not smaller than three millimeters in height and not more than twelve characters per inch, and states, “THIS BEVERAGE CONTAINS ALCOHOL.”

C. The filling of a container under this section shall comply with Section 3–304.17(c) of the 2009 Food and Drug Administration Food Code, as the same may be amended from time to time.

D. No provision of law, or rule or regulation of the City, shall be interpreted to allow any wholesaler, distributor, or manufacturer of intoxicating liquor to furnish containers that are filled under subsection A of this section to any person who is licensed to sell intoxicating liquor at retail.

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.

PASSED by the Council of the City of Marshall, Missouri, this ____ day of _____, 2021.

President

APPROVED by the Mayor this _____ day of _____, 2021.

Mayor

FILED this _____ day of _____, 2021.

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	\$ 177,310.84
SANITATION FUND	57,564.35
LIBRARY FUND	6,904.31
BAND FUND	407.67
PARK FUND	20,982.78
CITY OFFICE/REVITALIZATION	-
STREET FUND	54,390.51
AIRPORT OPERATING FUND	40,718.63
TOURISM	3,873.03
MARTIN COMMUNITY CENTER	1,646.49
HAB CENTER FUND	12,858.59
PARK CAPITAL IMPROVEMENT	3,618.26
SOUTH ODELL SEWER	2,487.60
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WATER OPERATING FUND	\$ 179,584.68
ELECTRIC OPERATING FUND	980,184.87
SEWER REVENUE FUND	210,840.77
INTERNET OPERATING FUND	208,194.20
NATURAL GAS OPERATING FUND	2,795.52
ELECTRIC CONSUMER DEPOSIT FUND	4,650.00
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 15th day of November, 2021.

President of the City Council

APPROVED by the Mayor of the City of Marshall, Missouri, this 15th day of November, 2021.

Mayor

FILED this 15th day of November, 2021.

City Clerk